United States Environmental Protection Agency

Fiscal Year 2013

Justification of Appropriation Estimates for the Committee on Appropriations

EPA-190-R-12-001

Mission

The mission of the Environmental Protection Agency (EPA) is to protect human health and the environment.

Introduction and Overview

The Agency's FY 2013 budget request supports the Administration's commitment to ensure that all Americans are protected from significant risks to human health and protect the environment where they live, learn and work. The EPA's work touches on the lives of every single American, every single day as we protect the environment for our children, but also for our children's children. The mission, day in and day out, is to protect the health of the American people by keeping pollution out of the air we breathe, toxins out of the water we drink and swim in, and harmful chemicals out of the food we eat and the lands where we build our homes and our communities. We are committed to advancing environmental justice and achieving transparency in agency decision-making as an integral part of achieving our mission.

Environmental challenges and health threats have the capacity to limit opportunity and hold back the progress of entire communities. Recent events such as the radiation released after the earthquake in Japan and the environmental impact of large-scale disasters, both natural and man-made, reinforce the critical importance of fulfilling the EPA's mission and providing the safeguards that the American people look to the Agency to deliver. We will meet these challenges by using the best available scientific information, ensuring fair and effective enforcement of environmental laws, and providing all parts of society—communities, individuals, businesses, and federal, state, local, and tribal governments—access to accurate information so that they may participate effectively in managing human health and environmental risks. The EPA's work is guided by the best possible data and research and a commitment to transparency and the accountability that comes with it.

To learn more about how the Agency accomplishes this mission, including information on the organizational structure and regional offices, visit: http://www.epa.gov/aboutepa/.

FY 2013 Annual Performance Plan and President's Budget (including FY 2011 Annual Performance Report)

The EPA's FY 2013 Annual Performance Plan and President's Budget requests $8.344 billion, approximately $105 million below FY 2012. The Agency recognizes the difficult fiscal situation that the nation is facing, and is making strategic adjustments to sustain necessary and fundamental human health and environmental protection within core resources and programs. In preparing the FY 2013 President's Budget, we reassessed our priorities and focused on the most critical work of the EPA and our state and tribal partners to maximize the effectiveness of our resources and collaboration. This budget reflects our commitment to finding ways to do our work more effectively and efficiently while achieving the same or potentially better results, and realizing cost savings.

To support continued progress toward the most critical goals and outcomes, the FY 2013 request reprioritizes and adjusts funding levels. Where possible, the Agency is leveraging its resources by expanding or building new partnerships with other federal agencies. In addition, the Agency is focusing resources on the problems of the future and is eliminating certain mature programs that have accomplished their goals, and where there is the possibility of maintaining some of the human health and environmental benefits through implementation at other federal agencies or the state or local level because they are well-established and well-understood.

The EPA strives to connect the results we have achieved to our planning and budgeting decisions and to support our overall strategic direction and the FY 2012 – 2013 Priority Goals. Toward this end, the Agency has worked to integrate the FY 2011 Annual Performance Report and FY 2013 Congressional budget justification. The EPA's FY 2011 performance information is highlighted throughout the budget request, notably in the sections titled Program Performance and Assessment and Overview of FY 2011 Performance sections, which describe key accomplishments and challenges for the EPA's five strategic goals and five cross-cutting fundamental strategies.

FY 2013 Funding Priorities

Improving Air Quality and Climate Change

The EPA is dedicated to protecting and improving the quality of the Nation's air to promote public health and protect the environment. Among the most common sources of air pollution are highway motor vehicles and their fuels. EPA's work to establish the new fuel and national emissions standards to reduce emissions of air pollution and educate consumers on the ways their actions affect the environment have led to a real success story. The national program of fuel economy and greenhouse gas standards for light-duty vehicles alone will save approximately 12 billion barrels of oil and prevent 6 billion metric tons of GHG emissions over the lifetimes of the vehicles sold through model year 2025. In FY 2013, $102 million is provided for Federal Vehicle and Fuel Standards and Certifications. In addition, Federal Stationary Source Regulations work is funded at $34 million which includes a nearly $7 million increase to support the development of New Source Performance Standards and to more efficiently coordinate actions to meet multiple CAA objectives for controlling both criteria and toxic air pollutants while considering cost effectiveness, the technical feasibility of controls, and providing greater certainty for regulated industry.

We will continue to address the impacts of climate change in FY 2013. An increase of approximately $32.8 million over the FY 2012 Enacted budget for climate protection will allow the Agency to support the full range of approaches to reducing GHGs and the risks its effects pose to human health and the environment and to property. This increase includes $26.5 million for categorical grants for states and tribes. The economic costs of not addressing climate change could include reduced productivity through missed work and school days, increased hospital visits, respiratory and cardiovascular diseases, and even premature death – especially for certain vulnerable populations like the elderly, the poor, and children.

Protecting America's Waters

The EPA's ecosystem protection programs encompass a wide range of approaches that address specific at-risk regional areas and larger categories of threatened systems, such as urban waters, estuaries, and wetlands. Locally generated pollution, combined with pollution carried by rivers and streams and through air deposition, can accumulate in these ecosystems and degrade them over time. The EPA and its federal partners along with states, tribes, municipalities, and private parties, will continue efforts to restore the integrity of the imperiled waters of the United States. In FY 2013, EPA will fund the Great Lakes Restoration Initiative at $300 million, maintaining FY 2012 enacted funding levels, and fund the Chesapeake Bay program at $72.6 million, a $15 million increase over FY 2012 levels.

Sustainable Water Infrastructure

The Clean Water and Drinking Water State Revolving Funds are provided $2 billion in FY 2013. As part of the Administration's long-term strategy, the EPA is implementing a Sustainable Water Infrastructure Policy that focuses on working with states and communities to enhance technical, managerial and financial capacity. Important to the enhanced technical capacity will be alternatives analyses to expand "green infrastructure" options and their multiple benefits. Federal dollars provided through the State Revolving Funds will act as a catalyst for efficient system-wide planning and ongoing management of sustainable water infrastructure. More fully utilizing the revolving fund capitalization grants provided to our partners will enable States to build, revive, and "green" our aging infrastructure.

To help ensure that water is safe to drink and to address the nation's aging drinking water infrastructure that can impact water quality, $850 million for the Drinking Water State Revolving Fund will support new infrastructure improvement projects for public drinking water systems in FY 2013. In concert with the states, the EPA will focus this affordable, flexible financial assistance to support utility compliance with safe drinking water standards. The EPA also will work with utilities to promote technical, financial, and managerial capacity as a critical means to meet infrastructure needs and to enhance program performance and efficiency.

The EPA will continue to provide annual capitalization to the Clean Water State Revolving Fund to enable EPA partners to improve wastewater treatment, address nonpoint sources of pollution, and promote estuary revitalization. Recognizing the expected long-term benefits of healthy aquatic systems as economic cornerstones vital to property values, tourism, recreational and commercial fishing, and hunting, the EPA is requesting $1.175 billion in FY 2013.

Protecting Our Land

The Superfund program protects the American public and its resources by cleaning up sites which pose an imminent or long term risk of exposure and harm to human health and the environment. In FY 2013, the Agency will maintain the funding level necessary to respond to emergency releases of hazardous substances as well as maintain the goal of sites achieving human exposure and groundwater migration under control. In addition, as one of the Superfund program's primary goals, the Agency will continue its "enforcement first" policy and identify and pursue potentially responsible parties (PRPs) to pay for and conduct cleanups at Superfund sites to preserve critical federal dollars for sites where there are no viable contributing parties.

This will include negotiating and settling with PRPs and utilizing the special account funds which the Agency obtains from PRPs to finance site-specific CERCLA response actions in accordance with the settlement agreement. PRP resources, state resources, and appropriated resources are critical to the Superfund program. As of the end of FY 2011, the EPA is carefully managing more than $1.8 billion in special account resources and has developed multi-year plans to use these funds as expeditiously as possible consistent with applicable requirements. The EPA will maximize all of our available tools and resources to continue our Superfund work, while attempting to minimize programmatic impacts.

Ensuring the Safety of Chemicals

Ensuring the safety of new or existing chemicals in commerce to protect the American people remains a key EPA priority. Chemicals are ubiquitous in our everyday lives and products. They are used in the production of everything from our homes and cars to the cell phones we carry and the food we eat. Chemicals often are released into the environment as a result of their manufacture, processing, use, and disposal. FY 2013 funding will be directed toward chemical safety, increasing support for actions to reduce and assess chemical risks, and obtaining and maximizing the availability to the public of needed information on potentially hazardous chemicals. The current program activity levels continue to leave a backlog of chemicals to be tested. The FY 2013 overall increase of $36.4 million to the EPA's chemical programs is essential to support a crucial stage of the EPA's strengthened approach to address existing chemicals that have not been tested for adverse health or environmental effects.

21st Century Enforcement

This FY 2013 budget builds upon current efforts to transition toward using 21st Century technology in enforcement and compliance, resulting in long-term savings to the federal government, states, and the regulated community as the overall cost of compliance is reduced. Investments in new technology, including e-reporting and more advanced monitoring tools, will allow the EPA and our state partners to more easily identify, investigate, and address the worst violations that affect our communities. By embracing new approaches to harness 21st century technology tools, the Agency will meet our goals more effectively and efficiently.

In FY 2013, the Agency will redirect or refocus approximately $36 million within the enforcement and compliance programs in order to transform and modernize our approach to enforcing the nation's environmental laws. This effort will enhance the EPA's ability to detect violations that impact public health, reduce transaction costs for the regulated community, and better engage the public to drive behavioral changes in compliance. The EPA will promote e-reporting by implementing new technologies, develop and disseminate advanced monitoring tools, upgrade agency IT infrastructure to exploit more fully the wealth of new monitoring data, and modernize the EPA's approach to enforcement by ensuring new and existing rules incorporate electronic reporting. In FY 2013, as a key element of this approach, we will assist states in modifying their data systems to implement e-reporting with their regulated facilities, leading to improved compliance and transparency.

Supporting State and Tribal Partners

Supporting our state and tribal partners, the primary implementers of environmental programs on the ground, is a long-held priority of the EPA. Funding to states and tribes in the State and Tribal

Assistance Grants (STAG) account continues to be the largest percentage of the EPA's budget request, at 40% in FY 2013. For Categorical Grants, $1.2 billion is provided, reaffirming the EPA's commitment to states that implement rules and rely on Federal funding to maintain core environmental programs in light of state funding uncertainties. At $114 million over FY 2012 Enacted levels, this budget request for Categorical Grants provides increases of $66 million for State and Local Air Quality Management, $27 million for Pollution Control, and $29 million for Tribal GAP.

As part of the Agency's commitment to tribes, we are proposing a $29 million increase over the FY 2012 enacted levels to enhance the Tribal General Assistance Program (GAP) resources. This funding level for GAP grants will build Tribal capacity and assists tribes in leveraging other EPA and federal funding to contribute towards a higher overall level of environmental and human health protection.

Expanding Partnership with Other Federal Agencies

The EPA continues to work with its partners across the federal government to leverage resources and avoid duplication of efforts and maximize the effect of federal resources in environmental protection. For example, to support sustainability efforts, the EPA has joined forces with the Department of Transportation (DOT) and the Department of Housing and Urban Development (HUD) to align housing, transportation and environmental investments through a Partnership for Sustainable Communities. Adding to that effort, the Brownfields program has become a laboratory for innovation in sustainable development where efforts to remediate polluted sites and make them available for reuse by the community often includes green infrastructure, Smart Growth principles, efficient building techniques, or other steps towards building a sustainable city.

Building on the existing collaboration efforts to protect or restore the nation's waters, the EPA and US Department of Agriculture (USDA) will enhance existing coordination efforts in reducing non-point source pollution. The Agency also recently joined ten other federal agencies in launching the Urban Waters Federal Partnership, aimed at transforming urban waters into neighborhood centerpieces and foundations for sustainable economic growth. The EPA will continue to work with the Department of Energy (DOE) and the US Geological Survey (USGS) on a Hydraulic Fracturing Study of potential impacts on drinking water.

Priority Science and Research

Science and research continue to be the foundation of all our work at the EPA. The Office of Research and Development's integrated and cross-disciplinary organization of the scientific research programs provides a systems perspective. This perspective is critical to the performance of the EPA and increases the benefits from high quality science. Superior science leads to shared solutions; everyone benefits from clean air and clean water. Rigorous science leads to innovative solutions to complex environmental challenges. In FY 2013, the EPA is refocusing resources to support a Southern New England Program for Innovative Estuarine Approaches, and advancing efforts in both lifecycle chemical safety and sustainable molecular design.

The Southern New England Program for Innovative Estuarine Approaches will develop innovative scientific and technical solutions to inform policies, environmental management

structures, and business approaches to ensure the sustainability of our coastal watersheds and estuaries. Additional funding is for sustainable molecular design of chemicals to develop inherently safer process and products that minimize or eliminate the associated adverse impacts on human health and the environment. This effort will provide new principles for alternative chemical design and reduce the likelihood of unwanted toxic effects of nanomaterials and other chemicals.

The EPA also will continue to build on current research to study the potential impacts of hydraulic fracturing on drinking water. Building on ongoing research, the $14 million total request in FY 2013 for hydraulic fracturing research will begin an effort to assess additional questions regarding the safety of hydraulic fracturing. The research will be coordinated with DOE and USGS under a developing Memorandum of Understanding which emphasizes the expertise of each Federal partner, and will include an assessment of potential air, ecosystem, and water quality impacts of hydraulic fracturing. The EPA also will release an Interim Report on the Impacts of Hydraulic Fracturing on Drinking Water Resources in 2012.

Eliminations and Efficiencies

Recognizing the tight limits on discretionary spending across government, the EPA has evaluated and reprioritized its work and made necessary adjustments to focus FY 2013 resources toward the Agency's highest priorities and most critical needs. These reductions and eliminations and the projected impacts are described in fuller detail in appropriate sections of the FY 2013 Annual Plan and Congressional Justification and in the 2013 Cuts, Consolidations, and Savings (CCS) Volume of the President's Budget which identifies lower-priority program activities in accordance with the GPRA Modernization Act, 31 U.S.C. 1115(b)(10). The public can access the volume at: http://www.whitehouse.gov/omb/budget.

The EPA continues to examine its programs to find those that have served their purpose and accomplished their mission. The FY 2013 President's Budget eliminates a number of programs totaling $50 million including: the Clean Automotive Technology Program; Beaches Protection categorical grants; Environmental Education; State Indoor Radon Grants; the Support to Other Federal Agencies program within Superfund; and the Fibers program.

Building on the work undertaken in FY 2011 and planned for FY 2012, the Agency is examining how it can do its work differently, both programmatically and administratively, to achieve efficiencies and results. To complement these near-term efforts, the EPA also is undertaking a series of important steps to lay the groundwork for longer-term efficiencies, to move toward a 21st century EPA. Major projects include enhancing collaboration tools and IT systems, evaluating and consolidating or reconfiguring our space, and establishing Regional or national Centers of Expertise, all of which will help ensure the best use of human and financial resources. The EPA is continuing the effort to analyze staffing levels and deploy human resources to achieve the Agency's mission more effectively and efficiently.

The Agency's funding request reflects its commitment to reducing discretionary spending across government. In response to government-wide calls for promoting efficient spending, such as the Campaign to Cut Waste and Executive Order on Promoting Efficient Spending, the Agency will reduce spending by an aggregate of 20 percent on advisory contracts, printing, travel, and IT

devices by the end of FY 2013 compared to FY 2010. The EPA will do this by: providing as many documents and reports electronically rather than printing thousands of pages of paper, saving money and reducing the Agency's environmental footprint; reducing overall agency travel ceiling by 27 percent by using videoconferences, reducing the number of overall meetings and combining meetings; and managing spending on EPA-held conferences by using government-owned space and technology to achieve savings.

Environmental Protection Agency
2013 Annual Performance Plan and Congressional Justification

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Environmental Protection Agency
FY 2013 Annual Performance Plan and Congressional Justification

APPROPRIATION SUMMARY

Budget Authority
(Dollars in Thousands)

	FY 2011 Actuals		FY 2012 Enacted		FY 2013 Pres Budget
Science & Technology	$877,269.5		$793,728.0		$807,257.0
Environmental Program & Management	$2,883,566.0		$2,678,222.0		$2,817,179.0
Inspector General	$46,627.9		$41,933.0		$48,273.0
Building and Facilities	$38,523.8		$36,370.0		$41,969.0
Oil Spill Response	$19,680.7		$18,245.0		$23,531.0
Superfund Program	$1,413,818.5		$1,180,890.0		$1,142,342.0
IG Transfer	$8,943.7		$9,939.0		$10,864.0
S&T Transfer	$27,506.1		$22,979.0		$23,225.0
Hazardous Substance Superfund	$1,450,268.3		$1,213,808.0		$1,176,431.0
Leaking Underground Storage Tanks	$118,851.3		$104,142.0		$104,117.0
State and Tribal Assistance Grants	$4,555,997.5		$3,612,937.0		$3,355,723.0
SUB-TOTAL, EPA	*$9,990,785.0*		*$8,499,385.0*		*$8,374,480.0*
Rescission of Prior Year Funds	$0.0		($50,000.0)		($30,000.0)
SUB-TOTAL, EPA (INCLUDING RESCISSIONS)	*$9,990,785.0*		*$8,449,385.0*		*$8,344,480.0*
Recovery Act - EPM	$31,546.9				
Recovery Act - IG	$3,664.8				
Recovery Act Resources	$35,211.7		$0.0		$0.0
TOTAL, EPA	$10,025,996.7		$8,449,385.0		$8,344,480.0

*For ease of comparison, Superfund transfer resources for the audit and research functions are shown in the Superfund account.

Environmental Protection Agency
FY 2013 Annual Performance Plan and Congressional Justification

APPROPRIATION SUMMARY

Full-time Equivalents (FTE)

	FY 2011 Actuals		FY 2012 Enacted		FY 2013 Pres Budget
Science & Technology	2,452.9		2,432.7		2,471.4
Science and Tech. - Reim	1.1		1.5		1.5
Environmental Program & Management	10,802.1		10,735.1		10,758.6
Envir. Program & Mgmt - Reim	38.1		0.0		0.0
Inspector General	264.9		293.0		300.0
Oil Spill Response	110.4		101.0		118.5
Superfund Program	2,927.5		2,945.3		2,883.4
IG Transfer	49.9		65.1		65.8
S&T Transfer	106.4		105.3		106.4
Hazardous Substance Superfund	3,083.8		3,115.7		3,055.6
Superfund Reimbursables	97.2		43.7		48.7
Leaking Underground Storage Tanks	67.0		69.7		68.1
WCF-Reimbursable	126.8		141.6		141.6
FIFRA	136.3		150.0		145.0
Pesticide Registration Fund	54.3		0.0		0.0
UIC Injection Well Permit BLM	3.0		0.0		0.0
TOTAL, EPA	17,237.9		17,084.0		17,109.0

*For ease of comparison, Superfund transfer resources for the audit and research functions are shown in the Superfund account.

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GOAL, APPROPRIATION SUMMARY

Budget Authority

(Dollars in Thousands)

	FY 2011 Actuals		FY 2012 Enacted		FY 2013 Pres Budget
Taking Action on Climate Change and Improving Air Quality	$1,175,293.2		$1,026,168.9		$1,124,580.5
Science & Technology	$300,827.8		$259,586.9		$270,745.7
Environmental Program & Management	$508,524.5		$459,629.4		$499,317.5
Inspector General	$4,732.7		$5,546.6		$7,170.6
Building and Facilities	$9,136.6		$8,625.3		$10,178.8
Hazardous Substance Superfund	$4,067.2		$4,089.9		$4,428.8
State and Tribal Assistance Grants	$348,004.4		$288,690.7		$332,739.1
Protecting America's Waters	$5,085,863.7		$4,094,452.5		$3,782,228.0
Science & Technology	$156,935.6		$148,848.5		$150,595.4
Environmental Program & Management	$1,086,528.0		$968,153.2		$982,243.2
Inspector General	$37,534.1		$25,490.1		$27,573.0
Building and Facilities	$6,154.3		$5,975.0		$6,891.6
State and Tribal Assistance Grants	$3,798,711.8		$2,945,985.7		$2,614,924.7
Cleaning Up Communities and Advancing Sustainable Development	$2,246,381.2		$1,931,053.3		$1,937,998.6
Science & Technology	$211,339.8		$187,061.8		$182,851.0
Environmental Program & Management	$361,566.4		$333,896.6		$346,461.8
Inspector General	$4,546.6		$5,408.2		$6,578.8
Building and Facilities	$7,538.9		$7,218.9		$8,199.5
Oil Spill Response	$17,282.2		$15,729.3		$20,342.8
Hazardous Substance Superfund	$1,183,400.3		$960,699.1		$926,024.8

	FY 2011 Actuals		FY 2012 Enacted		FY 2013 Pres Budget
Leaking Underground Storage Tanks	$118,117.4		$103,291.6		$103,265.7
State and Tribal Assistance Grants	$342,589.8		$317,748.0		$344,274.2
Ensuring the Safety of Chemicals and Preventing Pollution	$697,917.4		$662,826.3		$699,261.0
Science & Technology	$189,347.3		$180,156.6		$184,540.7
Environmental Program & Management	$452,722.3		$428,138.4		$456,289.1
Inspector General	$2,008.4		$3,021.3		$3,759.0
Building and Facilities	$10,898.5		$9,991.2		$11,455.5
Hazardous Substance Superfund	$6,158.2		$7,293.0		$7,638.1
State and Tribal Assistance Grants	$36,782.8		$34,225.8		$35,578.6
Enforcing Environmental Laws	$820,541.2		$784,884.0		$830,411.9
Science & Technology	$18,819.0		$18,074.2		$18,524.2
Environmental Program & Management	$505,771.7		$488,404.4		$532,867.4
Inspector General	$1,471.0		$2,466.9		$3,191.6
Building and Facilities	$4,795.6		$4,559.6		$5,243.6
Oil Spill Response	$2,398.5		$2,515.7		$3,188.2
Hazardous Substance Superfund	$256,642.7		$241,726.1		$238,339.3
Leaking Underground Storage Tanks	$733.9		$850.4		$851.3
State and Tribal Assistance Grants	$29,908.7		$26,286.8		$28,206.4
Sub-Total	*$10,025,996.7*		*$8,499,385.0*		*$8,374,480.0*
Rescission of Prior Year Funds	$0.0		($50,000.0)		($30,000.0)
Total	$10,025,996.7		$8,449,385.0		$8,344,480.0

GOAL, APPROPRIATION SUMMARY

Authorized Full-time Equivalents (FTE)

	FY 2011 Actuals		FY 2012 Enacted		FY 2013 Pres Budget
Taking Action on Climate Change and Improving Air Quality	2,773.5		2,719.0		2,783.1
Science & Technology	767.4		759.3		777.3
Science and Tech. - Reim	0.0		1.5		1.5
Environmental Program & Management	1,928.6		1,868.0		1,907.2
Envir. Program & Mgmt - Reim	2.6		0.0		0.0
Inspector General	27.6		38.8		44.6
Hazardous Substance Superfund	17.7		18.6		18.9
WCF-REIMB	29.7		32.8		33.6
Protecting America's Waters	3,510.3		3,423.6		3,418.9
Science & Technology	480.7		490.2		497.1
Environmental Program & Management	2,775.9		2,728.3		2,723.6
Envir. Program & Mgmt - Reim	9.2		0.0		0.0
Inspector General	218.5		178.1		171.4
WCF-REIMB	23.0		27.1		26.8
UIC Injection Well Permit BLM	3.0		0.0		0.0
Cleaning Up Communities and Advancing Sustainable Development	4,452.5		4,328.2		4,342.1
Science & Technology	539.0		525.0		532.3
Science and Tech. - Reim	0.9		0.0		0.0
Environmental Program & Management	1,699.9		1,647.6		1,628.2
Envir. Program & Mgmt - Reim	10.5		0.0		0.0
Inspector General	26.5		37.8		40.9

	FY 2011 Actuals		FY 2012 Enacted		FY 2013 Pres Budget
Oil Spill Response	74.9		83.7		100.4
Oil Spill Response - Reim	20.3		0.0		0.0
Hazardous Substance Superfund	1,906.6		1,898.2		1,901.6
Superfund Reimbursables	86.2		43.7		48.7
Leaking Underground Storage Tanks	63.5		65.0		63.3
WCF-REIMB	24.3		27.2		26.7
Ensuring the Safety of Chemicals and Preventing Pollution	2,734.4		2,680.0		2,679.9
Science & Technology	579.5		568.0		573.5
Science and Tech. - Reim	0.2		0.0		0.0
Environmental Program & Management	1,886.8		1,882.6		1,879.4
Envir. Program & Mgmt - Reim	14.0		0.0		0.0
Inspector General	11.7		21.1		23.4
Hazardous Substance Superfund	17.7		22.0		22.5
WCF-REIMB	34.0		36.3		36.1
Pesticide Registration Fund	54.3		0.0		0.0
Rereg. & Exped. Proc. Rev Fund	136.3		150.0		145.0
Enforcing Environmental Laws	3,888.4		3,933.2		3,885.0
Science & Technology	86.4		90.2		91.1
Environmental Program & Management	2,604.2		2,608.6		2,620.2
Envir. Program & Mgmt - Reim	1.9		0.0		0.0
Inspector General	8.6		17.2		19.8
Oil Spill Response	15.2		17.3		18.1
Hazardous Substance Superfund	1,141.8		1,176.9		1,112.6
Superfund Reimbursables	11.0		0.0		0.0
Leaking Underground Storage Tanks	3.5		4.7		4.8

	FY 2011 Actuals		FY 2012 Enacted		FY 2013 Pres Budget
WCF-REIMB	15.9		18.2		18.3
Total	17,359.2		17,084.0		17,109.0

Taking Action on Climate Change and Improving Air Quality

Reduce greenhouse gas emissions and develop adaptation strategies to address climate change, and protect and improve air quality

STRATEGIC OBJECTIVES:

- Reduce the threats posed by climate change by reducing greenhouse gas emissions and taking actions that help communities and ecosystems become more resilient to the effects of climate change
- Achieve and maintain health-based air pollution standards and reduce risk from toxic air pollutants and indoor air contaminants.
- Restore the earth's stratospheric ozone layer and protect the public from the harmful effects of UV radiation.
- Minimize unnecessary releases of radiation and be prepared to minimize impacts should unwanted releases occur.

GOAL, OBJECTIVE SUMMARY

Budget Authority
Full-time Equivalents
(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Taking Action on Climate Change and Improving Air Quality	**$1,175,293.2**	**$1,026,168.9**	**$1,124,580.5**	**$98,411.6**
Address Climate Change	$200,978.6	$200,463.4	$240,278.6	$39,815.2
Improve Air Quality	$913,282.5	$768,929.3	$825,362.2	$56,432.9
Restore the Ozone Layer	$18,007.6	$17,998.3	$18,528.3	$530.0
Reduce Unnecessary Exposure to Radiation	$43,024.5	$38,778.0	$40,411.4	$1,633.4
Total Authorized Workyears	2,773.5	2,719.0	2,783.1	64.1

Introduction

The EPA has dedicated itself to protecting and improving the quality of the Nation's air to promote public health and protect the environment. Air pollution concerns are diverse and significant, and include: greenhouse gases (GHGs) and climate change, outdoor and indoor air quality, stratospheric ozone depletion, and radiation protection.

Since passage of the Clean Air Act Amendments in 1990, nationwide air quality has improved significantly. Despite this progress, in 2010 about 124 million Americans (about 40% of the US population) lived in counties with air that did not meet health-based standards for at least one pollutant. Long-term exposure to elevated levels of certain air pollutants has been associated with increased risk of cancer, premature mortality, and damage to the immune, neurological, reproductive, cardiovascular, and respiratory systems. Short-term exposure to elevated levels of certain air pollutants can exacerbate asthma and lead to other adverse health effects and economic costs including; the impacts associated with increased air pollution levels affect productivity and the economy through missed work and school days. Degradation of views in national and state parks is difficult to quantify but is likely to impact tourism and quality of life.

The issues of highest importance facing the air program over the next few years will continue to be ozone and particulate air pollution, including interstate transport of these air pollutants; emissions from transportation sources; toxic air pollutants; indoor air pollutants; and GHGs. The EPA uses a variety of approaches to reduce pollutants in indoor and outdoor air. Strategies include traditional regulatory tools; innovative market-based techniques; public- and private-sector partnerships; community-based approaches; voluntary programs that promote environmental stewardship; and programs that encourage cost-effective technologies and practices.

Among the most common sources of air pollution are highway motor vehicles and their fuels. The EPA establishes national emissions standards for each of these sources to reduce emissions of air pollution. The Agency also provides emissions and fuel economy information for new cars, and educates consumers on the ways their actions affect the environment. The EPA's Renewable Fuel Standard program and motor vehicle greenhouse gas standards have already begun changing the cars Americans drive and the fuels they use. The supply and diversity of biofuels in America is growing every year, and a new generation of automobile technologies, including several new plug-in hybrids and all-electric vehicles, continues to "hit the road."

The EPA is responsible for establishing test procedures needed to estimate the fuel economy of new vehicles, and for verifying car manufacturers' data on fuel economy and pollutant emissions. The Agency is completing efforts to increase its testing and certification capacity to ensure that new vehicles, engines, and fuels are in compliance with new vehicle and fuel standards. In particular, compared to conventional vehicles, advanced technology vehicles like Plug-in Hybrid Electric Vehicles (PHEV) and Battery Electric Vehicles (EV) require new, additional testing capabilities. Ensuring compliance with the Administration's new fuel economy and greenhouse gas standards is vital to reducing dependence on oil and saving consumers' money at the pump. The EPA will continue to implement a national program to reduce GHGs from light-duty and heavy-duty mobile sources. The national program of fuel economy and

greenhouse gas standards for light-duty vehicles alone will save approximately 12 billion barrels of oil and prevent 6 billion metric tons of GHG emissions over the lifetimes of the vehicles sold through model year 2025.

The EPA's air toxic control programs are critical to the Agency's continued progress in reducing public health risks, and improving the quality of the environment. In FY 2013, the EPA will continue to focus on communities with greater levels of industrial and mobile source activity (e.g., near ports or distribution areas), which according to the 2005 National-Scale Air Toxics Assessment often have greater cumulative exposure to air toxics than non-industrial areas. Between 2012 and 2013, there are approximately 70 stationary source (e.g., air toxics) rules due for review and promulgation, 35 of which are already on court-ordered deadlines or in litigation. These rules are all in some stage of development now. Working with litigants and stakeholders, and informed by analyses of air quality health risk data, the EPA is working to prioritize a more limited set of air toxics regulations that can be completed expeditiously and that will address the most significant risks to public health.

In FY 2013, the EPA will continue to address the impacts of climate change through careful, cost-effective rulemaking and voluntary programs that encourage businesses and consumers to limit unnecessary greenhouse gas emissions. The climate is warming, as evidenced by observations in the scientific literature that show increasing temperatures, rising sea levels, and widespread melting of snow and ice. Heat-trapping greenhouse gases are now at record-high levels in the atmosphere compared to the recent and distant past, a clear result of human activity. As the number of days with extremely hot temperatures increase, severe heat waves are projected to intensify and lead to heat-related mortality and sickness. Also, with time, more Americans are likely to be affected by certain diseases that thrive in areas with higher temperatures and greater precipitation, including pest-borne diseases and food and water-borne pathogens. The costs of these impacts of climate change include increased hospital visits, respiratory and cardiovascular diseases, and even premature death – especially for certain vulnerable populations like the elderly, the poor, and children.

Because people spend much of their lives indoors, the quality of indoor air also is a major concern. Indoor allergens and irritants play a significant role in making asthma worse and triggering asthma attacks. Over 25 million American currently have asthma and asthma annually accounts for over 500,000 hospitalizations, 13 million missed school days, and over $50 billion in economic costs.

Major FY 2013 Changes

In FY 2013, resources under Goal 1 are focused on the Agency's core statutory work in reducing public health risks through standards setting, market-driven and partnership innovations, and support for state and tribal partners. Recognizing the tight limits on discretionary spending across the government, the EPA has evaluated and reprioritized its work and made necessary adjustments to focus FY 2013 resources on the Agency's highest priorities. This effort involved strategic reductions and redirections within and across programs. In addition, the Agency is proposing to eliminate certain mature programs that have succeeded in establishing the expertise at the state and local level to implement similar programs, and where there is the possibility of

maintaining some of the human health benefits through implementation at the local level. Reductions in some critical areas in FY 2012 make the FY 2013 resources even more important to advancing or even maintaining progress toward longer-term goals. Across the Agency, resources have been targeted to: 1) moving toward environmental protection for the 21st Century by increasing transparency and the use of technology, 2) supporting core mission functions, and 3) implementing efficiencies that enhance the effective use of limited resources in the long-term.

Given the nation's current tight fiscal climate, the EPA is making several significant changes in the air program to focus on its highest priorities. The Agency is eliminating the Clean Automotive Technology (CAT) program and reassigning the program's expert staff to address the high priority and increasing workload in vehicle and fuels testing related to the historic new GHG and fuel economy standards. The Agency also is reducing radon activities by $8.0 million by eliminating categorical grants to states for radon and reducing the federal staff in the radon program. These programs have resulted in significant institutional improvements over time.

For work under the strategic objective Improve Air Quality, a funding level of $825.4 million, $56.4 million over the FY 2012 Enacted budget, will enable the Agency and state and tribal partners to conduct statutorily mandated work on the National Ambient Air Quality Standards (NAAQS) for criteria pollutants, including ozone. Included in this amount is $289 million in state and tribal grant funding, an increase of $39 million over FY 2012. These funds support an expanding core state workload for implementing revised and more stringent NAAQS, and for overseeing compliance with air toxics regulations. Also included is an increase for additional state air monitors required by revised NAAQS.

The FY 2013 resources are also critical for the EPA to review criteria pollutant standards in accordance with the CAA statutory schedule and for the EPA and its state and tribal partners to monitor the air that we all breathe in communities across America. The requested FY 2013 funding will allow the EPA to continue to coordinate actions to meet multiple CAA objectives for controlling both criteria and toxic air pollutants while considering their cost effectiveness and the technical feasibility of controls, as well as providing greater certainty for regulated industry. The EPA is working to streamline the implementation of rules at the federal, state, tribal, and local government level, as well as in industry. For example, the EPA has made progress in combining multiple standards where they pertain to the same area with a "sector" approach to maximize the synergies among standards and reduces costs to the EPA, states, tribes, local government and industry.

An increase of approximately $32.8 million over the FY 2012 Enacted budget for climate protection will allow the Agency to support the full range of approaches to reducing GHGs and the risks its effects pose to human health and the environment and to property. This increase includes $26.5 million for categorical grants to assist states and tribes in permitting sources of greenhouse gas emissions and implement the Greenhouse Gas Reporting Rule In addition, the Energy Star program, the Global Methane Initiative, the Greenhouse Gas (GHG) Reporting Rule, and state and local technical assistance and partnership programs, such as SmartWay, will all help reduce GHGs before it is too late. This level of resources for these programs in FY 2013 is critical for the Agency's efforts to address the impacts of climate change. Without these funds,

the impacts of climate change are likely to be even worse, in the form of increased hospital visits, respiratory and cardiovascular diseases, and even premature death.

The Diesel Emissions Reduction Act (DERA) grant program is funded at $15 million; a $15 million reduction from FY 2012 enacted levels. DERA provides immediate emission reductions from existing diesel engines through engine retrofits, rebuilds and replacements of older, dirtier engines, switching to cleaner fuels, idling reduction strategies, and other clean diesel strategies. While the DERA grants accelerate the pace at which dirty engines are retired or retrofitted, pollution emissions from the legacy fleet will be reduced over time as portions of the fleet turn over and are replaced with new engines that meet modern emissions standards. As such, DERA funding is being phased out and will be allocated to a new rebate program and national low-cost revolving loan or other financing program that targets the dirtiest, most polluting engines. Both approaches would be available to private fleets for the first time and enable a more targeted approach to high emissions areas.

The Agency is eliminating the Clean Automotive Technology (CAT) program in FY 2013 resulting in a net savings of over $8 million. The 34 technical experts that supported the CAT program work will be redeployed to support the growing implementation and compliance activities associated with NHTSA CAFE fuel economy and EPA GHG emission standards for light-duty and heavy-duty vehicles and engines. In FY 2013, resources also will support GHG standard setting actions regarding advanced vehicle and engine technologies, including light-duty and heavy-duty trucks.

The Agency also is eliminating Radon Categorical Grants ($8 million in STAG) in FY 2013 and cutting approximately $2 million from the non-STAG Radon program. Exposure to radon gas continues to be a significant risk to human health, and over the 23 years of its existence, EPA's radon program has provided important guidance and significant funding to help states successfully establish their own programs. At the federal level, the EPA will implement the Federal Radon Action Plan, a multi-year, multi-agency strategy for reducing the risk from radon exposure by leveraging existing federal housing programs and more efficiently implementing radon-related activities to have a greater impact on public health.

For the Air, Climate, and Energy (ACE) research program, the increase will support an effort to address additional questions regarding the safety of hydraulic fracturing (HF). Resources will support ambient air monitoring and associated health effects assessments to address the potential impacts of HF on air quality, water quality, and ecosystems.

Priority Goals

The EPA has established an FY 2012-2013 Priority Goal to improve the country's ability to measure and control Greenhouse Gas (GHG) emissions. The Priority Goal is:

- Reduce greenhouse gas emissions from cars and trucks. Through September 30, 2013, the EPA in coordination with DOT's fuel economy standards program will be implementing vehicle and truck greenhouse gas standards that are projected to reduce GHG emissions by

1.2 billion metric tons and reduce oil consumption by about 98 billion gallons over the lifetime of the affected vehicles and trucks.

Additional information on the Agency's Priority Goals can be found at www.performance.gov.

FY 2013 Activities

Reducing GHG Emissions and Developing Adaptation Strategies to Address Climate Change

Responding to the threat of climate change is one of the Agency's top priorities. The EPA's strategy to address climate change supports the President's greenhouse gas reduction goals. Climate change poses risks to public health, the environment, cultural resources, the economy, and quality of life. Many impacts of climate change are already evident and some will persist into the future. Climate change impacts include increased temperatures and more stagnant air masses that make it more challenging to achieve air quality standards for smog in many regions of the country. This adversely affects public health if areas cannot attain or maintain clean air and increases the costs to local communities.

The Agency will work with partners and stakeholders to provide tools and information related to greenhouse gas emissions and impacts and will reduce emissions domestically and internationally through cost-effective, voluntary programs while pursuing additional regulatory actions as needed. In FY 2013, the Agency will focus on core program activities, expand some existing strategies, and discontinue others, including:

- Beginning to implement the important new vehicle fuel economy labelling requirements. For the first time, the new label provides consumers with greenhouse gas, as well as fuel economy, information.
- Continuing to implement the harmonized DOT and EPA fuel economy and greenhouse gas (GHG) emission standards for light-duty vehicles (model years 2012-2016) and heavy-duty vehicles (model years 2014-2018). The EPA will begin developing a second phase of heavy-duty GHG regulations that will incorporate a complete vehicle approach and bring a wider range of advanced technologies, including hybrid vehicle drive trains. The EPA also must consider nine petitions asking the Agency to develop GHG emission standards for a wide range of non-road equipment, including locomotives, marine craft, and aircraft.
- Continuing to promote cost-effective corporate GHG management practices and provide recognition for superior efforts through a joint award program with non-government organizations. As of 2010, the EPA's voluntary, public private partnerships helped businesses, industry and transportation avoid 533 million metric tons of carbon equivalent emissions.
- Focusing on GHG supply chain management, which will primarily be implemented through the ongoing cooperative pilot with the General Services Administration to assist small federal suppliers in developing their GHG inventories.
- Continuing to implement the Greenhouse Gas Reporting Rule. Activities in FY 2013 will include expanding the database management systems for new sectors, verifying reported data, providing guidance and training to reporters, and sharing data with the public, within the federal government, with state and local governments, and with reporting entities.

An increase of around $3 million for the Greenhouse Gas Reporting Program will support reporting and verification of emissions across the 31 industry sectors and emission sources (10 sectors were added in FY 2010) and approximately 13,000 reporters as well as work with states across the spectrum of the common by-product gases. Work in FY 2013 includes support for uses on how to comply with the rule and how to report emissions using the electronic reporting tool as well as how to address any potential reporting errors prior to data publication. These resources will provide assistance to reporting entities, ensure data accuracy, and provide transparency into the major sources of GHG emissions across the nation. An increase of approximately $4 million for ENERGY STAR will support oversight of the improved third-party certification system for ENERGY STAR products and the implementation of the EPA's verification process for residential, commercial and industrial buildings to safeguard the economic and health benefits brought to the market by this program. This increase will also support the Agency's effort to develop an ENERGY STAR fee program. Another priority is to support public and private organizations as they implement the full range of least cost compliance and mitigation options associated with the EPA's power sector air standards.

Funding for the Clean Automotive Technologies (CAT) program was eliminated in FY 2013. The CAT program, with its advanced series hybrids and ultra-clean engines, has matured and provided a deep understanding of the technology pathways that are necessary in order to achieve maximum reductions of criteria and GHG emissions cost-effectively from both cars and trucks. FY 2012 will be a transition year in which the CAT program will complete work on the highest priority projects, and continue technology deployment through various actions including license agreements. In 2013, other Federal research programs, such as DOE's Vehicles Technology program will support the development and deployment of advanced automotive technologies. In FY 2013, the Agency will refocus the workforce in this program to support implementation and compliance with GHG emission standards for light-duty and heavy-duty vehicles developed under the Federal Vehicle and Fuels Standards and Certification program project. In addition, resources will be used to support compliance activities for implementing NHTSA's CAFE standards. Under authorities contained in the Clean Air Act and the Energy Policy Act, the EPA is responsible for issuing certificates and ensuring compliance with both the GHG and CAFE standards.

Improving Air Quality

Clean Air

Particulate Matter (PM) is linked to tens of thousands of premature deaths per year and repeated exposure to ozone can cause acute respiratory problems and lead to permanent lung damage. Short term exposure to sulfur dioxide (SO_2) can result in adverse respiratory effects, including narrowing of the airways which can cause difficulty breathing and increased asthma symptoms, particularly in at risk populations including children, the elderly, and people with asthma.

Implementing the existing PM National Ambient Air Quality Standards (NAAQS), as well as the potential revised 2012 PM NAAQS, are among the Agency's highest priorities for FY 2013. The EPA will provide technical and policy assistance to states developing or revising attainment State Implementation Plans (SIPs) and will designate areas as attainment or nonattainment. The

budget includes an additional $39 million in grants to support core state workload for implementing NAAQS, reducing exposure to air toxics to ensure improved air quality in communities, and for additional air monitors required by revised NAAQS. In FY 2013, the EPA will also continue its work with states and communities to implement the existing ozone standard. The EPA will provide technical and policy assistance to states developing or revising attainment SIPs, and provide ongoing assistance in meeting the goals of those plans. The EPA will also provide technical and policy assistance to states developing regional haze implementation plans and will continue to review and act on SIP submissions in accordance with the Clean Air Act. These objectives are supported by an investment of $7.0 million to provide technical assistance to state, tribal and local agencies through the Federal Support for Air Quality Management program. This support includes source characterization analyses, emission inventories, quality assurance protocols, improved testing and monitoring techniques, and air quality modeling.

The EPA will continue to implement the new Renewable Fuel Standards (RFS2) program and carry out several other actions required by the Energy Policy Act (EPAct) of 2005 and the Energy Independence and Security Act (EISA) of 2007. The EPA is responsible for establishing test procedures needed to estimate the fuel economy of new vehicles and for verifying car manufacturers' data on fuel economy. In FY 2013, the EPA will continue implementing its plan to upgrade its vehicle, engine, and fuel testing capabilities at the National Vehicle and Fuel Emissions Laboratory (NVFEL), addressing the need to increase testing and certification capacity to ensure that new vehicles, engines, and fuels are in compliance with new vehicle and fuel standards. In 2011, the EPA provided certifications for over 4,000 different types of engines – a workload that has quadrupled over the past decade. The EPA's workload will continue to grow, as the Agency begins to implement new and more stringent GHG emission standards promulgated in 2012 and 2013 for additional classes of vehicles and engines.

The requested FY 2013 resources are required to operate the new testing facilities and run new test procedures associated with the increased breadth and complexity of standards. Resources will support activities such as oversight of certification and compliance requirements for the expanding number of vehicles and engines the EPA regulates. These include hybrid and biofuel vehicles, advanced technology vehicles, engines entering the market in response to the EPA's new GHG emission standards, and foreign imports. Resources will also support oversight of credit trading under both fuels and engine regulations and will be used to develop and manage data systems designed to make it easier for the regulated community to comply with EPA standards by reducing reporting burdens.

Air Toxics

The Agency will continue to work with state and local air pollution control agencies and community groups to assess and address air toxics emissions in areas of greatest concern, including in disproportionately impacted communities and where the most vulnerable members of our population live, work, and go to school.

One of the top priorities for the air toxics program is to eliminate unacceptable health risks and cumulative exposures to air toxics from multiple sources in affected communities and to enable

the Agency to fulfill its Clean Air Act (CAA) and court-ordered obligations. The CAA requires that the technological basis for all technology-based standards be reviewed and updated as necessary every eight years. In FY 2013, the EPA will continue to conduct risk assessments to determine whether the technology-based rules appropriately protect public health.

In addition to meeting CAA requirements, the EPA will continue development of its multi-pollutant and sector based efforts by constructing and organizing analyses around industrial sectors. By addressing individual sectors' emissions comprehensively and prioritizing regulatory efforts on the pollutants of greatest concern, the EPA will develop consolidated, more effective, lower-cost technological improvements in the sectors. The EPA will continue to look at all pollutants in an industrial sector and identify ways to take advantage of the co-benefits of pollution control. In developing sector and multi-pollutant approaches, the Agency seeks innovative solutions that address the differing nature of the various sectors and minimizes costs to the EPA, states, tribes, local governments and the regulated community. In FY 2013, an increase of $2.7 million will be used to coordinate actions for controlling both criteria and toxic air pollutants to achieve objectives of the Clean Air Act, maximize cost effectiveness, and provide greater certainty to industry.

The EPA will continue to improve the dissemination of information to state, local and tribal governments, and the public, using analytical tools such as the National Air Pollution Assessment (NAPA) and National Air Toxic Assessment (NATA), enhancing quantitative benefits assessment tools such as BenMAP, improving emission inventory estimates for toxic air pollutants, and managing information for regulated entities electronically in a single location by modernizing the Air Facility System (AFS) database. The EPA anticipates that these improvements will increase the Agency's ability to meet aggressive court-ordered schedules to complete rulemaking activities, especially in the Risk Technology Review program.

Indoor Air

Twenty percent of the population, including students, teachers and administrative staff, spend the day inside elementary and secondary schools. If these schools have problems with leaky roofs and poor heating, ventilation, or air conditioning systems, the result can be the increased presence of molds and other environmental allergens which can trigger a host of health problems, including asthma and allergies. Over the past four years, at least 16,000 health care professionals have been trained by the EPA and its partners on environmental management of asthma triggers. Additionally, approximately 1/3 of our nation's schools now have effective indoor air quality management programs in place. It is estimated that 2.7 million homes with high radon levels have, with the help of the EPA and its partners, been returned to acceptable levels or have been built with new radon-reducing features.

In the Reduce Risks from Indoor Air program ($17.8 million), the EPA will continue to promote comprehensive asthma care that integrates management of environmental asthma triggers and health care services by building community capacity for delivering comprehensive asthma care programs through the Communities in Action for Asthma-Friendly Environments Campaign. The EPA will place a particular emphasis on protecting vulnerable populations, including children, and low-income and minority populations.

The EPA will continue to update its existing program guidance to provide clear and verifiable protocols and specifications for ensuring good indoor air quality across a range of building types during multiple phases of the building life cycle. The EPA will collaborate with public and private sector organizations to integrate these protocols and specifications more efficiently into existing energy-efficiency, green-building and health-related programs and initiatives. FY 2013 activities will focus on equipping the affordable housing sector with training and guidance to promote the adoption of these best practices with the aim of creating healthy, energy-efficient homes for low income families.

In FY 2013, with the elimination of Radon Categorical Grants and reduction to the radon program of approximately $2 million, this program will focus on efficiently promoting radon risk reduction in homes and schools. Using information dissemination, social marketing techniques, and partnerships with federal agencies and public health and environmental organizations, the EPA will drive action by implementing the Federal Radon Action Plan, published in June 2011. These actions will promote testing for indoor radon, fixing homes and schools when radon levels are high, and building new homes and schools with radon-resistant features.

Stratospheric Ozone

The stratospheric ozone program ($15.3 million) implements the provisions of the Clean Air Act Amendments of 1990 (the Act) and the *Montreal Protocol on Substances that Deplete the Ozone Layer* (Montreal Protocol). Under the Act and the Protocol, the EPA is authorized to control and reduce ozone depleting substances (ODS) in the US, and to contribute to the Montreal Protocol Multilateral Fund. As of January 1, 2010, ODS production and imports were capped at 3,810 ODP-weighted metric tons, which is 25 percent of the U.S. baseline under the Montreal Protocol. In 2015, U.S. production and import will be reduced further, to 10 percent of the U.S. baseline, and in 2020, all production and import will be phased out except for exempted amounts. As ODS and many of their substitutes are potent GHGs, appropriate control and reduction of these substances also provides significant benefits for climate protection. The Act provides for a phase out of production and consumption of ODS and requires controls on their use, including banning certain emissive uses, requiring labeling to inform consumer choices and requiring sound servicing practices for the use of ODS in various products (e.g., air conditioning and refrigeration). As a signatory to the Montreal Protocol, the United States is committed to ensuring that our domestic program is at least as stringent as international obligations and to regulating and enforcing its terms domestically. In FY 2013, the EPA will focus its work to ensure that ODS production and import caps under the Montreal Protocol and Clean Air Act continue to be met.

Radiation

In FY 2013, the EPA Radiation program ($21.8 million), in cooperation with other federal agencies, states, tribes, and international radiation protection organizations, will develop and use voluntary and regulatory programs, public information, and training to protect the public from unnecessary exposures to radiation. In response to advances in uranium production processes and mining operations, the Agency is updating its radiation protection standards for the uranium fuel cycle, which were developed over 30 years ago. In FY 2013, the EPA's Radiological Emergency Response Team (RERT) will maintain and improve the level of readiness to support federal

radiological emergency response and recovery operations under the National Response Framework (NRF) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The National RadNet ambient radiation air monitoring system, which includes the country's 100 most populous cities, will provide data to assist in protective action determinations.

Research

Environmental challenges in the 21st Century continue to be complex as the links between stressors such as climate change, urbanization, and air quality become better understood. These complex challenges require different thinking and solutions than those used in the past. Reducing risk can no longer be the only approach to environmental protection. Industry and government are turning to solutions that enhance economic growth and social well-being, as well as protect public health and the environment. These solutions require research that transcends disciplinary lines and includes all stakeholders in the process. The process includes the EPA's regional and program offices as well as other stakeholders including states and communities who rely on the research. With the partners and stakeholders, the EPA researchers define the research needs and how the solutions will be integrated. These new, integrated, transdisciplinary approaches require innovation at all steps of the process. Ultimately, the EPA is seeking technological innovations that support environmentally responsible solutions and foster new economic development.

In FY 2013, the EPA is strengthening its planning and delivery of science by continuing the more integrated research approach begun in FY 2012. Integrated research looks at problems more systematically and holistically. This approach will yield benefits beyond those possible from more narrowly targeted approaches that focus on single chemicals or problem areas.

A robust air monitoring network is vital to the nation's air quality. Air monitoring tools measure and track pollutants, identify pollutant sources, and inform how and where Americans are exposed to air pollutants. Many of the existing monitoring technologies used in the national networks are decades old and are costly. The complexity of environmental issues at local, national, and international levels requires more advanced and comprehensive monitoring. In FY 2013, the EPA plans to develop efficient, high-performing, and cost-effective monitors for ambient air pollutants. Such monitors will replace outdated techniques, produce more detailed information, and reduce the cost of monitoring for the EPA, states, and local agencies.

The Air, Climate and Energy (ACE) program conducts research on environmental and human health impacts related to air pollution, climate change, and biofuels. Protecting human health and the environment from the effects of air pollution and climate change, while simultaneously meeting the demands of a growing population and economy is critical to the well-being of the nation and the world. Exposure to an evolving array of air pollutants is a considerable challenge on human health and the environment. This multifaceted environment reflects the interplay of air quality, the changing climate, and emerging energy options. By integrating air, climate and energy research, the EPA can better understand, define and address the complexity of these interactions. The Agency will provide models and tools necessary for communities and for decision makers at all levels of government to make the best decisions.

For example, the ACE research program will improve the widely used Community Multiscale Air Quality (CMAQ) modeling system. State and local agencies and the EPA rely on this tool to implement the National Ambient Air Quality Standards (NAAQS). Specifically, nations, states, and communities use CMAQ to model how air pollution levels change when different emission reduction alternatives are used. With this tool, decision-makers can test a range of strategies and determine what approach best fits their situation. Improvements to CMAQ will increase users' capability to accurately model changes in ozone, particulate matter, and hazardous air pollutant concentrations. The CMAQ model has over 1,500 users in the U.S. and 1,000 more in over 50 countries.

The ACE research program will continue to address critical science questions under three major research themes.

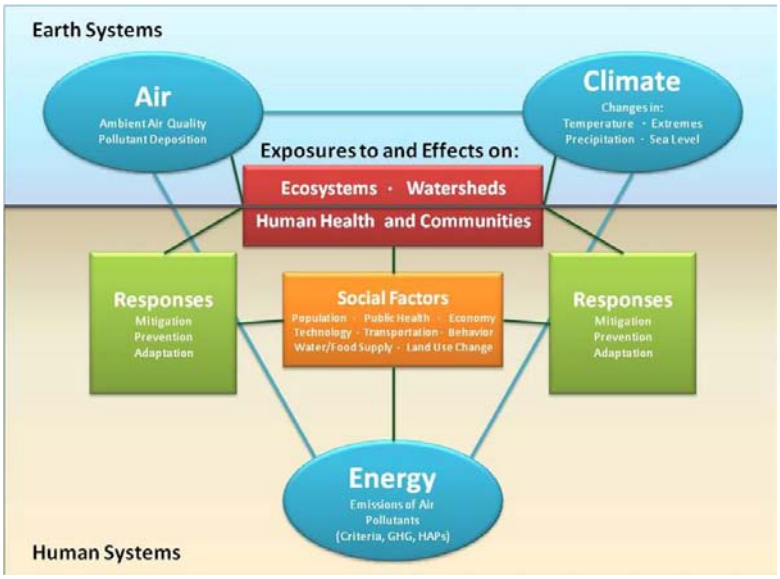
Theme 1: Assess Impacts – Assess human and ecosystem exposures and effects associated with air pollutants and climate change. Evaluate the effects of air pollution and climate change on individuals, ecosystems, communities, and regions (including the effects on those most susceptible or vulnerable).

Theme 2: Prevent and Reduce Emissions – Provide the science needed to develop and evaluate approaches to preventing and reducing harmful air emissions. The EPA decision makers and other stakeholders need such data and methods to analyze the full life-cycle impacts of new and existing energy technologies. With ACE's data, decision makers can determine which energy choices are most economically, socially, and environmentally appropriate.

Theme 3: Respond to Changes in Climate and Air Quality – Provide modeling and monitoring tools, metrics, and information on air pollution exposure. Individuals, communities, and governmental agencies will use these tools and information to make public health decisions related to air quality and climate change.

ACE research incorporates economic and social factors that may influence anticipated environmental results.

Figure 1: Integration of Air, Climate, and Energy[1]
Figure 1, "Integration of Air, Climate, and Energy," illustrates the relationships among air, climate, and energy. The figure identifies the major earth and human systems impacted by air pollution and climate change. It portrays the responses and social factors influencing the relationships among each.



In FY 2013, research will study the generation, fate, transport, and chemical transformation of air emissions to identify individual and population health risks. The ACE research program considers the environmental impacts of energy production and use across the full life cycle. For example, increased use of wood in residences can reduce greenhouse gas emissions but cause local air pollution problems. The program will incorporate air, climate, and energy research to ensure the development of sustainable solutions and attainment of statutory goals in a complex multi-pollutant environment. The ACE program will conduct research to better understand and assess the effects of global change on air quality, water quality, aquatic ecosystems, land use, human health and social wellbeing.

In addition, the program will conduct systems-based sustainability analyses that include environmental, social and economic dimensions. The EPA's FY 2013 hydraulic fracturing research request will enable assessment of potential air, ecosystem and water quality impacts of hydraulic fracturing. The EPA, with the Department of Energy and the Department of the Interior, will study the impacts of developing our nation's unconventional oil and gas resources. This effort will promote a better understanding of potential impacts of hydraulic fracturing and complement current hydraulic fracturing research efforts. This research will help our nation to safely and prudently develop oil and gas resources.

[1] Adapted from IPCC, 2007: Climate Change 2007: Synthesis Report. Contribution of Working Groups I, II, and III to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change

Protecting America's Waters

Protect and restore our waters to ensure that drinking water is safe, and that aquatic ecosystems sustain fish, plants and wildlife, and economic, recreational, and subsistence activities.

STRATEGIC OBJECTIVES:

- Reduce human exposure to contaminants in drinking water, fish and shellfish, and recreational waters, including protecting source waters.
- Protect the quality of rivers, lakes, streams, and wetlands on a watershed basis, and protect urban, coastal, and ocean waters.

GOAL, OBJECTIVE SUMMARY

Budget Authority
Full-time Equivalents
(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Protecting America's Waters	**$5,085,863.7**	**$4,094,452.5**	**$3,782,228.0**	**($312,224.5)**
Protect Human Health	$1,532,401.0	$1,295,538.9	$1,216,766.0	($78,772.9)
Protect and Restore Watersheds and Aquatic Ecosystems	$3,553,462.7	$2,798,913.5	$2,565,462.0	($233,451.5)
Total Authorized Workyears	3,510.3	3,423.6	3,418.9	-4.7

Introduction

While much progress has been made, America's waters remain imperiled. Increased demands, land use practices, population growth, aging infrastructure, and climate variability continue to pose challenges to our nation's water resources. The latest national surveys[2] confirm that America's waters are stressed by nutrient pollution, excess sedimentation, and degradation of shoreline vegetation, which affect more than 50 percent of our lakes and streams. The rate at which new waters are listed for water quality impairments exceeds the pace at which restored waters are removed from the list. For many years, nonpoint source pollution, principally nitrogen, phosphorus, and sediments, has been recognized as the largest remaining impediment to improving water quality. However, pollution discharged from industrial, municipal, agricultural, and stormwater point sources continue to cause a decline in the quality of our waters. Other significant contributors to degraded water quality include loss of habitat, habitat fragmentation, and changes in the way water is infiltrated into soils, runs off the land, and flows down streams (hydrologic alteration).

From nutrient loadings and stormwater runoff to invasive species and drinking water contaminants, water quality programs face complex challenges that can be addressed effectively only through a combination of traditional and innovative strategies. The EPA will work hand-in-hand with states and tribes to develop and implement nutrient limits and intensify our work to restore and protect the quality of the nation's streams, rivers, lakes, bays, oceans, and aquifers. We will continue the increased focus on communities, particularly those disadvantaged communities facing disproportionate impacts or having been historically underserved. We also will use our authority to protect and restore threatened natural treasures such as the Great Lakes, the Chesapeake Bay, and the Gulf of Mexico; to address our neglected urban rivers; to ensure safe drinking water; and to reduce pollution from nonpoint and industrial dischargers. The EPA will continue to address post-construction runoff, water-quality impairments from surface mining, and drinking water contamination.

As part of the Administration's long-term strategy, the EPA is implementing a Sustainable Water Infrastructure Policy that focuses on working with states and communities to enhance technical, managerial and financial capacity. Important to the enhanced technical capacity will be alternatives analyses to expand "green infrastructure" options and their multiple benefits. Federal dollars provided through the State Revolving Funds will act as a catalyst for efficient system-wide planning and ongoing management of sustainable water infrastructure.

The EPA continues to work with its partners across the Federal government to leverage resources and avoid duplication of efforts. The EPA and USDA will enhance existing coordination efforts in reducing nonpoint source pollution and the EPA will move beyond its ongoing study and expand its work with DOE and the USGS on understanding and the potential impacts of hydraulic fracturing.

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[2] U.S. EPA, 2006. *Wadeable Streams Assessment: A Collaborative Survey of the Nation's Streams.* EPA 841-B-06-002. Available at http://www.epa.gov/owow/streamsurvey. See also EPA, 2010. *National Lakes Assessment: A Collaborative Survey of the Nation's Lakes.* EPA 841-R-09-001. Available at http://www.epa.gov/lakessurvey/pdf/nla_chapter0.pdf.

Major FY 2013 Changes

To address resource constraints in the FY 2013 budget and the FY 2012 Enacted Budget, the EPA carefully evaluated water program activities to assess where the pace of progress could be slowed, where other governmental entities could provide needed support, or where programs could be eliminated to allow for necessary redirections to fund critical Administration priorities. The EPA will direct limited resources to where they can best protect public health, especially in disadvantaged communities; provide increased support to state and tribal partners; and focus on the largest pollution problems, including nutrient pollution. In light of reductions in some critical areas in FY 2012, the requested FY 2013 resources are pivotal to enabling the Agency to advance, or even maintain, progress toward longer-term goals.

In FY 2013, funding of $265 million, $27 million above FY 2012, for Section 106 Water Pollution Control Grants supports prevention and control measures to improve water quality and address nutrient run-off. The increase, in addition to addressing nutrient loads, will strengthen the state, interstate and tribal base programs, provide additional resources to address TMDL, monitoring, and wet weather issues and help states improve their water quality programs relating to the management of nutrients. An addition of $4.4 million to Public Water System Supervision Grants will support state data management, improve data quality, and allow the public to access compliance monitoring data not previously available.

In FY 2013, the Budget includes a significant new effort under which the EPA and the USDA are working with key Federal partners, along with agricultural producer organizations, conservation districts, states, tribes, NGOs and other local leaders to identify areas where a focused and coordinated approach can achieve decreases in water pollution. The President's Budget builds upon the collaborative process already underway among Federal partners to demonstrate substantial improvements in water quality by coordinating efforts between U.S. Department of Agriculture (USDA) and EPA programs such as the EPA's Nonpoint Source Grants and Water Pollution Control Grants and USDA's Farm Bill conservation programs. This coordination will allow for more effective, targeted investments at the Federal and State level during a time of constrained budgets, and will ensure continued improvements in water quality. Further, the EPA will provide $15 million of Section 106 funds to states, interstate agencies and tribes that commit to strengthening their nutrient management efforts consistent with the EPA's Office of Water guidance issued in March 2011.

Increased funding of approximately $15 million above FY 2012 for the Chesapeake Bay will help states meet the nutrient reduction goals in the Total Maximum Daily Load through State Implementation Grants (SIGs) and implement Phase II Watershed Implementation Plans. An increase of $5 million for Mexico Border Infrastructure Assistance will help advance the EPA's work with the Border States and local communities in improving the region's water quality and public health.

Also in FY 2013, $5.9 million over FY 2012 is requested for the Drinking Water program to strengthen efforts to protect the nation's drinking water supply by providing technical assistance to states and systems. The funds also will support upgrading of the Safe Drinking Water Information System (SDWIS) to improve compliance monitoring and data flow and quality.

In FY 2013, $4.3 million above FY 2012 is provided for the Safe and Sustainable Water Resources research program as part of a wider $14 million effort to address additional questions regarding the safety of hydraulic fracturing (HF). The research will be in collaboration with DOE and USGS under a developing Memorandum of Understanding which emphasizes the expertise of each Federal partner, and will include an assessment of potential air, ecosystem, and water quality impacts of hydraulic fracturing. Consistent with advice from the Science Advisory Board on areas to study, this work will ensure an understanding of the full suite of potential impacts of hydraulic fracturing and complement current hydraulic fracturing research efforts.

In FY 2013, the EPA reduced or eliminated funding to a number of programs. The Agency is requesting $2 billion, a reduction of $359 million, for the Clean Water and Drinking Water State Revolving Funds. The Administration requests a combined $2 billion for federal capitalization of the SRFs. This will allow the SRFs to finance over $6 billion in wastewater and drinking water infrastructure projects annually. The Administration has strongly supported the SRFs, having received and/or requested funding for them totaling over $18 billion since 2009; since their inception, over $52 billion has been provided for the SRFs. The reduced level will mean fewer water infrastructure projects. The EPA will work to target assistance to small and underserved communities with limited ability to repay loans, while maintaining state program integrity. A number of systems could have access to capital through the Administration's proposed Infrastructure Bank.

In this difficult financial climate, the Agency will eliminate the Beaches Grant Program with a reduction of $9.9 million in FY 2013. While beach monitoring continues to be important, well-understood guidelines are in place, and state and local government programs have the technical expertise and procedures to continue beach monitoring without federal support.

Priority Goals

The EPA has established two FY 2012-2013 Priority Goals to improve water quality. The Priority Goals are:

- Improve, restore, or maintain water quality by enhancing nonpoint source program accountability, incentives, and effectiveness. By September 30, 2013, 50% of the states will revise their nonpoint source program according to new Section 319 grant guidelines that the EPA will release in November 2012.

- Improve public health protection for persons served by small drinking water systems by strengthening the technical, managerial, and financial capacity of those systems. By September 30, 2013, the EPA will engage with twenty states to improve small drinking water system capability through two EPA programs, the Optimization Program and/or the Capacity Development Program.

Additional information on the Agency's Priority Goals can be found at www.performance.gov.

FY 2013 Activities

Through Environmental Management Systems, the EPA will continue to emphasize watershed stewardship, watershed-based approaches, water efficiencies, and best practices. The EPA will focus specifically on green infrastructure, nutrients, and trading among point sources and nonpoint sources for water quality improvements and urban waters. In FY 2013, the Agency will advance the water quality monitoring initiative under the Clean Water Act, and develop important rules and implementation activities under the Safe Drinking Water Act. Related efforts to improve monitoring and surveillance will help advance water security nationwide.

Drinking Water

To help achieve the Administrator's priority to protect America's waters, in FY 2013, the EPA will continue to implement its Drinking Water Strategy, an approach to expand public health protection for drinking water. The vision of the strategy is to streamline decision-making and expand protection under existing laws and promote cost-effective new technologies to meet the needs of rural, urban and other water-stressed communities. The Agency will focus on regulating groups of drinking water contaminants, improving water treatment technology and expanding communication with states, tribes and communities.

In FY 2013, a funding level of $120.8 million in categorical grants for drinking water programs will enable the EPA, the states, and community water systems to build on past successes while working toward the FY 2013 goal of assuring that 92 percent of the populations served by community water systems receive drinking water that meets all applicable health-based standards. The Agency met its safe drinking water goals from FY 2008 through FY 2011. In FY 2011, 93.2 percent of the population was served by community water systems that met applicable health-based standards, surpassing the FY 2011 target of 91 percent. States carry out a variety of activities, including on-site sanitary surveys of water systems and assistance to small systems to improve their capabilities. The EPA will support state and local implementation of drinking water standards by providing guidance, training, and technical assistance and ensuring proper certification of water system operators. The EPA also will maintain the rate of system sanitary surveys and onsite reviews to promote compliance with drinking water standards.

To help ensure that water is safe to drink and to address the nation's aging drinking water infrastructure that can impact water quality, $850 million for the Drinking Water State Revolving Fund will support new infrastructure improvement projects for public drinking water systems in FY 2013 and beyond. In FY 2011, the fund utilization rate[3] for the Drinking Water State Revolving Fund was 90 percent, surpassing the target of 89 percent. In concert with the states, the EPA will focus this affordable, flexible financial assistance to support utility compliance with safe drinking water standards. The EPA also will work with utilities to promote technical, financial, and managerial capacity as a critical means to meet infrastructure needs and to enhance program performance and efficiency.

[3] Utilization rate is the cumulative dollar amount of loan agreements divided by cumulative funds available for projects. Cumulative funds available include the federal capitalization grant portion and everything that is in the SRF (state match, interest payments, etc).

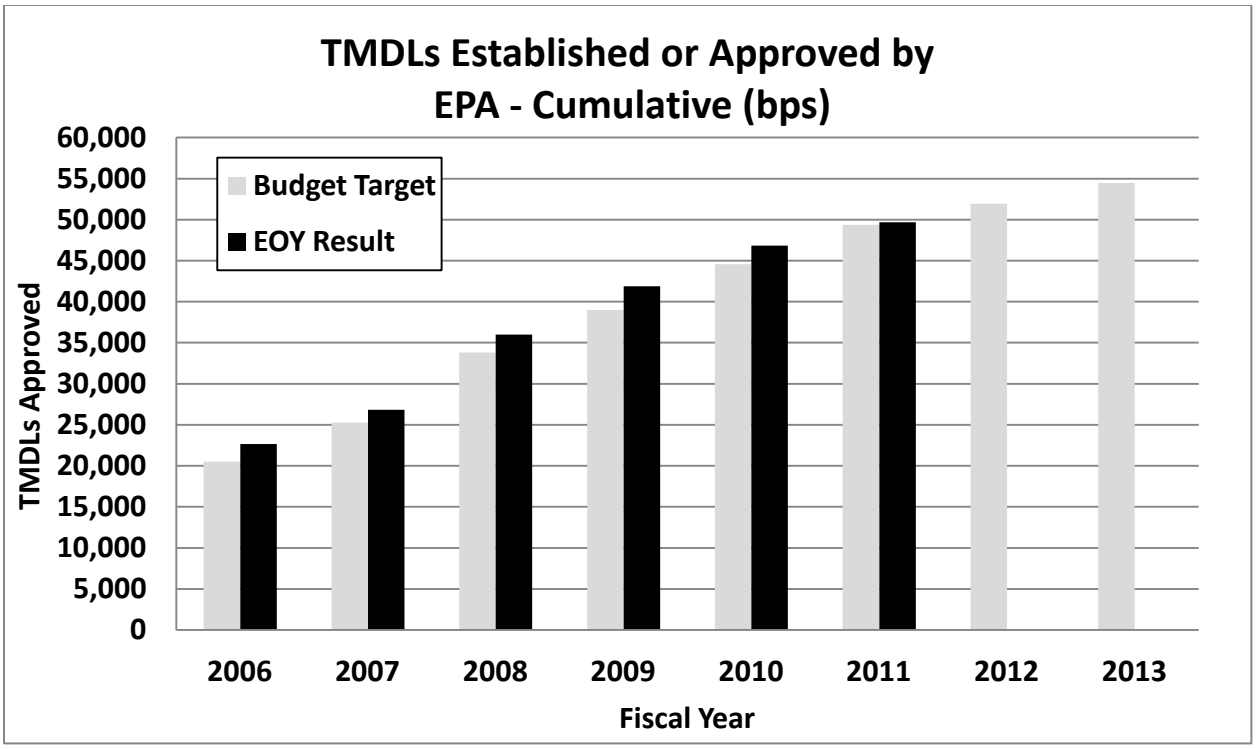
Clean Water

In FY 2013, the EPA will continue to collaborate with states and tribes to make progress toward the EPA's clean water goals. Programs for controlling nonpoint sources of pollution are key to reducing the number of impaired waters. The programs provide a multi-faceted approach to the problem, with a mix of innovative development strategies to help leverage traditional tools. Maximizing the partnership with USDA and more fully utilizing the revolving fund capitalization grants provided to our partners will enable the EPA to build, revive, and "green" our aging infrastructure. In FY 2013, a funding level of $445.2 million in categorical grants for clean water programs will enable the EPA, states and tribes to implement core clean water programs and promising innovations on a watershed basis to accelerate water quality improvements.

In FY 2013, the EPA and the USDA will work together to effectively target both the Natural Resource Conservation Service's (NRCS) conservation assistance programs and EPA's Section 319 grant funds to critical watersheds to improve water quality. The EPA and NRCS will collaborate with stakeholders to identify watersheds for focusing conservation and monitoring projects. Priority will be placed on partnering in watersheds that have high nonpoint source nutrient sediments loadings, including those listed by states as having impaired waters for nutrients, and the opportunity to make significant progress on reducing those loads. Further, the EPA will provide $15.0 million of Section 106 funds to support states, interstate agencies and tribes that commit to strengthening their nutrient management efforts consistent with EPA Office of Water guidance issued in March 2011.

Building on 30 years of clean water successes, the EPA, in conjunction with states and tribes, will address the requirements of the Clean Water Act by focusing on two primary tools: Total Maximum Daily Loads and National Pollutant Discharge Elimination System (NPDES) permits that are built upon scientifically sound water quality standards and technology-based pollutant discharge limits. For the past six years, the EPA has consistently surpassed its targets for establishing or approving TMDLs. There is much remaining to do, an additional estimated 49,000 TMDL are needed. In FY 2011, the Agency completed 2,846 TMDLs bringing the cumulative total to 49,663 TMDLs. The EPA also surpassed its target of issuing high priority EPA and state NPDES permits (including tribal) by 32 percent.

The EPA will continue to provide annual capitalization to the Clean Water State Revolving Fund to enable EPA partners to improve wastewater treatment, nonpoint sources of pollution, and estuary revitalization. Realizing the expected long-term benefits, the EPA is continuing our Clean Water State Revolving Fund commitment by requesting $1.175 billion in FY 2013. The fund utilization rate for the Clean Water State Revolving Fund in FY 2011 was 98 percent, surpassing the target of 94.5 percent.



In FY 2013, the EPA will continue to strengthen the nationwide monitoring network and complete statistically-valid surveys of the nation's waters. In FY 2011, the EPA used valid surveys of a statistically representative sample of U.S. waters to assess the nation's water quality. The results of these efforts are scientifically-defensible water quality data and information essential for cleaning up and protecting the nation's waters. Work will continue on the National Wetland Condition Assessment report, which will be issued in FY 2014, providing regional and national estimates of wetland ecological integrity and ranking the stressors most commonly associated with poor conditions.

The Agency will continue in FY 2013 to assist communities, particularly underserved communities, in their local efforts to restore and protect the quality of their urban waters. By integrating water quality improvement activities and partnering with federal, state, local, and non-governmental organizations, the EPA will help to sustain local commitment over the longer time frame that is required for water quality improvement in urban watersheds. In support of the President's America's Great Outdoors (AGO) initiative, the EPA will provide grants and technical assistance to support community urban water stewardship and local restoration efforts. As part of the Urban Waters Federal Partnership, the EPA also will coordinate with member agencies to deliver technical assistance to pilot communities. Focus areas may include: promoting green infrastructure to reduce contaminated stormwater runoff; promoting volunteer monitoring; and tailoring risk communication and outreach to communities. The Urban Waters grant program will provide $4.4 million to fund innovative approaches for water quality improvement enhancements in urban areas that will help communities revitalize their waterfronts and accelerate measurable water quality improvements.

As part of the Agency's core missions under the Clean Water Act and Safe Drinking Water Act, the EPA will continue to address climate change impacts to water resource programs and to mitigate greenhouse gas emissions resulting from water activities. Climate change will exacerbate water quality stressors such as stormwater and nutrient pollution, will overload treatment systems, and could add new stressors such as those related to expanding renewable energy development. WaterSense, Climate Ready Estuaries, Climate Ready Water Utilities and Green Infrastructure are examples of programs that will help stakeholders adapt to climate change in FY 2013, and programs targeted at vulnerable populations will be increasingly important. Efforts to incorporate climate change considerations into key programs will help protect water quality and the nation's investment in drinking water and wastewater treatment infrastructure.

In FY 2013, the EPA, in cooperation with federal, state and tribal governments and other stakeholders, will make progress toward achieving the national goal of no net loss of wetlands under the Clean Water Act Section 404 regulatory program. In FY 2011, the EPA and its partners met this national goal. In addition, since 2002, over 1,000,000 acres of habitat have been protected or restored within National Estuary Program study areas. The Agency's FY 2013 budget request of $27.3 million for National Estuaries Programs and Coastal Waterways will enable the protection or restoration of an additional 100,000 acres within these areas.

Geographic Water Programs

The Administration has launched numerous cross-agency efforts to promote collaboration and coordination among agencies, which include a suite of large aquatic ecosystem restoration efforts. Three prominent examples for the EPA of cross-agency restoration efforts are the Great Lakes, the Chesapeake Bay, and the Gulf of Mexico. Working with its partners and stakeholders, the EPA has established special programs to protect and restore each of these unique natural resources.

The EPA's ecosystem protection programs encompass a wide range of approaches that address specific at-risk regional areas and larger categories of threatened systems, such as urban waters, estuaries, and wetlands. Locally generated pollution, combined with pollution carried by rivers and streams and through air deposition, can accumulate in these ecosystems and degrade them over time. The EPA and its federal partners along with states, tribes, municipalities, and private parties, will continue efforts to restore the integrity of imperiled waters of the United States.

<u>Great Lakes:</u>
In FY 2013, $300 million in funding for the EPA-led Great Lakes Restoration Initiative will address priority environmental issues (e.g., toxic substances, nonpoint source pollution, habitat degradation and loss, and invasive species) in the largest freshwater system in the world. This carefully coordinated interagency effort involves the White House Council on Environmental Quality, U.S. Department of Agriculture, U.S. Department of Commerce, Department of Health and Human Services, Department of Homeland Security, Department of Housing and Urban Development, Department of State, Department of Defense, Department of Interior, and Department of Transportation.

The EPA expects to continue to achieve substantial results through both federal projects and projects done in conjunction with states, tribes, municipalities, universities, and other organizations. Progress will continue in each of the Great Lakes Restoration Initiative's five focus areas (see below) through implementation of both on-the-ground and in-the-water actions. The EPA will place a priority on restoring beneficial uses in Areas of Concern, delisting Areas of Concern, and reducing phosphorus pollution in targeted watersheds.

Five Focus Areas:

- Toxic Substances and Areas of Concern
- Invasive Species
- Nearshore Health and Nonpoint Source
- Habitat and Wildlife Protection and Restoration
- Accountability, Education, Monitoring, Evaluation, Communication, and Partnerships

Chesapeake Bay:

The Chesapeake Bay Program's FY 2013 budget request of $72.6 million, an increase of approximately $15.3 million, will allow the EPA-led inter-agency Federal Leadership Committee to continue to implement the President's Executive Order on Chesapeake Bay Protection and Restoration. The key initiatives include: implementing the TMDL; assisting states in implementing their Phase II watershed implementation plans, maintaining oversight of state permitting and compliance actions for the various sectors; expanding and improving a publicly accessible TMDL tracking and accountability system; deploying technology to integrate discrete Bay data systems and to present the data in an accessible accountability system called Chesapeake*Stat*; implementing a Bay-specific enforcement and compliance initiative; and moving forward on the Bay's challenges related to toxic contaminants. In FY 2013, over 75 percent of the requested new funding would be used to increase state implementation and accountability grants worth a total of $32.1 million. These grants are key tools for Bay watershed states in implementing their Watershed Implementation Plans, and the EPA is working to ensure that the states provide support to local governments as they take the on-the-ground actions necessary to achieve the goals of the Chesapeake Bay TMDL

Along with its federal and state partners, the EPA will establish two-year milestones for all actions needed to restore water quality, habitats, land, fish, and shellfish. Achieving allocations under the Chesapeake Bay Total Maximum Daily Loads, the nation's largest and most complex TMDL, requires significant scientific, technical, and programmatic support to states and local jurisdictions to develop and implement the most appropriate programs for meeting their responsibilities. The EPA will provide regulatory, legal, enforcement, and technical support necessary to meet these challenges. In FY 2011, the EPA met or exceeded its goals for implementing nitrogen, phosphorus, and sediment reduction actions to achieve final TMDL allocations.

Gulf Coast Ecosystem Restoration Task Force:

After the 2010 Deepwater Horizon oil spill, President Obama signed Executive Order 13554 that established the Gulf Coast Ecosystem Restoration Task Force, chaired by Administrator Jackson of the EPA. In FY 2013, the Task Force will continue to serve as the federal lead in Gulf Coast restoration, building off of the tremendous early efforts of the Working Group, the Gulf of

Mexico Alliance, and others, while working to assist the Deepwater Horizon Natural Resource Damage Trustee Council. The Trustee Council focuses on restoring, rehabilitating, or replacing the natural resources damaged by the oil spill, while the Task Force and its federal agency partners focus their individual efforts on the broader suite of impacts afflicting the Gulf Coast region. The Gulf of Mexico program's FY 2013 budget request of $4.4 million will allow the EPA to continue its support for Gulf restoration work, such as habitat conservation and replenishment and protection of coastal and marine resources. In FY 2011, the EPA exceeded its targets for 1) restoring water and habitat quality to meet water quality standards in impaired segments in 13 priority coastal areas, and 2) restoring, enhancing or protecting over 30,000 cumulative acres of important coastal and marine habitats.

The Gulf Coast Ecosystem Restoration Task Force has developed a Gulf of Mexico Regional Ecosystem Restoration Strategy that identifies major policy areas where coordinated federal-state action is necessary and also considers existing restoration planning efforts in the region to identify planning gaps and restoration needs. This strategy will inform federal investments in ecosystem restoration in the Gulf region over the next decade. The Administration also supports dedicating a significant portion of the eventual Clean Water Act civil penalties resulting from the *Deepwater Horizon* oil spill for Gulf recovery, in addition to current funding for Gulf programs.

Homeland Security

In FY 2013, in its role in protecting the nation's critical water infrastructure from terrorist and other threats, the EPA and its stakeholder group will evaluate data from the final Water Security Initiative pilots in four major metropolitan areas on effectiveness, sustainability (including costs and benefits), and implementation ability. The EPA also will develop tools to enable national adoption of contamination warning systems by the water sector.

Research

Environmental challenges in the 21st century are more complex than before. Causes of environmental and health risks, such as climate change, urbanization, nonpoint source water pollution, and increased water demand, have become universal and require different thinking and solutions than in the past. Reducing risk can no longer be the only approach to environmental protection. Industry and government are looking toward solutions that enhance economic growth, social well-being, public health, and environmental quality.

Increased demands, land use practices, population growth, aging infrastructure, and climate change and variability, pose significant threats to our nation's water resources. *(See Figure 1)*

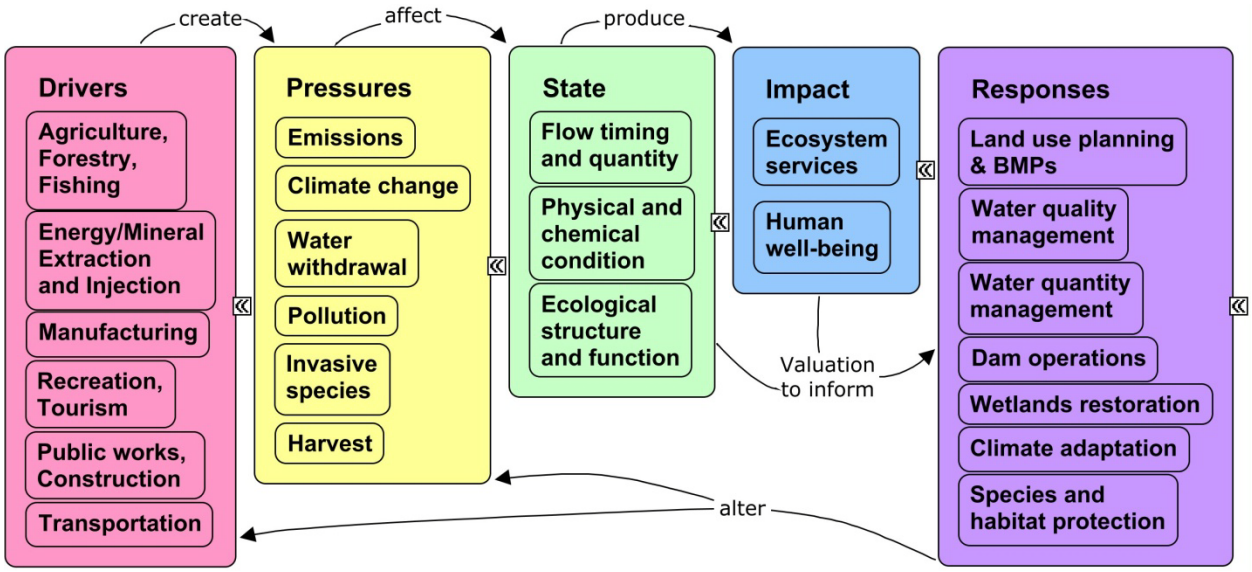


Figure 1: Conceptual model for watersheds, where socioeconomic forces influence the ecosystem; human activities place stress on the ecosystem; the state is the condition of the ecosystem; the impact relates to benefits that ecosystems provide, and their value to human well-being; and responses are the environmental management actions and decisions by society.

Such competing interests require the development of innovative new solutions for water resource managers and other decision-makers. To address these challenges, the EPA's Safe and Sustainable Water Resources (SSWR) research program provides the information and tools that the EPA needs to meet its legal, statutory, and policy challenges. Research will integrate social, economic, and environmental sciences to support the nation's range of growing water-use and ecological requirements.

SSWR is conducting research that will enable decision-makers to identify what is needed to protect water resources, including information about complex tradeoffs, water contaminants and nutrient management on watershed, regional, and national scales. This research is informing the EPA's first National Wetlands Condition Report.

Researchers are also developing tools to better detect and assess waterborne chemicals and microbial contaminants. In FY 2013, the SSWR program will report on the presence of Nitrosodimethylamine (NDMA) in drinking water, a compound of concern because of its carcinogenic potential. In addition, in support of the Agency's Recommended Elements of a State Nutrients Framework, the EPA will conduct research to improve, demonstrate and apply numeric nutrient criteria approaches across different scales and waterbody types.

Research also addresses and adapts to future water resources management needs to ensure that natural and engineered water systems have the capacity and resiliency to meet current and future water needs. The SSWR program will continue developing, implementing, and providing guidance on green infrastructure projects as a cost-effective approach to stormwater management. Additionally, the SSWR research program will continue to ensure the safety of

America's water resources through new approaches to monitor and mitigate aging distribution and collection systems.

The SSWR research program also will continue research to address potential water supply endangerment associated with subsurface land use practices including energy and mineral extraction. Research conducted includes studying the impacts of hydraulic fracturing on the Nation's water resources. The EPA seeks to investigate the public and environmental health questions while maximizing the benefits of hydraulic fracturing practices. The EPA will continue conducting research to determine whether hydraulic fracturing has adverse effects on drinking water resources. In addition, the EPA will begin studying the impacts of hydraulic fracturing on air, water quality, and ecosystems. This research will complement the EPA's current study on potential impacts of hydraulic fracturing on drinking water, and will expand upon and compliment ongoing coordination with DOE and USGS under a developing MOU.

Cleaning Up Communities and Advancing Sustainable Development

Clean up communities, advance sustainable development, and protect disproportionately impacted low-income, minority, and tribal communities. Prevent releases of harmful substances and clean up and restore contaminated areas

STRATEGIC OBJECTIVES:

- Support sustainable, resilient, and livable communities by working with local, state, tribal, and federal partners to promote smart growth, emergency preparedness and recovery planning, brownfield redevelopment, and the equitable distribution of environmental benefits.
- Conserve resources and prevent land contamination by reducing waste generation, increasing recycling, and ensuring proper management of waste and petroleum products.
- Prepare for and respond to accidental or intentional releases of contaminants and clean up and restore polluted sites.
- Support federally-recognized tribes to build environmental management capacity, assess environmental conditions and measure results, and implement environmental programs in Indian country.

GOAL, OBJECTIVE SUMMARY

Budget Authority

Full-time Equivalents

(Dollars in Thousands)

	FY 2011 Actuals	**FY 2012 Enacted**	**FY 2013 Pres Budget**	**FY 2013 Pres Budget v. FY 2012 Enacted**
Cleaning Up Communities and Advancing Sustainable Development	**$2,246,381.2**	**$1,931,053.3**	**$1,937,998.6**	**$6,945.3**
Promote Sustainable and Livable Communities	$531,616.1	$483,770.0	$478,699.8	($5,070.2)
Preserve Land	$276,971.3	$254,818.4	$242,950.8	($11,867.6)
Restore Land	$1,347,503.6	$1,104,154.4	$1,097,100.4	($7,054.0)
Strengthen Human Health and Environmental Protection in Indian Country	$90,290.2	$88,310.5	$119,247.5	$30,937.0
Total Authorized Workyears	4,452.5	4,328.2	4,342.1	13.9

Introduction

The EPA strives to protect and restore land, one of America's most valuable resources, by cleaning up communities to create a safer environment for all Americans. Hazardous and non-hazardous wastes on land can migrate to the air, groundwater and surface water, contaminating drinking water supplies, causing acute illnesses and chronic diseases, and threatening healthy ecosystems. The EPA will continue efforts to prevent and reduce the risks posed by releases of harmful substances to land, clean up communities, strengthen state and tribal partnerships, expand the conversation on environmentalism, and work for environmental justice. The Agency also will advance sustainable development and maximize efforts to protect disproportionately impacted low-income, minority, and tribal communities through outreach and protection efforts for communities historically underrepresented in the EPA's decision-making.

In FY 2013, the EPA will continue to work collaboratively with state and tribal partners to prevent and reduce exposure to contaminants. Improved compliance at high-risk oil and chemical facilities through inspections will help prevent exposure and lower the risk of accidents. The EPA and its key state, tribal, and local partners, including affected communities, have matured in our collaborative approaches to identifying and cleaning up contaminated sites and putting these sites back into productive use for communities. To address exposures to releases that have already occurred and/or will occur in the future, the EPA will continue the multi-year Integrated Cleanup Initiative (ICI) program for the fourth year. The Initiative will identify and implement opportunities to integrate and leverage the full range of the Agency's land cleanup authorities to accelerate the pace of cleanups, address a greater number of contaminated sites, and put these sites back into productive use while protecting human health and the environment.

As a result of the ICI effort, the Agency will implement improvements to its land cleanup programs (e.g., Superfund, Brownfields, RCRA Corrective Action, and Leaking Underground Storage Tanks) to address the cleanup needs at individual sites. These efforts will be supported by sound scientific data, research, and cost-effective tools that alert the EPA to emerging issues and inform Agency decisions on managing materials and addressing contaminated properties. The EPA also will continue to implement its Community Engagement Initiative. The goals of this initiative are to ensure transparent and accessible decision-making processes, deliver information that communities can use to participate meaningfully, and help the EPA produce outcomes that are responsive to community perspectives and that ensure timely cleanup decisions.

Improving a community's ability to make decisions that affect its environment is at the heart of the EPA's community-centered work. Challenging and complex environmental problems such as contaminated soil, sediment, and groundwater that can cause human health concerns, persist at many contaminated properties. The burden of a single blighted and contaminated site, or multiple blighted and contaminated sites concentrated within an area, can result in long-term environmental and economic distress to a community. As multiple sites often are connected through infrastructure and geographic location, approaching the assessment and cleanup needs of the entire area can be more effective than focusing on individual sites. During FY 2013, the Brownfields program will continue to support the Agency's ongoing brownfields area-wide

planning efforts. The cooperative agreements awarded and technical assistance provided for brownfields area-wide planning helps communities identify viable reuses of brownfields properties, as well as the full range of associated infrastructure investments and environmental improvements, which will help site cleanup and area revitalization. This approach maximizes the benefits that clean up and restoration can bring to a community.

In FY 2013, the EPA will continue its work to cleanup, redevelop, and revitalize contaminated sites. Many communities across the country regularly face risks posed by intentional and accidental releases of hazardous substances into the environment. The EPA and its state partners issue, update, or maintain RCRA permits for 2,466 hazardous waste facilities. In FY 2011, the EPA approved new or updated controls for 100 hazardous waste facilities. In addition, there are 1,652 sites on the Superfund National Priorities List (NPL), only 347 of which have been deleted. Sites are placed on the NPL when the presence of contamination, often from complex chemical mixtures of hazardous substances, has impacted groundwater, surface water, and/or soil. The precise impact of many contaminant mixtures on human health remains uncertain; however, substances commonly found at Superfund sites have been linked to a variety of human health problems, such as birth defects, infertility, cancer, and changes in neurobehavioral functions. Through FY 2011, the EPA had controlled human exposures to contamination at 1,348 NPL sites.

In FY 2013, the EPA is directing $5.7 million to compliance monitoring and on-site inspections at Risk Management Plan (RMP) and oil facilities. There is a critical need for the Agency to continue efforts to prevent and respond to accidental releases of harmful substances, including oil spills, by developing clear authorities, training personnel, and providing proper equipment. Recent spills and releases at oil and chemical facilities resulted in human injuries and deaths, severe environmental damage, and great financial loss. For example, the Deepwater Horizon oil spill disaster resulted in 11 deaths, over 200 million gallons of spilled oil, and severe economic and environmental damage throughout the Gulf. Likewise, accidents reported to the EPA since 2005 by the current universe of RMP facilities have resulted in approximately 60 deaths, over 1,300 injuries, nearly 200,000 people sheltered in place, and more than $1.6 billion in on-site and off-site damages.

Major FY 2013 Changes

The EPA has carefully evaluated all program activities associated with cleaning up communities and taking care of one of America's most valuable resources, land. The FY 2013 request reflects the EPA's continuous analysis of program priorities and needs in light of fiscal constraints which informed the decisions to reduce or eliminate programs and redirect resources to higher priorities. This budget reflects difficult choices such as a reduction to the Superfund cleanup programs of $40.6 million and the elimination of the Environmental Education program and the Superfund: Support for Other Federal Agencies program (which transfers funds to other agencies automatically). The EPA has targeted resources to areas of critical need including Tribal General Assistance (GAP) and Oil Spill Prevention.

The FY 2013 request strongly supports tribal programs. As the largest single source of the EPA's funding to tribes, the Tribal General Assistance Program (GAP) provides grants to build capacity to administer environmental programs that may be authorized by the EPA in Indian Country. The

capacity to develop environmental education and outreach programs, develop and implement integrated solid waste management plans, and to identify serious conditions that pose immediate public health and ecological threats, is important for the health of the tribal communities. These grants provide technical assistance for developing programs to address environmental issues on Indian lands. In FY 2013, $96.4 million, a $28.7 million increase over FY 2012, for GAP grants will help build tribal capacity and assist tribes in leveraging other EPA and federal funding to contribute towards a higher overall level of environmental and human health protection for this underserved population.

The discharge of oil into U.S. waters can threaten human health, cause severe environmental damage, and induce great financial loss to businesses, all levels of government and the public. The EPA's Oil Spill program protects U.S. waters and the communities that depend on them by preventing, preparing for, and responding to oil spills. In FY 2013, $19.3 million, an increase of $4.6 million, is requested for the Oil Spill: Prevention, Preparation and Response program. Additional resources will allow the Agency to better protect local communities by supporting increased inspections of high-risk Facility Response Plan (FRP) facilities, establishing a national oil database, helping facilities with compliance issues, better equipping inspectors for more efficient inspection processes, and informing program management and measurement activities. There are approximately 4,500 FRP facilities. In FY 2013, the EPA's goal is to bring into compliance 40 percent of those facilities found to be non-compliant during the FY 2010 through FY 2012 inspection cycle.

In FY 2013, the EPA is requesting $2.0 million for planning and implementing a Regional Center of Expertise for Chemical Warfare Agent (CWA) Laboratories to consolidate functions and gain cost and human capital efficiencies. Maintaining this national capability is essential to support emergency responses and NPL site cleanup decisions. The Agency will conduct an analysis to determine how to maintain this CWA capability most effectively at Regional laboratories. This analysis would include potential consolidation of the facilities and equipment that requires support, while maintaining the strategic vision for the wider federal effort developed by the Department of Homeland Security. Other priority considerations include maintaining national expertise in this area, processes to mobilize this expertise, and policy for dual use of the capability to promote more efficient operations and other factors.

In FY 2013, the Agency is reducing the Superfund Remedial program by $33.2 million. To withstand this reduction, the Agency will give priority to completing projects at various stages in the response process. The EPA will not plan to start new project phases, including new remedial construction starts. Instead, the Agency will focus on completing ongoing project phases, such as investigation, remedy design, and remedy construction. This approach will create a backlog of new construction projects estimated to range between 25 and 35 by the end of FY 2013. The EPA will not reduce its statutorily mandated actions to operate ground water remedies, or to monitor and assess the protectiveness of the constructed remedies. The program will continue to place emphasis on promoting site reuse in affected communities, but this shift may impact the EPA's longer-term commitment to complete 93,400 Superfund remedial site assessments by 2015. Through FY 2011, 89,916 sites had been assessed. The pace of ongoing construction projects will be slowed, extending the timeline to achieve site cleanup and the return of sites to productive use. In order to protect the public from imminent threats to human health and the

environment, the EPA is maintaining funding levels for the Superfund Emergency Response and Removal program. The program that provides automatic transfer funding to other federal agencies (Superfund: Support to Other Federal Agencies) is being eliminated as outdated. Funding for Superfund support by the National Oceanic and Atmospheric Administration, U.S. Coast Guard, and Department of the Interior will be provided on an as-needed basis through inter-agency agreements.

The EPA conducts environmental education activities and outreach through its national program offices (e.g., the Office of Water, etc.), as well as through its Environmental Education program. The Agency proposes to eliminate its Environmental Education program, a reduction of nearly $10 million, in order to focus its limited resources on further integrating environmental education activities into existing environmental programs. In FY 2012, the EPA established the Intra-Agency Environmental Education Workgroup to incorporate environmental literacy and stewardship activities across all EPA programs. By aligning environmental education and outreach activities with the appropriate national programs, the EPA is improving the accountability and outcomes of these activities. Elimination of the Environmental Education program will allow the EPA to better leverage its resources for environmental outreach activities which will be carried out under a streamlined and coordinated approach, thus better serving the public while promoting environmental literacy. The Agency also will enhance efforts to develop additional public-private partnership to help support environmental education stakeholders.

Priority Goal

The EPA has established an FY 2012-2013 Priority Goal to highlight progress made through cleaning up contaminated sites. The Priority Goal is:

- Clean up contaminated sites and make them ready for use. By September 30, 2013, an additional 22,100 sites will be ready for anticipated use.

Additional information on the Agency's Priority Goals can be found at www.performance.gov.

FY 2013 Activities

Work under Goal 3 supports four objectives: 1) Promote Sustainable and Livable Communities, 2) Preserve Land; 3) Restore Land; and 4) Strengthen Human Health and Environmental Protection in Indian Country. All of these efforts are guided by science and research.

Promote Sustainable and Livable Communities

In FY 2013, the EPA will continue to use several approaches to promote sustainable, healthier communities and protect vulnerable populations and disproportionately impacted low-income, minority, and tribal communities. The Agency especially is concerned about threats to sensitive populations, such as children, the elderly, and individuals with chronic diseases.

Brownfields:

The EPA’s Brownfields program is funded at $167 million. This program supports states, local communities, and tribes in their efforts to assess and clean up potentially contaminated and

lightly contaminated sites within their jurisdiction. In FY 2013, this support includes participation in the Partnership for Sustainable Communities, particularly for brownfields area-wide planning projects and support for sustainable redevelopment approaches to brownfields. The EPA will continue to provide technical assistance for brownfields redevelopment in cities in transition (areas struggling with high unemployment as a result of structural changes to their economies). In addition, the Brownfields program, in collaboration with the EPA's Sustainable Communities program, will address critical issues for brownfields redevelopment, including land assembly, development permitting issues, financing, accountability to uniform systems of information for land use controls, and other factors that influence the economic viability of brownfields redevelopment. The best practices, tools, and lessons learned from the Sustainable Communities program will directly inform and assist the EPA's efforts to increase area-wide planning for assessment, cleanup, and redevelopment of brownfields sites. In FY 2013, the Brownfields program will continue to foster federal, state, local, and public-private partnerships to return properties to productive economic use in communities.

The EPA supports a modification to the current statutory language which calls for a firm 25-percent set-aside for petroleum brownfields properties. The new language will provide for "no more than 25 percent" of Brownfields funds directed to petroleum sites. This change will allow brownfield funding to be directed to projects selected based on potential risk and benefits. Petroleum sites will remain eligible for funding.

Smart Growth:
The Agency's Smart Growth and Sustainable Design program works across the EPA and with other federal agencies to help communities strengthen their economies, protecting the environment and preserving their heritage. This program focuses on streamlining, concentrating, and leveraging state and federal assistance in places with the greatest need in order to create an inviting atmosphere for economic development upon which urban, suburban, and rural communities can capitalize. In FY 2013, the EPA will develop new mechanisms to address the growing demand from communities for more direct technical assistance, including in rural areas, in areas that are disadvantaged, or in areas that have been adversely affected by contamination and environmental degradation.

The Agency also will continue its support for the U.S. Department of Transportation, Housing and Urban Development, and the EPA's Partnership for Sustainable Communities by coordinating planning efforts associated with housing, transportation, air quality, and protection of water resources. The EPA will continue to provide technical assistance to tribal, state, regional, and local governments as they seek to grow their economies and create jobs while reducing polluting emissions, controlling storm-water runoff, incorporating sustainable design practices, and promoting equitable development.

Environmental Justice:
The EPA is committed to environmental justice regardless of race, color, national origin, or income. Recognizing that minority and/or low-income communities frequently may be exposed disproportionately to environmental harm and risks, the Agency works to protect these communities and to ensure they are given the opportunity to participate meaningfully in environmental decisions, including clean-ups. In FY 2013, the EPA requests $7.8 million for the

Environmental Justice (EJ) program to continue its efforts to incorporate environmental justice considerations into the rulemaking process, as well as maintain the successful ongoing grants program. Implementation of Plan EJ 2014 by Agency Programs and Regional Offices is a key component of this effort. An ongoing challenge for the EPA has been developing rules that implement existing statutory authority while working to reduce disproportionate exposure and impacts from multiple sources. In FY 2013, the EJ program will apply effective methods suitable for decision-making involving disproportionate environmental health impacts on minority, low-income, and tribal populations. The EPA also is developing technical guidance to support the integration of EJ considerations in analyses that support the EPA's actions.

Community Action for a Renewed Environment (CARE):
The Agency places a high priority on expanding the conversation on environmentalism and working for environmental justice. Through the Community Action for a Renewed Environment (CARE) Program, the EPA will provide funding, tools, and technical support that enable underserved communities to create collaborative partnerships to address local environmental problems. The on-the-ground support and funding will help to reduce toxic pollution from all sources, revitalize underserved areas, and improve the health of communities across the nation in sustainable ways. In dealing with multi-media, multi-layered issues, communities want "One EPA" and "one government". For each of the CARE communities, the EPA will work with the community to see their problems holistically, the way they see them.

In FY 2013, the EPA is requesting new grant authority to implement this successful program beyond the demonstration phase. The CARE program is designed to assist distressed communities with addressing critical human health and environmental risks using a multi-media approach, with 90 percent of CARE projects in Environmental Justice communities of concern. With FY 2013 funding of $2.1 million, the EPA will address pollution problems in communities using collaborative processes to select and implement local actions. The EPA will award federal funding for projects to reduce exposure to toxic pollutants and local environmental problems, create and strengthen local partnerships and capacity, provide technical support and training, and conduct outreach to share lessons learned by CARE communities. In FY 2013, the Agency also will continue to support CARE through the Brownfields and Sustainable Communities Programs to enhance the building of local partnerships, to help underserved communities, and to leverage resources and sustain environmental health efforts over time.

U.S.-Mexico Border:
The EPA is requesting $14.5 million for U.S.-Mexico Border programs in FY 2013, including $10 million for infrastructure assistance grants. The 2,000 mile border between the United States and Mexico is one of the most complex and dynamic regions in the world. The U.S.-Mexico Border region hosts a growing population of more than 14.1 million people and accounts for three of the ten poorest counties in the U.S. In addition, 432,000 of the over 14 million people in the region live in 1,200 colonias,[4] which are unincorporated communities characterized by substandard housing and unsafe drinking water. These demographics pose unique drinking water and wastewater infrastructure challenges as well as air pollution issues. Border 2020 has identified six long-term strategic goals to address the serious environmental and environmentally-related public health challenges including the impact of transboundary transport

[4] http://www.borderhealth.org/border_region.php

of pollutants in the border region. The six goals are: reduce conventional air pollutant and emissions; improve water quality and water infrastructure sustainability and reduce exposure to contaminated water; materials management and clean sites; improve environmental and public health through chemical safety; enhance joint preparedness for environmental response; and compliance assurance and environmental stewardship.

Preserve and Restore Land

In FY 2013, the Agency is requesting $1.3 billion to continue to apply the most effective approaches to preserve and restore land by developing and implementing prevention programs, improving response capabilities, and maximizing the effectiveness of response and cleanup actions under RCRA, Superfund, LUST and other authorities. This strategy will help ensure that human health and the environment are protected and that land is returned to beneficial use in the most effective way.

In FY 2013, the EPA will continue to use a hierarchy of approaches to protect the land: reducing waste at its source, recycling waste, managing waste effectively by preventing spills and releases of toxic materials, and cleaning up contaminated properties. The Agency is especially concerned about threats to sensitive populations, such as children, the elderly, and individuals with chronic diseases, and prioritizes cleanups accordingly.[5]

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or Superfund) and the Resource Conservation and Recovery Act (RCRA) provide legal authority for the EPA's work to protect the land. The Agency and its partners use Superfund authority to clean up uncontrolled or abandoned hazardous waste sites, allowing land to be returned to productive use. Under RCRA, the EPA works in partnership with states and tribes to address risks associated with anyone who generates, recycles, transports, treats, stores, or disposes of waste.

In FY 2013, the EPA will work to preserve and restore the nation's land by ensuring proper management of waste and petroleum products, reducing waste generation, increasing recycling and by supporting its cleanup programs and oversight of oil and chemical facilities. These efforts are integrated with the Agency's efforts to promote sustainable and livable communities. The EPA's land program activities for FY 2013 include seven broad efforts: 1) Integrated Cleanup Initiative; 2) Land Cleanup and Revitalization; 3) RCRA Waste Management and Corrective Action; 4) Recycling and Waste Minimization; 5) Underground Storage Tanks management; 6) Oil Spills and Chemical Safety, and 7) Homeland Security.

Integrated Cleanup Initiative[6]:
In FY 2010, the EPA initiated a multi-year strategy called the Integrated Cleanup Initiative (ICI) to improve accountability, transparency, and effectiveness by better integrating and leveraging the Agency's land cleanup authorities. The ICI establishes a framework of activities, milestone

[5] Additional information on these programs can be found at: www.epa.gov/superfund, http://www.epa.gov/oem/content/er_cleanup.htm, http://www.epa.gov/epaoswer/hazwaste/ca/, http://www.epa.gov/Brownfields/, http://www.epa.gov/swerust1/, http://www.epa.gov/swerffrr/ and http://www.epa.gov/swerrims/landrevitalization.
[6] Additional information on this initiative may be found on http://www.epa.gov/oswer/integratedcleanup.htm.

dates, and deliverables to enable the EPA to address a greater number of sites, accelerate the pace of cleanups, and put those sites back into productive use while protecting human health and the environment. One of the primary goals of ICI is to communicate progress, successes, and challenges in a transparent manner to stakeholders and the public.

In FY 2013, the EPA will continue to accelerate and otherwise improve comprehensive management of all aspects of the Agency's cleanup programs while addressing the three critical points in the cleanup process—starting, advancing, and completing site cleanup. The Agency is exploring new project management efficiencies, broadening the use of optimization techniques, and improving the efficiency of the grants and contracting processes that are so important to our cleanup programs.

Land Cleanup and Revitalization:
In addition to promoting sustainable and livable communities, the EPA's cleanup programs (e.g., Superfund Remedial, Superfund Federal Facilities Response, Superfund Emergency Response and Removal, RCRA Corrective Action, Brownfields, and Leaking Underground Storage Tanks (LUST) Cooperative Agreements) and their partners are taking proactive steps to facilitate the cleanup and revitalization of contaminated properties. To support the Land Revitalization Initiative, the EPA created the Land Revitalization Agenda[7] to integrate reuse into the EPA's cleanup programs, establish partnerships, and help make land revitalization part of the EPA's organizational culture. In FY 2013, the Agency will continue to help communities clean up and revitalize these once productive properties by removing contamination, helping limit urban sprawl, fostering ecologic habitat enhancements, enabling economic development, taking advantage of existing infrastructure, and maintaining or improving quality of life. In addition, the EPA will continue to support the RE-Powering America's Land initiative[8] in partnership with the Department of Energy, and support ongoing work with the General Services Administration to expeditiously identify parcels of federally-owned property ready for reuse as part of cleanup. These projects encourage reuse and development on currently or formerly contaminated land.

RCRA Waste Management and Corrective Action:
In partnership with the states, the Agency implements the Resource Conservation and Recovery Act (RCRA), which is critical to comprehensive and protective management of solid and hazardous materials from cradle to grave. In FY 2013, the EPA and the states will oversee and manage RCRA permits for 10,000 hazardous waste units at 2,466 facilities. The EPA is responsible for the continued oversight and maintenance of the regulatory controls at facilities covered by RCRA and directly implements the entire RCRA program in Iowa and Alaska.[9] The EPA provides leadership, worksharing, and support to the 50 states and territories authorized to implement the permitting program. The RCRA permitting program faces a significant workload to ensure controls remain protective. With declining state resources, the EPA is facing the potential of an increasing amount of direct implementation responsibility.

The EPA's Corrective Action program is responsible for overseeing and managing cleanups that protect human health and the environment at active RCRA sites. The EPA focuses its corrective

[7] Additional information on this agenda can be found on http://www.epa.gov/landreuse/agenda_full.htm
[8] Additional information on this initiative can be found on http://www.epa.gov/renewableenergyland/.
[9] http://www.epa.gov/wastes/hazard/tsd/permit/pgprarpt.htm

action resources on the 3,747 operating hazardous waste facilities that are a subset of approximately 6,000 sites with corrective action obligations. These facilities include some of the most highly contaminated, technically challenging, and potentially threatening sites the EPA confronts in any of its cleanup programs.[10] In FY 2013, the EPA will focus resources on those sites that present the highest risk to human health and the environment and implement actions to end or reduce these threats. To this end, the Agency will focus on site investigations to identify threats, establish interim remedies to reduce and eliminate exposure; and select and construct safe, effective long-term remedies that maintain the viability of the operating facility.

Recycling and Waste Minimization:
In FY 2013, the EPA will continue to advance the sustainable materials management (SMM) practices and a cradle-to-cradle perspective representing an important emphasis shift from waste management to materials management. This involves integrating information to foster a national focus, formulating and issuing policy, and addressing market challenges on raw material usage (non-fossil fuel or food). The EPA considers the human health and environmental impacts associated with the full lifecycle of materials—from the amount and toxicity of raw materials extraction, through transportation, processing, manufacturing, use and re-use, recycling, and disposal. The Agency's approach to SMM integrates the safe reuse of materials with economic opportunity. The initial strategy areas include: 1) federal green challenge to reform government purchasing practices in an environmentally friendly manner; 2) sustainable food management to help capture and prevent food from being disposed in landfills; and 3) safe handling of used electronics to increase the amount of used electronics managed by accredited third party electronics recyclers.

The EPAct and Underground Storage Tanks:
The EPAct[11] contains numerous provisions that significantly affect federal and state underground storage tank (UST) programs and requires that the EPA and states strengthen tank release and prevention programs. In FY 2013, the EPA will continue to provide grants to states to help them meet their EPAct responsibilities, which include: 1) mandatory inspections every three years for all underground storage tanks and enforcement of violations discovered during the inspections; 2) operator training; 3) prohibition of delivery for non-complying facilities[12]; and 4) secondary containment or financial responsibility for tank manufacturers and installers.

In FY 2013, the EPA will bolster communication and outreach to petroleum brownfields stakeholders; provide targeted technical assistance to state, tribal, and local governments; evaluate policies to facilitate increased petroleum brownfields site revitalization; and pursue corridor and smart growth projects to promote investment in and the sustainable reuse of petroleum brownfields.
Oil Spills and Chemical Safety:

[10] There are additional facilities that have corrective action obligations that the EPA does not track under GPRA, as they are typically smaller, less significant facilities or sites. The EPA recognizes that the total universe of such facilities or sites "subject to" corrective action universe is between five and six thousand facilities or sites.
[11] For more information, refer to http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_public_laws&docid=f:publ058.109.pdf (scroll to Title XV - Ethanol And Motor Fuels, Subtitle B – Underground Storage Tank Compliance, on pages 500-513 of the pdf file).
[12] Refer to *Grant Guidelines to States for Implementing the Delivery Prohibition Provision of the Energy Policy Act of 2005*, August 2006, EPA-510-R-06-003, http://www.epa.gov/oust/fedlaws/epact_05.htm#Final.

The Oil Spill program helps protect U.S. waters by effectively preventing, preparing for, responding to, and monitoring oil spills. In FY 2013, the EPA will continue to focus efforts on oil spill prevention, preparedness, compliance assistance, and enforcement activities associated with the more than 600 thousand non-transportation-related oil storage facilities that the EPA regulates through its Spill Prevention Control and Countermeasure (SPCC) Program. The Agency requests redirected resources of $4.1 million to increase the frequency of compliance inspections at high-risk oil facilities from the current 20 year frequency to a seven to ten year cycle, develop a third-party audit program, and develop a National Oil database. The EPA's regulated universe includes approximately 4,500 FRP facilities and over 600,000 SPCC facilities.

The RMP (Risk Management Program) provides the foundation for community and hazard response planning by requiring chemical facilities to take preventative measures, as well as collecting and sharing data to assist other stakeholders in preventing and responding to releases of all types. Taken together, the Risk Management Program and Emergency Planning and Community Right-to-Know Act (EPCRA) establish a structure within which federal, state, local, and Tribal partners can work together to protect the public, the economy, and the environment from chemical risks. For FY 2013, the EPA requests redirected resources of $1.6 million to conduct on-site inspections at approximately five percent of RMP facilities nationwide and at least 30 percent of those inspections will be at high risk facilities.

In the Oil spill program, the goal in FY 2013 is that 40 percent of FRP facilities found to be non-compliant during FY 2010 through FY 2012 will be brought into compliance by the end of the fiscal year. In addition to its prevention responsibilities, the EPA serves as the lead responder for cleanup of all inland zone spills, including transportation-related spills from pipelines, trucks, and other transportation systems, and provides technical assistance and support to the U.S. Coast Guard for coastal and maritime oil spills.

In FY 2013, the EPA will continue to review and revise, as appropriate, the National Oil and Hazardous Substances Pollution Contingency Plan, including Subpart J that regulates the use of dispersants and other chemicals as a tool in oil spill response. In addition, the EPA is establishing a National Oil database to help streamline the process for assisting facilities with compliance, better equip inspectors for more efficient inspection processes, and inform program management and measurement activities. In FY 2013, the EPA will finalize development and begin implementation of this National Oil database including identifying requirements for electronic submission of FRPs in order to create reporting efficiencies for the agency, states, local government and industry.

Homeland Security:
The EPA's Homeland Security work is an important component of the Agency's prevention, protection, and response activities. The EPA will continue to provide Homeland Security emergency preparedness and response capability related to chemical, biological, and radiological (CBR) agents and catastrophic incidents. In FY 2013, the Agency requests $38.7 million to: maintain its capability to respond effectively to incidents that may involve harmful CBR substances; operate the Environmental Response Laboratory Network (ERLN); maximize the effectiveness of its involvement in national security events through pre-deployments of assets

such as emergency response personnel and field detection equipment; maintain the Emergency Management Portal (EMP); and manage, collect, and validate new information for new and existing chemical, biological, and radiological agents as decontamination techniques are developed or as other information emerges from the scientific community.

Improve Human Health and the Environment in Indian Country

In FY 2013, the EPA will assist federally-recognized tribes in assessing environmental conditions in Indian country. The Agency is requesting $96.4 million for the Tribal GAP program, a $28.7 million increase, in order to help tribes build their capacity to implement environmental programs. This additional funding will increase the average cost of grants made to eligible tribes and will fund limited targeted assistance initiatives focused on mutually agreed-upon concerns in Indian country. This will help to reduce staff turn-over rates and thereby enhance longer-term sustainability of the programs being developed. It will further the EPA's partnership and collaboration with tribes to address a wider set of program responsibilities and challenges and will fund focused targeted assistance on long-standing and mutually agreed-upon concerns in Indian country. The EPA also will strengthen the scientific evidence and research supporting environmental policies and decisions on compliance, pollution prevention, and environmental stewardship in Indian country through continued collaboration with Agency program offices and through the EPA's Tribal Science Council.

Since adopting the EPA Indian Policy in 1984, the EPA has worked with federally-recognized tribes on a government-to-government basis, in recognition of the federal government's trust responsibility to federally-recognized tribes. Under federal environmental statutes, the Agency is responsible for protecting human health and the environment in Indian country. In FY 2013, the EPA's Office of International and Tribal Affairs will continue to lead agency-wide program efforts to work with tribes, Alaska Native Villages, and inter-tribal consortia to fulfill this responsibility. The EPA's strategy for achieving this objective has three major components:

- Establish an Environmental Presence in Indian Country**:** The Agency will continue to provide funding through the Tribal General Assistance Program (GAP) so each federally-recognized tribe can establish an environmental presence.

- Provide Access to Environmental Information**:** The EPA will provide the information tribes need to meet the EPA and tribal environmental priorities and characterize the environmental and public health improvements that result from joint actions.

- Implementation of Environmental Goals**:** The Agency will provide opportunities for the implementation of tribal environmental programs by tribes through 1) media-specific programs, 2) tribes themselves, or 3) directly by the EPA, if necessary.

Research

The Sustainable and Healthy Communities Research Program (SHCRP) will continue research to support the EPA's program offices, and our state and tribal partners in protecting and restoring

land, and supporting community health. The work of the SHCRP falls into four inter-related themes:

1. *Data and Tools to Support Sustainable Community Decisions* uses interactive social media and other innovative means to enable communities and stakeholders to actively engage in the planning, design, and implementation of SHC research to meet their desired sustainability goals;

2. *Forecasting and Assessing Ecological and Community Health* will enable communities to ensure the sustainable provision of ecosystem services and to assess how the natural and built environment affects the health and well-being of their residents;

3. *Near-term Approaches for Sustainable Solutions* builds upon the EPA's program office experience to improve the efficiency and effectiveness of methods for addressing existing sources of land and groundwater contamination, while moving to innovative approaches that reduce new sources of contamination and enable recovery of energy, materials, and nutrients from waste*;*

4. *Integrated Solutions for Sustainable Outcomes* assesses the state of the art of sustainable practices for four high-priority community decision areas: waste and materials management; infrastructure, including energy and water; transportation; and planning and zoning for buildings and land use. It will use whole-system modeling to integrate these four areas to better achieve outcomes with multiple benefits and to develop and test Taskforce on Research to Inform and Optimize (TRIO) accounting methods.

In FY 2013, the SHCRP will address many facets of site contamination and cleanup. This includes source elimination of contaminated ground water and migration at Superfund sites and plume management to reduce exposures via drinking water and vapor intrusion. Research efforts are leading to screening, sampling, and modeling approaches to assess risks from vapor intrusion and to define the need for mitigation in homes, schools, and places of employment. This science will be used to develop guidance in site ranking and in remedial investigations.

Research will characterize contaminated sediments, remediation options, and ways to enhance cleanup of contaminated sediments, leading to restored ecological functioning and lifting of fish consumption advisories in impaired waters. The EPA will use this research to improve the cost effectiveness of sediment remediation cleanups and achieve human health, environmental, and economic benefits of cleanup projects along lakes and rivers. This research provides site-specific and general technical support to the EPA as it evaluates options for remediation of Superfund sites.

The EPA will continue to develop or revise protocols to test oil spill control agents or products for listing on the National Contingency Plan Product Schedule, including dispersants performance and behavior in deep water. In addition, working with the Agency's Underground Storage Tanks program, SHCRP will deliver improved characterization and remediation methods for fuels released from leaking underground storage tanks.

Ensuring the Safety of Chemicals and Preventing Pollution

Reduce the risk and increase the safety of chemicals and prevent pollution at the source.

STRATEGIC OBJECTIVES:

- Reduce the risk of chemicals that enter our products, our environment, and our bodies.
- Conserve and protect natural resources by promoting pollution prevention and the adoption of other stewardship practices by companies, communities, governmental organizations, and individuals.

GOAL, OBJECTIVE SUMMARY

Budget Authority

Full-time Equivalents

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Ensuring the Safety of Chemicals and Preventing Pollution	**$697,917.4**	**$662,826.3**	**$699,261.0**	**$36,434.7**
Ensure Chemical Safety	$639,000.0	$604,596.5	$639,243.7	$34,647.2
Promote Pollution Prevention	$58,917.5	$58,229.7	$60,017.3	$1,787.6
Total Authorized Workyears	2,734.4	2,680.0	2,679.9	-0.1

Introduction

Chemicals are ubiquitous in our everyday lives and products. They are used in the production of everything from our homes and cars to the cell phones we carry and the food we eat. Chemicals often are released into the environment as a result of their manufacture, processing, use, and disposal. Research shows that children are getting steady infusions of industrial chemicals before they are even given solid food.[13,14,15] Other vulnerable groups, including low-income, minority, and indigenous populations, may be disproportionately impacted by chemical exposure and thus particularly at risk.[16,17,18]

A requested increase of $36.4 million in FY 2013 will support a crucial stage of the EPA's strengthened approach to address existing chemicals that have not been tested for adverse health or environmental effects. The FY 2013 request of $699 million will allow the EPA to sustain its success in managing the potential risks of new chemicals entering commerce and to significantly accelerate progress in assessing and ensuring the safety of existing chemicals. In FY 2013, the EPA will move forward in its transition from an approach dominated by voluntary chemical data submissions by industry, to a more proactive approach to ensure chemical safety. The approach focuses on: 1) using all available authorities under TSCA to take immediate and lasting action to eliminate or reduce identified chemical risks and develop proven safer alternatives; 2) using regulatory mechanisms to fill remaining gaps in critical exposure data, and increasing transparency and public access to information on TSCA chemicals; 3) using data from all available sources to conduct detailed chemical risk assessments on priority chemicals to inform the need for and support development and implementation of risk management actions; and 4) preventing introduction of unsafe new chemicals into commerce.

In FY 2013, the EPA's Pesticide Licensing program will continue to screen new pesticides before they reach the market and will continue to ensure that pesticides already in commerce are safe when used in accordance with the label. As directed by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Federal Food, Drug, and Cosmetic Act (FFDCA), and the Food Quality Protection Act (FQPA), the EPA will register pesticides to protect consumers, pesticide users, workers who may be exposed to pesticides, children, and other sensitive populations. The EPA also will review potential impacts on the environment, with particular attention to endangered species.

The EPA has a long history of international collaboration on a wide range of global environmental issues. Research under this goal supports the EPA's bilateral and multilateral

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[13] The Disproportionate Impact of Environmental Health Threats on Children of Color (http://yosemite.epa.gov/opa/admpress.nsf/8d49f7ad4bbcf4ef852573590040b7f6/79a3f13c301688828525770c0063b277!OpenDocument)

[14] Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks

[15] Guide to Considering Children's Health When Developing EPA Actions: Implementing Executive Order 13045 and EPA's Policy on Evaluating Health Risks to Children (http://yosemite.epa.gov/ochp/ochpweb.nsf/content/ADPguide.htm/$File/EPA_ADP_Guide_508.pdf)

[16] Holistic Risk-based Environmental Decision Making: a Native Perspective (http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1241171)

[17] Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations

[18] Interim Guidance on Considering Environmental Justice During the Development of an Action (http://www.epa.gov/compliance/ej/resources/policy/considering-ej-in-rulemaking-guide-07-2010.pdf)

partnerships which have taken on new significance in the face of shared environmental and governance challenges such as global climate change and improving children's environmental health outcomes.

The EPA envisions that environmental progress in cooperation with global partners can catalyze even greater progress toward protecting our domestic environment, including adapting to climate change, ensuring that trade-related activities sustain environmental protection, enhancing the ability of our trading partners to protect their environments and develop in a sustainable manner and, improving international cooperation and enhancing opportunities through effective consultation and collaboration related to issues of mutual interest. To advance all of these efforts, the EPA continues to focus on the following international priorities: 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 e-waste.

Pollution prevention is central to the EPA's sustainability strategies. In FY 2013, the EPA will enhance cross-cutting efforts to advance sustainable practices, safer chemicals and sustainable lower risk processes and practices, and safer products. The EPA will incorporate sustainability principles into our policies, regulations, and actions. The combined effect of community-level actions, geographically targeted efforts, attention to chemicals, and concern for ecosystems—implemented through the lens of science, transparency, and law—will bring real improvements and protections. To help ensure that communities have access to timely and meaningful data on toxic chemical releases, the EPA will update the Toxic Release Inventory (TRI) to clarify certain reporting requirements, consider the regulatory addition of selected chemicals, and consider whether to regulate additional industry sectors under TRI.

Achieving an environmentally sustainable future demands that the EPA address today's environmental problems by using a science-based process while simultaneously preparing for long-term challenges. The EPA's Science Advisory Board (SAB) recognizes this and that solutions must tackle issues collectively, rather than individually, to be effective.[19] This belief is a core philosophy of the EPA's FY 2013 research program, and it will position the Agency to address the environmental challenges of the 21st Century.

Major FY 2013 Changes

Recognizing the tight limits on discretionary spending across government, the EPA has evaluated its priorities and made necessary adjustments to focus FY 2013 resources on the most significant efforts that help protect health and the environment from chemical risks. The FY 2013 request reflects EPA's program priorities and needs in light of current program activity levels and fiscal constraints. The EPA requests an increase in FY 2013 of approximately $11 million over the FY 2012 enacted level for critical work in *Enhancing Chemical Safety*. This priority work targets increased support for initiating, continuing, and completing actions to reduce chemical risks; assessing chemical risks; and obtaining needed information on potentially hazardous chemicals while maximizing the availability of information to the public. In the research programs, an increase of approximately $4 million supports sustainable molecular

[19] http://yosemite.epa.gov/sab/sabproduct.nsf/E989ECFC125966428525775B0047BE1A/$File/EPA-SAB-10-010-unsigned.pdf

design research. The EPA will use this program to generate the critical information needed by manufacturers to develop inherently safer processes and products that minimize or eliminate the associated adverse impacts on human health and the environment that could result from the manufacturing, use, and disposal of chemicals, including nanomaterials.

Program priorities and needs in light of current program activity levels and fiscal constraints required difficult decisions resulting in requests for program reductions and eliminations. In FY 2013, the EPA will reduce by approximately $2 million all of the non-enforcement activities of the PCB and fibers programs, acknowledging the program's maturity, broad adoption, and well-documented and understood human health risks. In FY 2013, the EPA also will reduce the Endocrine Disruptor program by approximately $1 million as a result of progress being made to establish a full set of screening assays. The program will transition to more efficient methodologies for screening chemicals, such as computational toxicology (CompTox), as new technologies are validated, yielding benefits such as automated, rapid screening that will be used to generate data on the adverse effects of large numbers of chemicals.

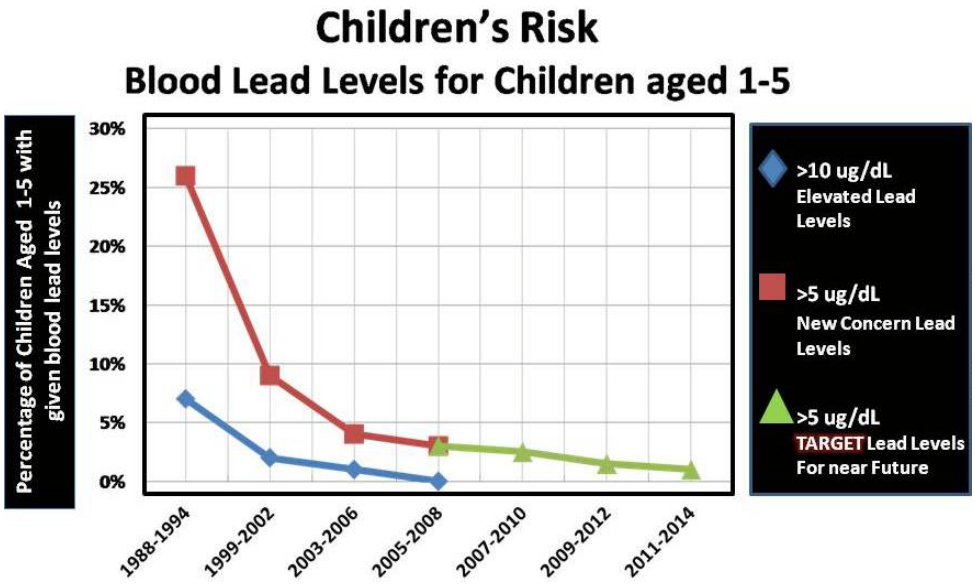
FY 2013 Activities

Chemicals Program

Existing chemicals activities fall into three major components: 1) strengthening chemical information collection, management, and transparency ($13.9 million); 2) screening and assessing chemical risks ($14.9 million); and 3) reducing chemical risks ($24.6 million). In FY 2013, the toxics program will maintain its 'zero tolerance' goal in preventing the introduction of unsafe new chemicals into commerce. However, thousands of existing ('pre-TSCA') chemicals already in commerce remain un-assessed.

In FY 2013, the increased resources requested will allow the EPA to complete detailed chemical risk assessments of priority chemicals that began in FY 2012 and to initiate five to ten additional assessments, several of which will be completed in FY 2013. The EPA also plans to develop hazard characterizations for 450 additional High Production Volume (HPV) chemicals using the data obtained through TSCA test rules, bringing the projected total by the end of FY 2013 to 2,433 of the 3,761 HPV chemicals identified prior to the 2011 TSCA Chemical Data Reporting rule. The major activity of the New Chemicals program is premanufacture notices (PMN) review and management, which address the potential risks from approximately 1,000 chemicals, products of biotechnology, and new chemical nanoscale materials received annually prior to their entry into the US marketplace.

In FY 2013, the Agency will continue to implement the chemicals risk management program to further eliminate risks from high-risk "legacy" chemicals. As illustrated on the opposite page, the EPA will build on the successful national effort to reduce childhood blood lead incidence and continue ongoing implementation of the Lead Renovation, Repair and Painting (RRP) Rule though outreach efforts and targeted activities to support renovator certifications. In collaboration with states and local governments, the Agency will continue to address "hotspots" where there are remaining incidences of children with high blood lead levels.



Endocrine Disruptor Program

In FY 2013, the Endocrine Disruptor Screening Program will focus on: 1) finalizing the inter-laboratory validation of three Tier 2 assays; 2) prioritizing and selecting additional chemicals for Tier 1 screening; 3) continuing to issue Tier 1 Test Orders for selected chemicals evaluating results of Tier 1 screening data submitted for the first list of pesticide chemicals; 4) conducting weight of evidence evaluations to determine which pesticide chemicals have the potential to interact with endocrine systems (Tier 1), and if so whether they should be further tested for effects (Tier 2); and 5) continuing coordination and collaboration with the research and development program to determine the applicability of computational toxicology-based approaches to assess a chemical's potential to interact with the estrogen, androgen, and thyroid systems.

Pesticides Program

Key components of chemical safety in protecting human health, communities, and ecosystems are identifying, assessing, and reducing the risks presented by the pesticides on which our society and economy depend. Chemical and biological pesticides help meet national and global demands for food. They provide effective pest control for homes, schools, gardens, highways, utility lines, hospitals, and drinking water treatment facilities and control animal vectors of disease. Many regulatory actions involve reduced risk pesticides that, once registered, will result in increased societal benefits.

In FY 2013, $129.0 million is requested to support the EPA pesticide review processes for all pesticide applications. The EPA also will focus on improving pesticide registrations' compliance with the Endangered Species Act and achieving broader Agency objectives for water quality protection. The EPA also will continue to emphasize the protection of potentially sensitive groups, such as children, by reducing exposures from pesticides used in and around homes,

schools, and other public areas. In addition, the Agency worker protection, certification, and training regulations will encourage safe application practices. Together, these programs will minimize exposure to pesticides, maintain a safe and affordable food supply, address public health issues, and minimize property damage that can occur from insects and pests.

Pollution Prevention Program

In FY 2013, the requested funding of $20.9 million for the EPA's Pollution Prevention (P2) Program will target technical assistance, information, and assessments to encourage the use of greener chemicals, technologies, processes, and products. The EPA will continue to support programs with proven records of success, including Environmentally Preferable Purchasing (EPP), Design for the Environment (DfE), Green Suppliers Network, Pollution Prevention Technical Assistance, Partnership for Sustainable Healthcare, Green Chemistry and Green Engineering. In addition, the EPA's P2 Programs will support the Economy, Energy, and Environment (E3) Partnership among federal agencies, local governments, and manufacturers to promote energy efficiency, job creation, and environmental improvement. Work under these programs also supports the energy reduction goals under Executive Order 13514. Through these efforts, the EPA will continue to encourage government and business to adopt source reduction practices that can help prevent pollution and avoid potential adverse human health and environmental impacts.

Research

The EPA's Chemical Safety and Sustainability, Human Health Risk Assessment, and Homeland Security Research Programs underpin the analysis of risks and potential health impacts across the broad spectrum of EPA programs and provide the scientific foundation for chemical safety and pollution prevention. In FY 2013, the EPA will further strengthen its planning and delivery of science by continuing an integrated research approach that tackles problems systematically instead of individually.

The requested increase of $2.5 million to the Chemical Safety and Sustainability Research Program (CSSRP) will support the EPA's efforts to develop enhanced chemical screening and testing techniques that improve context-relevant chemical assessment and management. New tools promise to transform the way the EPA evaluates risks of chemical products. The EPA will combine these new tools with existing test methods, integrating toxicity and exposure pathways in the context of the life cycle of the chemical. This approach will yield benefits such as automated, rapid screening that will be used to generate data on the adverse effects of large numbers of chemicals. Previous approaches were more narrowly targeted to single chemicals or problem areas.

In FY 2013, the EPA will continue the multi-year transition away from the traditional assays used in Endocrine Disruptor Screening Program (EDSP) through efforts to validate and use computational toxicology and high throughput screening methods. This will allow the Agency to more quickly, efficiently, and cost-effectively assess potential chemical toxicity. For example, the average cost of testing 300 chemicals with computational toxicology is about $20,000 per

chemical, compared to more traditional approaches that can cost more than $6 million per chemical. In FY 2013, the EPA will continue to evaluate endocrine-relevant ToxCast assays.

The CSSRP also supports decision makers in individual localities and communities with research on their priority contaminants. This will support better air toxics and drinking water-related regional and local decision-making. Under the consolidated research program, the EPA also will continue to support the scientific foundation for addressing the risks of exposure to chemicals in wildlife.

In FY 2013, the Agency's Human Health Risk Assessment Research Program will continue to develop assessments including:

- Integrated Risk Information System (IRIS) health hazard and dose-response assessments,
- Integrated Science Assessments (ISAs)of criteria air pollutants;
- Community Risk and Technical Support, and
- Methods, models, and approaches to modernize risk assessment for the 21st Century.

The program will release draft Integrated Science Assessments for nitrogen oxides and carbon monoxide for Clean Air Science Advisory Committee review and public comment. The program will make significant progress on health hazard assessments of high priority chemicals (e.g., dioxin, methanol, cumulative phthalate assessment, benzo-a-pyrene, Libby asbestos cancer assessment, and polychlorinated biphenyl (PCB) non-cancer assessment).

The Homeland Security Research Program (HSRP) will continue to enhance the nation's preparedness, response, and recovery capabilities for homeland security incidents and other hazards. The HSRP will provide stakeholders with valuable detection and response analytics for incidents involving chemical, biological, or radiological agents. The program will emphasize research needed to support response and recovery from wide-area attacks involving radiological agents, nuclear agents, and biothreat agents such as anthrax.

The EPA will allocate $164.4 million to the Chemical Safety and Sustainability, Human Health Risk Assessment, and Homeland Security Research Programs in FY 2013.

Enforcing Environmental Laws

Protect human health and the environment through vigorous and targeted civil and criminal enforcement. Assure compliance with environmental laws.

STRATEGIC OBJECTIVES:

- Pursue vigorous civil and criminal enforcement that targets the most serious water, air, and chemical hazards in communities. Assure strong, consistent, and effective enforcement of federal environmental laws nationwide.

GOAL, OBJECTIVE SUMMARY

Budget Authority
Full-time Equivalents
(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Enforcing Environmental Laws	**$820,541.2**	**$784,884.0**	**$830,411.9**	**$45,527.9**
Enforce Environmental Laws	$820,541.2	$784,884.0	$830,411.9	$45,527.9
Total Authorized Workyears	3,888.4	3,933.2	3,885.0	-48.2

Introduction

The EPA's civil and criminal enforcement programs perform the core function of assuring compliance with our nation's environmental laws. A strong and effective enforcement program is essential to maintain respect for the rule of law and a level economic playing field, and to realize the promise of federal statutes to protect the environment and the public health of citizens.

On January 18, 2011, President Obama issued a "Presidential Memoranda – Regulatory Compliance"[20] which reaffirms the importance of effective enforcement and compliance in regulations. In part, it states "Sound regulatory enforcement promotes the welfare of Americans in many ways, by increasing public safety, improving working conditions, and protecting the air we breathe and the water we drink. Consistent regulatory enforcement also levels the playing field among regulated entities, ensuring that those that fail to comply with the law do not have an unfair advantage over their law-abiding competitors."

In FY 2013, the EPA seeks to maintain the strength of its core national Enforcement and Compliance Assurance program. Recognizing the limitations of the federal budget and the declining resources of the states, the Agency will continue to implement strategies that use resources more efficiently and find opportunities to focus and leverage efforts to assure compliance with environmental laws.

The EPA has achieved impressive pollution control and health benefits through vigorous compliance monitoring and enforcement, but tough enforcement alone will not address all noncompliance problems. The sheer number of regulated facilities, the contribution of large numbers of smaller sources to environmental problems, and federal and state budget constraints, mean the EPA can no longer rely primarily on the traditional single facility inspection and enforcement approach to ensure widespread compliance[21]. In light of the fiscal constraints, the need to innovate is even greater if the EPA is to achieve gains in compliance over the long-term. Instead, the EPA needs to develop and implement a new paradigm that relies heavily on advances in both monitoring and information technology and that will improve oversight and reduce burdens on business.

This new paradigm is called "Next Generation Compliance." There are multiple components to this new paradigm: the use of modern monitoring technology to detect pollution problems; electronic reporting by facilities so that quality, complete and timely information on compliance and pollutants can be obtained; transparency so the public is aware of facility and government environmental performance; implementation of innovative enforcement approaches; and structuring regulations to drive compliance. In FY 2013, the national Enforcement and Compliance Assurance program will increase efforts to implement Next Generation Compliance approaches to help achieve the EPA's goals more efficiently and effectively while continuing to pursue high priority work.

[20] For more information regarding the Regulatory Compliance Memo, please refer to: http://www.whitehouse.gov/the-press-office/2011/01/18/presidential-memoranda-regulatory-compliance

[21] www.epa.gov/compliance/resources/policies/civil/cwa/actionplan101409.pdf

In FY 2013, the EPA will focus on addressing the most important public health and environmental compliance problems. In addition, the Agency proposes to accelerate its Next Generation Compliance approaches to harness the tools of 21st century technology to make this program more efficient and effective for the future. For example, the burden and costs of monitoring and compliance reporting can be reduced for the EPA, states and businesses by investing in modern monitoring and electronic reporting technology. This would allow the EPA and states to move away from the traditional model of reliance on time-consuming and expensive individual facility inspections and paper reporting. The Agency also will continue to emphasize the importance of making compliance information publicly available to better serve the American people and provide an efficient and effective incentive to promote compliance with environmental laws.

Major FY 2013 Changes

It is critically important that the EPA continually assess its priorities and embrace new approaches that can help achieve goals more efficiently and effectively. The EPA's FY 2013 budget submission for the Enforcement and Compliance Assurance program decreases some program areas so the Agency can continue to pursue the highest priority work, including work on the national enforcement initiatives.

In FY 2013, the Agency will redirect or refocus resources within the enforcement and compliance programs in order to accelerate efforts to increase compliance with the nation's environmental laws. This effort will enhance the EPA's ability to detect violations that impact public health, reduce transaction costs for the regulated community, and better engage the public to drive behavioral changes in compliance. The EPA will promote e-reporting by implementing new technologies, develop and disseminate advanced monitoring tools, upgrade Agency IT infrastructure to exploit more fully the wealth of new monitoring data, and modernize the EPA's approach to enforcement by ensuring new and existing rules incorporate electronic reporting. In FY 2013, a key element of this approach will be modifying data systems to implement e-reporting with regulated facilities, leading to improved compliance and transparency, and more efficient processes that do not rely on paper-based reporting. The EPA and states will have access to more complete, timely and accurate data that will improve our ability to prioritize permitting, monitoring, and enforcement actions. Funding for this effort in FY 2013 would allow the cost savings and cost avoidance to begin to accrue to the EPA, states, and industry as a result of converting paper-based reporting to electronic reporting.

The EPA's National Enforcement and Compliance Assurance program will see an overall reduction of 45.0 FTE, a cut of 1.3 percent from FY 2012 FTE levels. The EPA will prioritize resources to continue to address the most important public health and environmental compliance problems, and will reduce efforts in a variety of program areas based on objective factors such as relative risks to public health or the environment, levels of non-compliance, states' ability to provide compliance oversight and enforcement, and other factors such as statutory or treaty obligations. In times of declining resources it is critical not only to carefully assess the highest priorities but also to develop strategies that can help achieve goals more efficiently and effectively.

The EPA is reducing by $1.3 million, funding associated with Potentially Responsible Party (PRP) searches and settlement activity under the Superfund Enforcement program. This reduction also would decrease funding provided to the Department of Justice for Superfund settlement efforts. The request would also reduce compliance assistance and clean up oversight activities at federal facilities under the Superfund Federal Facilities Enforcement program.

Priority Goal

The EPA has established a FY 2012-2013 Priority Goal on electronic reporting. While the enforcement program has a lead role in implementing this goal by co-chairing a newly formed Agency task force, this is an Agency goal across EPA programs. This Priority Goal will:

- Increase transparency and reduce burden through e-Reporting. By September 30, 2013, develop a plan to convert existing paper reports into electronic reporting, establish electronic reporting in at least four key programs, and adopt a policy for including electronic reporting in new rules.

Additional information on the Agency's Priority Goals can be found at www.performance.gov.

FY 2013 Activities

The FY 2013 budget incorporates difficult decisions to reduce spending for lower priority activities. Nevertheless, the Agency is committed to implementing a strong enforcement and compliance program focused on identifying and reducing non-compliance and deterring future violations. To meet these goals, the program employs a variety of activities, including data collection and analysis, compliance monitoring, assistance and incentives, civil and criminal enforcement efforts and innovative problem-solving approaches to identify and address the most significant environmental issues. In FY 2013 these efforts will be enhanced through Next Generation Compliance approaches that rely on 21st century reporting and monitoring tools to advance implementation of the Administrator's priorities as well as the Agency's core program work. In FY 2013, the Agency is requesting a total of $620.1 million and 3,324.6 FTE for its Enforcement and Compliance Assurance program. The major activities include the following:

Focus Areas:

- *Protecting Air Quality:* The EPA will focus on the largest sources of air pollution, including coal-fired power plants and the cement, acid and glass sectors, to improve air quality. Enforcement to cut toxic air pollution in communities improves the health of communities, particularly those overburdened by pollution.

  The Energy Independence and Security Act (EISA) of 2007 requires increased use of renewable fuels. The EPA's Civil Enforcement program will help the regulated community understand their statutory obligations under EISA; inspect renewable fuel production facilities; monitor compliance with renewable fuel requirements; monitor and enforce the credit trading program; and, undertake administrative and judicial enforcement actions, as appropriate.

- *Protecting America's Waters*: Pursuant to the Clean Water Act Action Plan, the EPA is working with states to revamp compliance and enforcement approaches to more effectively and efficiently address the most important water pollution problems. This work includes getting raw sewage out of water, cutting pollution from animal waste, and reducing pollution from stormwater runoff. These efforts will help to clean up great waters like the Chesapeake Bay and will focus on revitalizing urban communities by protecting and restoring urban waters. Enforcement also will support the goal of assuring clean drinking water for all communities, including small systems and in Indian country.

- *Cleaning Up Our Communities:* The EPA protects communities by ensuring that responsible parties conduct cleanups, saving federal dollars for sites where there are no viable contributing parties. Ensuring that responsible parties clean up the sites also reduces direct human exposure to hazardous pollutants and contaminants, provides for long-term human health protection, and ultimately makes contaminated properties available for reuse.

  The EPA's Resource Conservation and Recovery Act (RCRA) Corrective Action enforcement program supports the goal set by the Agency and its state partners of attaining remedy construction at 95 percent of 3,747 RCRA facilities by the year 2020. In 2010, the EPA issued the "National Enforcement Strategy for Corrective Action" to promote and communicate nationally consistent enforcement and compliance assurance principles, practices, and tools to help achieve this goal. In FY 2013, the EPA will continue targeted enforcement under the Strategy and will work with its state partners to assess the contribution of enforcement in working towards the 2020 goal.

- *Ensuring the Safety of Chemicals and Preventing Pollution:* Strengthening chemical safety enforcement and reducing exposure to pesticides will improve the health of Americans. Enforcement reduces direct human exposures to toxic chemicals and pesticides and supports long-term human health protection.

Compliance Monitoring

The EPA's Compliance Monitoring program reviews and evaluates the activities of the regulated community to determine compliance with applicable laws, regulations, permit conditions and settlement agreements, as well as to determine whether conditions presenting imminent and substantial endangerment exist. In FY 2013, the EPA's compliance monitoring activities will be both environmental media- and sector-based. The EPA's media-based inspections complement those performed by states and tribes, and are a key part of the strategy for meeting the long-term and annual goals established for the air, water, pesticides, toxic substances and hazardous waste programs. The EPA will target its inspections to the highest priority areas and coordinate inspection activity with states and tribes, but noncompliance may potentially go undetected or increase. In FY 2013, as part of Next Generation Compliance, the Agency will continue to enhance the efficiency and effectiveness of the Compliance Monitoring program by emphasizing electronic reporting (e-reporting), enhancing data systems to collect, synthesize and disseminate monitoring data, and deploying state of the art monitoring equipment to the field.

Compliance monitoring also includes the EPA's management and use of data systems to run its compliance and enforcement programs under the various statutes and programs that the EPA enforces. In FY 2013, the Agency will accelerate the process of enhancing its data systems to support electronic reporting, providing more comprehensive, accessible data to the public and improving integration of environmental information with health data and other pertinent data sources from other federal agencies and private entities. The Agency will complete Phase II of its multi-year project to modernize the Permit Compliance System (PCS) by moving all of the remaining states from PCS to the Integrated Compliance Information System (ICIS). The EPA will then focus its resources on the last Phase of ICIS, Phase III, to modernize the Air Facility System (AFS). ICIS supports both compliance monitoring and civil enforcement. In FY 2013, the proposed Compliance Monitoring budget is $126.6 million and 634.5 FTE.

Civil Enforcement

The Civil Enforcement program's overarching goal is to assure compliance with the nation's environmental laws and regulations in order to protect human health and the environment. The program collaborates with the Department of Justice, states, local agencies and tribal governments to ensure consistent and fair enforcement of all environmental laws and regulations. The program seeks to protect public health and the environment and ensure a level playing field by strengthening partnerships with co-implementers in the states, encouraging regulated entities to rapidly correct their own violations, ensuring that violators do not realize an economic benefit from noncompliance and pursuing enforcement to deter future violations. In FY 2013, the Civil Enforcement program will benefit from the Next Generation Compliance initiative by deploying state of the art monitoring equipment to the field and increasing the use of e-reporting. The EPA and states will be able to target limited inspection and enforcement resources in those areas where they are most needed such as complex industrial operations requiring physical inspection, repeat violators, and cases involving significant harm to human health or the environment, or potential criminal violations.

The Civil Enforcement program develops, litigates and settles administrative and civil judicial cases against serious violators of environmental laws. In FY 2011, the EPA enforcement actions required companies to invest an estimated $19 billion in actions and equipment to control pollution (injunctive relief) – a record amount. Also in FY 2011, the EPA's enforcement actions required companies to reduce pollution by an estimated 1.8 billion pounds per year – the second highest amount since the EPA began measuring pollutant reductions from enforcement cases using current methodologies. In addition, the EPA's top 15 Clean Air Act enforcement actions of FY 2011 reduced emissions of particulate matter, sulfur dioxide, nitrogen oxides, and VOCs, resulting in projected health benefits and other environmental improvements valued at $15 to $36 billion each year.

In FY 2013**,** the EPA will focus on national priorities and repeat violators, especially in communities that may be disproportionately exposed to risks and harm from pollutants in their environment, including minority and/or low-income areas**.** Specifically, in FY 2013, the EPA will continue to target implementation of the National Enforcement Initiatives established for FY 2011-2013. These national initiatives address problems that remain complex and challenging, including Clean Water Act "wet weather" discharges, violations of the Clean Air Act New

Source Review/Prevention of Significant Deterioration requirements and Air Toxics regulations, RCRA violations at mineral processing facilities, and multi-media problems resulting from energy extraction activities. Information on initiatives, regulatory requirements, enforcement alerts and EPA results will be made available to the public and the regulated community through web sites. The Civil Enforcement program also will support the Environmental Justice program and the Administrator's priority to address pollution impacting vulnerable populations. In addition, the Civil Enforcement program will help to implement the President's directive to develop and implement a compliance and enforcement strategy for the Chesapeake Bay, providing strong oversight to ensure existing regulations are complied with consistently and in a timely manner. In FY 2013, the proposed budget for Civil Enforcement is $192.7 million and 1,205.7 FTE.

Criminal Enforcement

Criminal Enforcement underlies the EPA's commitment to pursuing the most serious pollution violations. The EPA's Criminal Enforcement program investigates and helps prosecute environmental violations that seriously threaten public health and the environment and involve intentional, deliberate or criminal behavior on the part of the violator. The Criminal Enforcement program deters violations of environmental laws and regulations by demonstrating that the regulated community will be held accountable through jail sentences and criminal fines. Bringing criminal cases to court sends a strong deterrence message to potential violators, enhances aggregate compliance with laws and regulations, and protects communities.

The program has completed its three-year hiring strategy, raising the number of special agents to 200. To make the best use of resources, the program will work to reduce case work in lower priority areas and use the special agent capacity to address complex environmental cases in FY 2013. To accomplish this, the Criminal Enforcement program will expand its identification and investigation of cases with significant environmental, human health and deterrence impact. The EPA's Criminal Enforcement program will focus on cases across all media that involve serious harm or injury; hazardous or toxic releases; ongoing, repetitive, or multiple releases; serious documented exposure to pollutants; and violators with significant repeat or chronic noncompliance or prior criminal conviction. In FY 2013, the proposed budget for Criminal Enforcement is $59.6 million and 298.2 FTE.

Superfund Enforcement

The EPA's Superfund Enforcement program protects communities by ensuring that responsible parties conduct cleanups of hazardous waste sites, preserving federal dollars for sites where there are no viable contributing parties. Superfund Enforcement uses an "enforcement first" approach that maximizes the participation of liable and viable parties in performing and paying for cleanups in both the remedial and removal programs; however, due to the fiscally constrained environment, the EPA will reduce resources that support program activities, including PRP searches, cleanup settlements, and cost recovery. Similarly, cuts in Superfund Federal Facilities enforcement will place greater focus on federal agencies actively managing their own cleanup efforts. The Agency will continually assess its priorities and embrace new approaches that can help achieve its goals more efficiently and effectively.

Enforcement authorities play a unique role under the Superfund program. The authorities are used to ensure that responsible parties conduct a majority of the cleanup actions and reimburse the federal government for cleanups financed by Federal resources. In tandem with this approach, various reforms have been implemented to increase fairness, reduce transaction costs, promote economic development and make sites available for appropriate reuse.[22] Ensuring that responsible parties cleanup sites ultimately reduces direct human exposures to hazardous pollutants and contaminants, provides for long-term human health protections and makes contaminated properties available for reuse.

The Department of Justice supports the EPA's Superfund Enforcement program through negotiations and judicial actions to compel PRP cleanup and litigation to recover Trust Fund monies. The Agency is providing $23.7 million to the Department of Justice through an Interagency Agreement. In FY 2011, the Superfund Enforcement program secured private party commitments that exceeded $3.3 billion. Of this amount, PRPs have committed to future response work with an estimated value of approximately $3 billion; PRPs have agreed to reimburse the agency for $298.6 million in past costs; and PRPs have been billed by the EPA for approximately $74 million in oversight costs. The EPA also works to ensure that required legally enforceable institutional controls and financial assurance instruments are in place and adhered to at Superfund sites and at facilities subject to RCRA Corrective Action to ensure the long-term protectiveness of cleanup actions.

The Forensics Support program provides specialized scientific and technical support for the nation's most complex Superfund civil and criminal enforcement cases, as well as technical expertise for Agency compliance efforts. In FY 2013, the National Enforcement Investigations Center (NEIC) will continue to function under rigorous International Standards Organization 17025 requirements for environmental data measurements to maintain its accreditation. Due to reduced funding and the need to direct resources to the Agency's highest priorities, the Agency is reducing funding for the forensics laboratory at the National Enforcement Investigations Center (NEIC). This decrease would reduce NEIC's support for civil enforcement cases under CERCLA authorities and their ability to support complex enforcement cases, and criminal investigations.

Partnering with States, Tribes and Communities

The EPA shares accountability for environmental and human health protection with states and tribes. Most states are authorized or have been delegated the legal responsibility for implementing the major federal environmental protection programs, including the compliance and enforcement responsibilities. The Agency works together with the states to target the most important pollution violations and ensure that companies that meet their obligations and are responsible neighbors are not put at a competitive disadvantage. The EPA also has a responsibility to oversee state and tribal implementation of federal laws to provide that the same level of protection for the environment and the public applies across the country. In FY 2013 the Agency is requesting $24.3 million for enforcement and compliance categorical grants.

The EPA's enforcement and compliance program promotes environmental justice by targeting

[22] For more information regarding the EPA's enforcement program and its various components, please refer to http://www.epa.gov/compliance/cleanup/superfund/

pollution problems that disproportionately affect low income, minority, and/or tribal communities. Compliance with environmental laws is particularly important in communities that are exposed to greater environmental health risks. The EPA also fosters community involvement by making information about compliance and government action available to the public. The Agency also strives to provide increased transparency; by making information on violations both available and understandable to communities, the EPA empowers citizens to demand, and motivates regulated facilities to provide, better compliance with environmental laws.

Table of Contents - Science and Technology

APPROPRIATION: Science & Technology
Resource Summary Table

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology				
Budget Authority	$877,269.5	$793,728.0	$807,257.0	$13,529.0
Total Workyears	2,454.0	2,434.2	2,472.9	38.7

*For ease of comparison, Superfund transfer resources for the audit and research functions are shown in the Superfund account.

Bill Language: Science and Technology

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $807,257,000, to remain available until September 30, 2014. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012.)

Program Projects in S&T

(Dollars in Thousands)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Clean Air and Climate				
Clean Air Allowance Trading Programs	$9,934.0	$9,082.0	$9,797.0	$715.0
Climate Protection Program	$18,487.9	$16,319.0	$7,760.0	($8,559.0)
Federal Support for Air Quality Management	$11,054.0	$7,091.0	$7,622.0	$531.0
Federal Support for Air Toxics Program	$2,540.1	$0.0	$0.0	$0.0
Federal Vehicle and Fuels Standards and Certification	$100,691.6	$91,886.0	$101,929.0	$10,043.0
Subtotal, Clean Air and Climate	$142,707.6	$124,378.0	$127,108.0	$2,730.0

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Indoor Air and Radiation				
Indoor Air: Radon Program	$446.1	$210.0	$0.0	($210.0)
Reduce Risks from Indoor Air	$809.8	$370.0	$379.0	$9.0
Radiation: Protection	$2,275.4	$2,094.0	$2,126.0	$32.0
Radiation: Response Preparedness	$4,181.9	$4,076.0	$4,156.0	$80.0
Subtotal, Indoor Air and Radiation	$7,713.2	$6,750.0	$6,661.0	($89.0)
Enforcement				
Forensics Support	$16,354.3	$15,269.0	$15,593.0	$324.0
Homeland Security				
Homeland Security: Critical Infrastructure Protection				
Water Security Initiative	$12,097.2	$8,606.0	$7,023.0	($1,583.0)
Homeland Security: Critical Infrastructure Protection (other activities)	$6,401.5	$2,755.0	$2,756.0	$1.0
Subtotal, Homeland Security: Critical Infrastructure Protection	$18,498.7	$11,361.0	$9,779.0	($1,582.0)
Homeland Security: Preparedness, Response, and Recovery				
Decontamination	$23,537.6	$17,356.0	$17,185.0	($171.0)
Laboratory Preparedness and Response	$100.1	$0.0	$0.0	$0.0
Safe Building	$791.5	$0.0	$0.0	$0.0
Homeland Security: Preparedness, Response, and Recovery (other activities)	$17,107.6	$12,678.0	$12,523.0	($155.0)
Subtotal, Homeland Security: Preparedness, Response, and Recovery	$41,536.8	$30,034.0	$29,708.0	($326.0)
Homeland Security: Protection of EPA Personnel and Infrastructure	$592.0	$578.0	$579.0	$1.0
Subtotal, Homeland Security	$60,627.5	$41,973.0	$40,066.0	($1,907.0)
IT / Data Management / Security				
IT / Data Management	$3,483.7	$3,652.0	$4,047.0	$395.0

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Operations and Administration				
Facilities Infrastructure and Operations				
Rent	$30,251.9	$35,605.0	$34,899.0	($706.0)
Utilities	$20,159.3	$20,162.0	$20,202.0	$40.0
Security	$9,300.6	$10,696.0	$11,066.0	$370.0
Facilities Infrastructure and Operations (other activities)	$9,724.3	$5,556.0	$9,318.0	$3,762.0
Subtotal, Facilities Infrastructure and Operations	$69,436.1	$72,019.0	$75,485.0	$3,466.0
Subtotal, Operations and Administration	$69,436.1	$72,019.0	$75,485.0	$3,466.0
Pesticides Licensing				
Pesticides: Protect Human Health from Pesticide Risk	$4,118.8	$3,757.0	$3,919.0	$162.0
Pesticides: Protect the Environment from Pesticide Risk	$1,995.2	$2,289.0	$2,604.0	$315.0
Pesticides: Realize the Value of Pesticide Availability	$522.8	$517.0	$575.0	$58.0
Subtotal, Pesticides Licensing	$6,636.8	$6,563.0	$7,098.0	$535.0
Research: Air, Climate and Energy				
Research: Air, Climate and Energy				
Global Change	$19,416.9	$18,276.0	$20,281.0	$2,005.0
Clean Air	$91,122.7	$78,526.0	$82,853.0	$4,327.0
Research: Air, Climate and Energy (other activities)	$9,126.4	$2,043.0	$2,760.0	$717.0
Subtotal, Research: Air, Climate and Energy	$119,756.0	$98,845.0	$105,894.0	$7,049.0
Subtotal, Research: Air, Climate and Energy	$119,756.0	$98,845.0	$105,894.0	$7,049.0
Research: Safe and Sustainable Water Resources				
Research: Safe and Sustainable Water Resources				
Drinking Water	$50,885.3	$50,152.0	$51,606.0	$1,454.0

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Water Quality	$66,573.0	$63,274.0	$69,532.0	$6,258.0
Research: Safe and Sustainable Water Resources (other activities)	$0.0	$50.0	$52.0	$2.0
Subtotal, Research: Safe and Sustainable Water Resources	$117,458.3	$113,476.0	$121,190.0	$7,714.0
Subtotal, Research: Safe and Sustainable Water Resources	$117,458.3	$113,476.0	$121,190.0	$7,714.0
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities				
Human Health	$52,904.5	$45,318.0	$44,500.0	($818.0)
Ecosystems	$68,740.8	$60,806.0	$60,180.0	($626.0)
Research: Sustainable and Healthy Communities (other activities)	$70,790.8	$64,617.0	$61,050.0	($3,567.0)
Subtotal, Research: Sustainable and Healthy Communities	$192,436.1	$170,741.0	$165,730.0	($5,011.0)
Subtotal, Research: Sustainable Communities	$192,436.1	$170,741.0	$165,730.0	($5,011.0)
Research: Chemical Safety and Sustainability				
Human Health Risk Assessment	$46,140.1	$39,553.0	$40,505.0	$952.0
Research: Chemical Safety and Sustainability				
Endocrine Disruptors	$10,708.8	$16,861.0	$16,253.0	($608.0)
Computational Toxicology	$22,412.4	$21,177.0	$21,267.0	$90.0
Research: Chemical Safety and Sustainability (other activities)	$52,092.4	$53,697.0	$56,721.0	$3,024.0
Subtotal, Research: Chemical Safety and Sustainability	$85,213.6	$91,735.0	$94,241.0	$2,506.0
Subtotal, Research: Chemical Safety and Sustainability	$131,353.7	$131,288.0	$134,746.0	$3,458.0
Water: Human Health Protection				
Drinking Water Programs	$3,724.2	$3,782.0	$3,639.0	($143.0)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Congressional Priorities				
Congressionally Mandated Projects	$5,582.0	$0.0	$0.0	$0.0
Water Quality Research and Support Grants	$0.0	$4,992.0	$0.0	($4,992.0)
Subtotal, Water Quality Research and Support Grants	$0.0	$4,992.0	$0.0	($4,992.0)
Subtotal, Congressional Priorities	$5,582.0	$4,992.0	$0.0	($4,992.0)
TOTAL, EPA	$877,269.5	$793,728.0	$807,257.0	$13,529.0

*For ease of comparison, Superfund transfer resources for the audit and research functions are shown in the Superfund account.

Program Area: Clean Air and Climate

Clean Air Allowance Trading Programs
Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$20,877.3	$20,811.0	$20,888.0	$77.0
Science & Technology	***$9,934.0***	***$9,082.0***	***$9,797.0***	***$715.0***
Total Budget Authority / Obligations	$30,811.3	$29,893.0	$30,685.0	$792.0
Total Workyears	84.3	87.6	86.7	-0.9

Program Project Description:

This program develops, implements, assesses, and provides regulatory and modeling support for multi-state programs that address major regional and national air issues from the power sector and other large combustion stationary sources. Clean air allowance trading programs help implement the National Ambient Air Quality Standards (NAAQS) and reduce acid deposition, toxics deposition, and regional haze. Pollutants include sulfur dioxide (SO_2), nitrogen oxides (NO_x), and, as a co-benefit of SO_2 emission reductions, mercury.

Carried long distances by wind and weather, power plant emissions of SO_2 and NO_x continually travel across state lines. As the pollution is transported, it reacts in the atmosphere and contributes to harmful levels of ground-level ozone (smog) and fine particles (soot),[1] which are scientifically linked to widespread illnesses and premature deaths and prevent many cities and communities from enjoying healthy air quality. Transported SO_2 and NO_x emissions are significant contributors to nonattainment in many states in the eastern half of the U.S. and under the "good neighbor" provision of the CAA,[2] upwind states must share responsibility for achieving air quality goals.

Operating programs in FY 2013 will include either the Cross-State Air Pollution Rule (CSAPR) program (which is intended to replace the Clean Air Interstate Rule (CAIR) program)[3] or the CAIR program for multi-state control of transported ozone and fine particle ($PM_{2.5}$) pollution in addition to the national Acid Rain SO_2 and NO_x emission reduction programs authorized under Title IV of the 1990 Clean Air Act (CAA) Amendments (described in the Clean Air Allowance Trading Program description under the Environmental Programs and Management appropriation).

[1] Seinfeld, John H. and Spyros N. Pandis. Atmospheric Chemistry and Physics: From Air Pollution to Climate Change. John Wiley & Sons, Inc. (New York). 1998. Describes pollution transport and formation of ground-level ozone and fine particles in the atmosphere from sulfur dioxide and nitrogen oxides emissions.
[2] Section 110(a)(2)(D) of the CAA.
[3] The U.S. Court of Appeals for the D.C. Circuit ordered EPA in 2008 to revise the 2005 CAIR, but allowed CAIR "remain in effect until it is replaced by a rule consistent with the Court's [July 11, 2008] opinion" so as to preserve CAIR's environmental benefits . Reference: U.S. Court of Appeals for the D.C. Circuit, No. 05-1244, page 3 (decided December 23, 2008).

The EPA proposed CSAPR in August 2010 as the "Transport Rule."[4] Within one year, on July 6, 2011, the EPA finalized CSAPR (Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone in 27 States; Correction of SIP Approvals for 22 States).[5] The CSAPR is designed to control the significant contributions of power plant emissions of SO_2 and NO_x to clean air problems in downwind states. The rule is intended to replace and strengthen the 2005 CAIR, which the U.S. Court of Appeals for the D.C. Circuit ordered the EPA to revise in 2008. The court has allowed CAIR to remain in place and for program implementation to continue until it is replaced with a rule consistent with the Court's opinion. The final rule the EPA promulgated satisfies three requirements:

1) Fulfills the EPA's legal obligation to provide federal implementation plans (FIPs) to reduce air pollution that significantly affects another state;
2) Clarifies state obligations to reduce pollution affecting other states under the CAA; and
3) Responds to the issues raised in the court ruling vacating the 2005 CAIR and the 2006 CAIR FIPs.

On December 30, 2011, the U.S. Court of Appeals for the D.C. Circuit issued a ruling to stay CSAPR, and leave CAIR in place, while the Court reviews challenges to the CSAPR on its merits. The Court's decision is not a decision on the merits of the rule and the EPA believes the CSAPR is legally sound and will continue defending it vigorously. It is disappointing that the significant public health benefits of CSAPR may be delayed, even temporarily, especially given the EPA's work to utilize the Clean Air Act's flexibility to ensure the rule is achievable. The EPA will continue implementation of CAIR annual ($PM_{2.5}$) and seasonal (ozone) programs, and operating CAIR allowance trading programs, until instructed otherwise by the Court.

The CSAPR establishes a new framework to address pollution that affects air quality in downwind states, thus helping all states in the eastern half of the U.S. achieve and maintain the protective national air quality standards cost effectively and as quickly as possible. The CSAPR establishes new emission allowances for all programs (annual SO_2, annual NO_x, ozone season NO_x). There is no carryover of Acid Rain, NO_x SIP Call/NBP, or CAIR allowances. Similar to previous clean air allowance trading programs, the rule encourages innovation and cost-savings and helps power plants achieve their mission of providing clean, affordable, and reliable energy. Although the rule is projected to achieve sizable reductions (~ 600,000 tons) in seasonal NO_x emission levels, the EPA's analysis indicates that more needs to be done on ozone for public health protection.[6]

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[4] Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone, 75 FR 45210 (August 2, 2010).

[5] Please visit http://www.epa.gov/crossstaterule for additional information on the CSAPR. Power plants in 28 states are affected by one or more of the FIPs and air quality assured allowance trading programs in the CSAPR.

[6] (1) U.S. Environmental Protection Agency (U.S. EPA). 2011. *Second External Review Draft Integrated Science Assessment for Ozone and Related Photochemical Oxidants* (EPA/600/R-10/076B). National Center for Environmental Assessment. (2) Clean Air Act Advisory Committee Ozone Review Panel. 2011. CASAC Comments on EPA's *Integrated Science Assessment for Ozone and Related Photochemical Oxidants* (March 2011). Final Report.

Annual SO_2 emissions from sources subject to the CAIR $PM_{2.5}$ program in 2010 were 4.4 million tons, a 51% drop from 2005 levels and 6% (123,000 tons) below 2009 levels. Annual NO_x emissions were 1.43 million tons, a 47% drop from 2005 levels and 9% (115,000 tons) higher than 2009 levels. While emissions increased between 2009 and 2010, sources were still 5% below the 2010 CAIR NO_x annual regional emission budget and all sources were in compliance with the program. During the 2010 ozone season, NO_x emissions subject to the CAIR ozone program were 594,000 tons, a drop of 27% below 2005 levels and 20% (99,000 tons) higher than in 2009. Despite this increase, ozone season NO_x emissions were 5% below the 2010 regional emission budget and all sources were in compliance with the program. For additional information on CAIR, please see http://www.epa.gov/airmarkets.

The EPA is responsible for managing the Clean Air Status and Trends Network (CASTNET), a long-term atmospheric deposition monitoring network, established in 1987, which serves as the nation's primary source for atmospheric data on the dry deposition component of acid deposition, rural ground-level ozone, and other forms of particulate and gaseous air pollution. Used in conjunction with the National Atmospheric Deposition Program (NADP) and other networks, CASTNET's long-term datasets and data products are used to determine the effectiveness of national and regional emission control programs through monitoring geographic patterns and temporal trends in ambient air quality and atmospheric deposition in non-urban areas of the country. Maintaining the CASTNET monitoring network has been and continues to be critical for accountability of the Acid Rain program and cross-state regional programs for controlling transported emissions and reduction of secondary pollutant formation of fine particles. Moreover, CASTNET's rural ozone and acid deposition monitoring is essential to the success of two Agency air program priorities: (1) implementation of the ozone NAAQS and (2) pilot field program for NO_x/SO_x secondary standard.

Surface water chemistry is a direct indicator of the environmental effects of acid deposition and enables assessment of how water bodies and aquatic ecosystems are responding to reductions in sulfur and nitrogen emissions (as well as to climate change and other terrestrial factors). Two EPA-administered programs, the Temporally Integrated Monitoring of Ecosystems (TIME) program and the Long-Term Monitoring (LTM) program, were specifically designed to assess whether the 1990 Clean Air Act Amendments have been effective in reducing the acidity of surface waters in sensitive areas. Both programs are operated cooperatively with numerous partners in state agencies, academic institutions, and other federal agencies.

In FY 2013, the TIME/LTM surface water chemistry monitoring program will figure prominently in the proposed pilot field program for the SO_x/NO_x secondary standard. The preamble notes that water quality data are more limited than air quality data and that TIME/LTM is an appropriate complement to national air monitoring as it affords consistency across water bodies in terms of sampling frequency and analytical protocols.

FY 2013 Activities and Performance Plan:

Reducing emissions of SO_2 and NO_x remains a crucial component of the EPA's strategy for cleaner air. Particulate matter can be formed from direct sources (such as diesel exhaust or smoke), but also can be formed through chemical reactions in the air. Emissions of SO_2 and NO_x can be chemically transformed into sulfate and nitrates that are very tiny particles which – when inhaled – can cause serious respiratory problems and may lead to premature mortality. Winds can carry sulfates and nitrates hundreds of miles from the emitting source. These same small particles also are a main pollutant that impairs visibility across large areas of the country, particularly damaging in national parks known for their scenic views. Nitrogen dioxide emissions also contribute substantially to the formation of ground-level ozone. Ozone, when inhaled in sufficient concentrations, can cause serious respiratory problems.

In FY 2013, the EPA will:

- Assure that ongoing NO_x and SO_2 emissions reductions from power plants in the eastern half of the U.S. continue by implementing either the CSAPR and/or the CAIR program for interstate control of transported ozone and $PM_{2.5}$ pollution, depending on instruction from the Court and the timing of the Court's decision on its judicial review of the CSAPR.

- Provide legal and technical assistance to states in developing and implementing state plans and rules for NO_x and SO_2 control programs for emissions that significantly contribute to nonattainment or interference with maintenance of the 1997 ozone NAAQS and/or the 1997 annual and 2006 24-hour $PM_{2.5}$ NAAQS in another state. Assist states in resolving issues related to source applicability, emissions monitoring, monitor certification, reporting, Title V permitting and substituting SIPs for FIPs as desired by the affected states. Continue to provide assistance to states, subject to the NO_x SIP call,[7] in developing and implementing state plans and rules to assure ozone season NO_x reductions required under that regulation will continue.

- Operate and maintain EPA-administered allowance trading systems and emissions monitoring and reporting systems for the clean air allowance trading programs. Conduct annual/seasonal compliance assurance activities, including allowance reconciliation against emissions.

- Maintain and modify, as needed, the operating infrastructure for clean air allowance trading program implementation. Effective and efficient operation of multi-state programs for controlling interstate emissions transport depends critically upon ongoing maintenance and continuous improvement of the e-GOV infrastructure supporting the electronic emissions reporting, monitor certification, and compliance determination systems.

[7] Findings of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Ozone Regional Transport. 63 FR 57356 (October 27, 1998).

- Ensure accurate and consistent results for the program. Successful air pollution control and trading programs require accurate and consistent monitoring of source emissions and environmental results. Work will continue on performance specifications and investigating monitoring alternatives and methods to improve the efficiency of monitor certification and emissions data reporting.

- Continue operation quality assurance, analysis, and reporting of environmental data from the CASTNET deposition/rural ozone and TIME/LTM surface water monitoring networks. Analyze and assess trends in sulfur and nitrogen deposition, rural ozone concentrations, surface water quality, and other indicators of ecosystem health and ambient air quality in non-urban areas of acid sensitive regions in the U.S.

- Assist states with considering regional programs for EGUs and other large stationary sources (e.g., industrial boilers) to comply with CAA Section 110 requirements. The EPA will work with states to create flexible approaches, such as cap-and-trade programs and emissions averaging, where they potentially could be more cost-effective than application of source-specific emission standards as well as assessing the feasibility of air pollution emission controls.

In FY 2013, the program will continue to provide analytical support for the interagency National Acid Precipitation Assessment Program (NAPAP). NAPAP coordinates federal acid deposition research and monitoring of emissions, acidic deposition, and their effects, including assessing the costs and benefits of Title IV.

In FY 2013, the program will continue to manage CASTNET. The FY 2013 request level for CASTNET is $3.95 million.[8] In addition, the program will continue managing the TIME and LTM programs for monitoring surface water chemistry and aquatic ecosystem response in sensitive areas of the U.S. The FY 2013 request level for TIME/LTM is $0.83 million.[9]

Performance Targets:

Work under this program also supports performance results in the Clean Air Allowance Trading program under the Environmental Program Management Tab and can be found in the Performance Eight-Year Array in Tab 11.

The EPA tracks the change in nitrogen deposition and sulfur deposition to assess the effectiveness of the Acid Rain and related programs with performance targets set for every three years. Please see http://www.epa.gov/airmarkt/progress/progress-reports.html for additional information.

The EPA tracks changes in surface water acidity in lakes and streams in acid sensitive regions to assess change in the number of chronically acidic water bodies. This is a long-term measure

[8] For additional information on CASTNET, please visit http://www.epa.gov/castnet/javaweb/index.html.
[9] For additional information on TIME/LTM, please visit http://epa.gov/airmarkets/assessments/TIMELTM.html.

with a performance target set for 2030. Please visit http://www.epa.gov/airmarkt/progress/progress-reports.html for additional information.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$715.0) This reflects an increase to support the development, promulgation, and implementation of the Cross-State Air Pollution Rule (CSAPR). On December 30, 2011, the U.S. Court of Appeals for the D.C. Circuit ordered the EPA to stay the CSAPR pending judicial review. In FY 2013, following the Court's ruling, the EPA will need to develop and promulgate the existing final rule and the technical rule adjustments, proposed in October 2011, so as to make CSAPR consistent with the delayed program start.

Statutory Authority:

CAA (42 U.S.C. 7401-7661f).

Climate Protection Program

Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Address Climate Change

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$116,335.2	$99,481.0	$107,991.0	$8,510.0
Science & Technology	***$18,487.9***	***$16,319.0***	***$7,760.0***	***($8,559.0)***
Total Budget Authority / Obligations	$134,823.1	$115,800.0	$115,751.0	($49.0)
Total Workyears	245.0	250.5	250.8	0.3

Program Project Description:

Resources under this program are aimed at reducing greenhouse gas (GHG) and other harmful air pollution through implementation of emission standards for light-duty and heavy-duty vehicles and engines. In the past, work under this program supported EPA's Clean Automotive Technology (CAT) program. The goal of the CAT program was to research, develop and evaluate advanced vehicle engine and drive-train technologies that helped increase fuel efficiency and reduce GHG and other harmful pollutant emissions. The program has been a successful enterprise that has produced cutting-edge results reflected in 72 patents issued for innovative advanced automotive technologies and numerous licenses to private sector firms to commercialize the innovations. FY 2012 will be a transition year in which the CAT program will complete work on the highest priority projects and continue technology deployment through various actions including license agreements. In 2013, other Federal research programs, such as DOE's Vehicles Technology program, will support the deployment of advanced automotive technologies such as these.

In FY 2013, the Agency will refocus the remaining resources under this program to support implementation and compliance with GHG emission standards for light-duty and heavy-duty vehicles developed under the Federal Vehicle and Fuels Standards and Certification program. In addition, resources will be used to support compliance activities for implementing NHTSA's CAFÉ standards. Under authorities contained in the Clean Air Act and the Energy Policy Act, EPA is responsible for issuing certificates and ensuring compliance with both the GHG and CAFÉ standards. These historic programs, including the proposal for model years 2017-25, if implemented properly, will save American consumers about $1.7 trillion and the nation 12.5 billion barrels of fuel and more than 6 billion metric tons of greenhouse-gas emissions over the life of the vehicles.

FY 2013 Activities and Performance Plan:

In FY 2013, funding for the Agency's Clean Automotive Technology (CAT) program will be eliminated. FY 2012 will be a transition year in which the CAT program will complete work on previously funded cooperative research and development efforts with its industry and

government partners. Other Federal programs, such as DOE's Vehicle Technology program and other grant programs, will be available to support the deployment of automotive technologies such as those developed under the CAT program.

The 33.5 expert staff that supported the CAT program work conducted under existing Cooperative Research and Development Agreements (CRADAs) will be redeployed to support implementation and compliance activities associated with NHTSA CAFÉ fuel economy and EPA GHG emission standards for light-duty and heavy-duty vehicles and engines. These redeployed FTE will support the following activities:

Certification and Compliance – Implementation of the first-ever GHG emission standards for light-duty and heavy-duty vehicles and engines will significantly increase EPA's certification and compliance workload. These new GHG emission standards will not only result in a changing fleet of vehicles but also will introduce numerous innovative features into the vehicle certification process that increases its complexity and workload. These features include new and complex trading programs, credits for off-cycle emission reductions, and new Federal test procedures that must be deployed. Heavy-duty vehicle and engine certifications alone are expected to increase by 170% with the inclusion of this entirely new industry segment. In addition, EPA will continue to be responsible for the implementation of new fuel economy standards existing under the CAFÉ program, which are also changing. Another major requirement is to modify information technology systems (which provide an efficient means for manufacturers to apply for and receive certificates of conformity) to address the compliance and certification aspects of the new light-duty and heavy-duty GHG standards.

Vehicle and Engine Testing Services - Over the past several years, EPA has invested significant levels of resources to upgrade its vehicle and engine testing capacity and capability at its National Vehicle and Fuel Emissions Laboratory in order to implement new standards for fuels, vehicle and engine emissions. This includes adding new 4-wheel drive dynamometers and analytical systems needed to conduct certification testing of hybrid vehicles and vehicles operating on renewable fuels; adding a new cold temperature test facility needed to confirm that new light-duty vehicles are in compliance with mobile source air toxics emissions standards; adding a new hot temperature testing facility needed to confirm that new light-duty vehicles are in compliance with emission standards while operating in high temperatures and using air conditioning; adding a new plug-in hybrid/electric vehicle test facility to verify manufacturer fuel economy label values, such as electric range and electricity consumption for PHEV and EV vehicles; and building and equipping a new heavy-duty certification test facility to address GHG emissions from heavy-duty vehicles. There is a critical need for additional staff to conduct and run testing operations and develop new test procedures in these new test cells. These services are valuable tools to spur innovation in the U.S. and ensure a level-playing field with foreign imports.

Performance Targets:

The Clean Automotive Technology program will conclude its previously funded cooperative research with industry and government partners. Work under this program also supports

performance results in the Climate Protection Program under the Environmental Program Management Tab and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$16,319.0/ -33.5 FTE) This reduction reflects the elimination of funding associated with EPA's Clean Automotive Technology (CAT) program, including $5,046.0 in payroll. In FY 2013, other Federal research programs, such as DOE's Vehicles Technology program, will support the development of advanced technologies. To support deployment of those technologies, the Administration will support grant programs, tax incentives, and regulatory options.

- (+$7,760.0 / + 33.8 FTE) In FY 2013, the Agency will refocus expert staff under this program to carry out necessary implementation and compliance functions associated with new GHG emission standards for light-duty and heavy-duty vehicles. In addition, resources will be used to carry out necessary compliance activities for implementing NHTSA's new CAFÉ standards. FTE under this program include the necessary staff to operate the new vehicle and engine test cells completed as part of EPA's National Vehicle and Fuel Emissions Laboratory modernization project. This amount includes associated payroll of $4,631.0.

Statutory Authority:

CAA Amendments, 42 U.S.C. 7401 et seq. - Sections 102, 103, 104, and 108; Energy Policy Act of 2005; Energy Independence and Security Act of 2007; Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards (40 CFR Parts 85, 86, and 600); Pollution Prevention Act, 42 U.S.C. 13101 et seq. - Sections 6602, 6603, 6604, and 6605; NEPA, 42 U.S.C. 4321 et seq. - Section 102; Global Climate Protection Act, 15 U.S.C. 2901 - Section 1103.

Federal Support for Air Quality Management
Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$106,081.2	$123,469.0	$134,841.0	$11,372.0
Science & Technology	***$11,054.0***	***$7,091.0***	***$7,622.0***	***$531.0***
Total Budget Authority / Obligations	$117,135.2	$130,560.0	$142,463.0	$11,903.0
Total Workyears	732.5	824.6	849.7	25.1

Program Project Description:

Federal support for the criteria pollutant and air toxics programs includes a variety of tools to help characterize ambient air quality and the level of risk to the public from toxics in the air and to help measure national progress toward improving air quality and reducing air toxics risk. The program supports development of State Implementation Plans (SIPs) through modeling and other tools and assists states in implementing the standards. The program also develops and provides information and tools to assist state, local, and Tribal agencies, as well as communities, to reduce air toxics emissions and risk specific to their local areas. Finally, the program includes activities related to the Clean Air Act's stationary source residual risk program, which involves an assessment of source categories subject to Maximum Achievable Control Technology (MACT) standards to determine if more stringent standards are needed to further reduce the risks to public health (taking into account developments in practices, processes, and control technologies).

FY 2013 Activities and Performance Plan:

As part of implementing the ozone and fine particulate matter ($PM_{2.5}$) standards, the EPA will continue providing state and local governments with substantial assistance in developing SIPs during FY 2013. The EPA will ensure national consistency in how conformity determinations are conducted across the U.S. and the Agency will work with state and local air quality agencies to ensure that $PM_{2.5}$ hot-spot analyses are conducted in a manner consistent with the transportation conformity regulation and guidance. The EPA also will assist areas in identifying the most cost-effective control options available and provide guidance, as needed, for areas that implement conformity. The EPA will continue to assist state, Tribal, and local agencies in implementing and assessing the effectiveness of national clean air programs via a broad suite of analytical tools.

In FY 2013, the EPA will work with partners to continue improving emission factors and inventories, including the National Emissions Inventory. This effort includes gathering improved activity databases and using geographic information systems and satellite remote sensing, where possible, for key point, area, mobile, fugitive sources, and global emission events. A key part of EPA's improved emissions factors development program relies upon electronic submissions of

emissions data directly from the sources subject to Clean Air Act regulations. This reduces the burden and costs for industry, states, and federal activities. The data that are required for improving our emissions factors are the same data that are required to review regulations. By obtaining the data as they are being collected, the EPA's goal with this effort is to reduce the need for developing information collection requests that are otherwise a part of the rule development process. The electronic collection of data will create efficiencies for all parties and the regulated community, expedite the development and revision of emissions factors, and allow the EPA to operate the program in a more efficient manner once the electronic data collection program is fully operational. The EPA is working on improving monitoring systems to fill data gaps and to get a better assessment of actual population exposure to toxic air pollution.

The EPA, collaborating with the states, will implement federal measures, assist with the development of SIPs, and develop air toxics tools to continue improving air quality (as measured by the air quality index and other measures) and to continue reducing air toxics risk.

Performance Targets:

Work under this program also supports performance results in the Federal Support for Air Quality Management Program in the Environmental Program Management Tab and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$112.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+ 0.3 FTE) These FTE will support ongoing monitoring quality assurance efforts.

- (+$419.0) This reflects an increase in contract funding for emissions analysis to support the capacity to characterize emissions.

Statutory Authority:

CAA (42 U.S.C. 7401-7661f).

Federal Vehicle and Fuels Standards and Certification
Program Area: Clean Air and Climate

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Address Climate Change; Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	***$100,691.6***	***$91,886.0***	***$101,929.0***	***$10,043.0***
Total Budget Authority / Obligations	$100,691.6	$91,886.0	$101,929.0	$10,043.0
Total Workyears	303.5	341.3	357.8	16.5

Program Project Description:

The most common mobile sources of air pollution are highway motor vehicles and their fuels. Other sources, such as airplanes, ships, construction equipment, and lawn mowers also produce significant amounts of air pollution. The EPA establishes national emissions standards for each of these sources to reduce emissions of air pollution. The Agency also provides emissions and fuel economy information for new cars and educates consumers on the ways their actions affect the environment.

Primary responsibilities include developing, implementing, and ensuring compliance with national standards to reduce mobile source-related air pollution from light-duty cars and trucks, heavy-duty trucks and buses, nonroad engines and vehicles and their fuels; evaluating emission control technology; and providing state, Tribal, and local air quality managers and transportation planners with access to information on transportation programs and incentive-based programs. Other activities include testing vehicles, engines and fuels, and establishing test procedures for, and determining compliance with, federal emissions and fuel economy standards.

The National Vehicle and Fuel Emission Lab (NVFEL) will continue to ensure fair competition by conducting testing operations on motor vehicles, heavy-duty engines, nonroad engines, and fuels to certify that all vehicles, engines, and fuels that enter the U.S. market comply with all federal clean air and fuel economy standards. The NVFEL will continue to conduct vehicle emission tests as part of pre-production tests, certification audits, in-use assessments, and recall programs to ensure compliance with mobile source clean air programs.

The EPA works with states and local governments to ensure the technical integrity of the mobile source controls in State Implementation Plans (SIPs) and transportation conformity determinations. The EPA also develops and provides information and tools to assist state, local,

and Tribal agencies, as well as communities, to reduce air toxics emissions and risks specific to their local areas. Reductions in emissions of mobile source air toxics, such as diesel particulate matter (PM), are achieved through establishing national emissions standards and innovative partnership approaches working with state, local, and Tribal governments, as well as with a variety of stakeholder groups.

FY 2013 Activities and Performance Plan:

Climate Change

In FY 2013, the EPA will continue to drive progress on clean-car standards with a number of mobile source related actions to address climate change, targeting the transportation sector's largest contributors to oil consumption and GHG emissions. These efforts will include implementing the harmonized fuel economy and greenhouse gas (GHG) emission standards for light-duty vehicles (model years 2012-2016) and heavy-duty vehicles (model years 2014-2018). Both of these efforts were finalized by the EPA in coordination with the National Highway Traffic Safety Administration (NHTSA) and the EPA is responsible for implementing both the emission standards and significant aspects of the fuel economy standards. These new standards, including the proposal for model years 2017-25, if implemented properly, will save American consumers about $1.7 trillion and the nation 12.2 billion barrels of fuel and more than 6 billion metric tons of greenhouse-gas emissions over the life of the vehicles. The harmonized standards also will provide certainty to the marketplace and spur innovation in vehicle technology over the coming decade.

In addition, the EPA will continue working with NHTSA to implement the President's directive to further improve fuel efficiency and reduce GHG emissions for light-duty vehicles for model years 2017 and later. In parallel, the EPA also will be developing a second phase of heavy-duty GHG regulations in FY 2013. This second phase will incorporate a complete vehicle approach and will bring a wider range of advanced technologies, including hybrid vehicle drive trains. In the cases where EPA's standard compliance tests are not able to properly assess a new technology, the EPA will be modeling and testing innovative technologies to help evaluate their contribution to improving fuel economy and compliance with new GHG standards for light-duty and heavy-duty vehicles. These analyses will support EPA's Technology Review for the second phase of GHG light-duty standards and the development of the second phase of heavy-duty GHG regulations. EPA will need to update and make significant changes to its compliance information systems and laboratory facilities to enable testing and data management requirements associated with these new programs. The goal of these programs is to deliver a new generation of clean vehicles through a cohesive federal program that is harmonized with applicable state requirements.

In FY 2013, the EPA will begin overseeing compliance with the new vehicle fuel economy labelling requirements, which for the first time provide consumers with greenhouse gas as well as fuel economy information. The new label enables consumers to compare the energy and environmental impacts of both traditionally and alternatively fuelled vehicles, including those using renewable fuels, gaseous fuels, and electricity. For the first time, for instance, comparable fuel economy and environmental ratings will be available for all new vehicles, including

advanced technology vehicles like electric cars. Consumers will be able to make comparisons – car by car – to ensure they have the best information to help save on fuel costs and reduce emissions.

As part of the Agency's efforts to control GHG emissions from heavy-duty vehicles, the Agency has committed in the final heavy-duty standards program to evaluate and propose efficiency standards for heavy-duty trailers. In FY 2013, the EPA will develop a proposal including new standards and test procedures. Trailer standards represent an opportunity to increase the emission and fuel-saving benefits of the Phase 1 heavy-duty regulations by approximately 15 percent.

The EPA has received petitions from several stakeholders to develop a consumer label for heavy-duty pickup trucks and vans. In FY 2013, the EPA has decided to act on these petitions, and will begin developing a proposal to define the test procedure and label design, while engaging the stakeholders throughout the process.

The EPA also will continue its work to assess GHG emissions from non-road sources. The EPA must decide whether and when to act on nine petitions asking the Agency to develop GHG emission standards for a wide range of nonroad equipment, including locomotives, marine, and aircraft. The EPA is participating in the appropriate international forums for ocean-going vessels (International Maritime Organization-IMO) and aircraft (International Civil Aviation Organization-ICAO) in order to coordinate its efforts to address GHG emissions from these sources. As part of the US delegation to IMO, the EPA is developing a ship efficiency program for international shipping in coordination with the State Department and US Coast Guard. The EPA also is coordinating its efforts with the Federal Aviation Administration (FAA) to propose GHG standards for aircraft at ICAO. In FY 2013, the EPA will begin the technical work and analyses necessary to support other GHG standards for other nonroad equipment.

In the fuels arena, the EPA will continue to implement the new Renewable Fuel Standards (RFS2) program and carry out several other actions required by the Energy Policy Act (EPAct) of 2005 and the Energy Independence and Security Act (EISA) of 2007. EISA dramatically expanded the renewable fuels provisions of EPAct and requires additional EPA studies in various areas of renewable fuel use.

Energy Independence and Security Act

Type of Fuel (Categories)	Billions of Gallons/Yr
Total Renewable Fuels by 2022	36 BGY
Corn Ethanol (Starch Based)	15 BGY cap
Advanced Biofuels – Includes imported biofuels and biodiesel. Includes 1 billion gpy biodiesel starting in 2009 All must achieve ≥ 50% reduction of GHG emissions from baseline*	21
Cellulosic Fuels – Includes cellulosic ethanol, biobutanol, green diesel, green gasoline All must achieve ≥60% reduction of GHG emissions from baseline*	16

*Baseline = average lifecycle GHG emissions as determined by EPA Administrator for gasoline or diesel (whichever is being replaced by the renewable fuel) sold or distributed as transportation fuel in 2005

EISA requires that the EPA set an annual RFS standard and the 2013 RFS standard will be promulgated in FY 2013. EISA also required EPA to develop a comprehensive lifecycle GHG methodology to implement the Act's GHG threshold requirements. A multi-year testing emission program to address the EPAct/EISA requirements was completed in FY 2011. The testing program evaluated the impact of fuel properties (e.g., aromatic content, vapor pressure, distillation properties, ethanol content, etc.) on light-duty vehicle emissions. In FY 2013, the EPA will continue to incorporate the newly gathered data into emission models and regulatory analyses. The results from this program will be used to update the Agency's fuel effects model used to support federal standards. In FY 2013, the Agency also will continue ensuring compliance with RFS2 provisions with the help of the real-time reporting system, which is used to track shipments and trades of renewable fuel. This real-time system handles 4,000 to 6,000 submissions per day, encompassing 30,000 to 40,000 transactions per day, and the generation of 1.2 billion Renewable Identification Numbers (RINs) per month. RINs are assigned to each gallon of renewable fuel generated and recording RINs allows for an accurate tracking of the renewable throughout the supply chain. In addition, EPA will continue to develop and update lifecycle models to allow the assessment of new biofuel technologies and to evaluate feedstocks and fuel pathways for future fuels and processes.

In FY 2013, the EPA will continue implementing its plan to upgrade its vehicle, engine, and fuel testing capabilities at the National Vehicle and Fuel Emissions Laboratory (NVFEL). Because the EPA is responsible for establishing the test procedures needed to measure emissions and estimate the fuel economy of new vehicles, and for verifying car manufacturers' data on fuel economy, the Agency is investing in additional testing and certification capacity to ensure that new vehicles, engines, and fuels are in compliance with new vehicle and fuel standards. The new standards for vehicle greenhouse gas emissions in particular will affect a greater variety of vehicles and engines, and verifying compliance will require the EPA to more strategically deploy its resources to verify car manufacturers' data. To prepare for this workload, the EPA is requesting funds in FY 2013 for the multi-year National Vehicle and Fuel Emissions Laboratory

(NVFEL) modernization effort. In FY 2013, as part of the modernization, the EPA plans to install new heavy-duty truck chassis testing equipment that will be needed to implement the recently finalized GHG standards for heavy-duty vehicles (MY 2014-2018).

Clean Air

The EPA will continue to achieve results in reducing pollution from mobile sources, especially nitrogen oxide (NOx) emissions associated with national emissions standards included in the Agency's National Clean Diesel Campaign. The Tier 2 Vehicle program, which took effect in 2004, makes new cars, SUVs, and pickup trucks 77 to 95 percent cleaner than 2003 models. The Clean Trucks and Buses program, which began in 2007, makes new highway diesel engines as much as 95 percent cleaner than previous models. Under the Non-road Diesel Program, new fuel and engine requirements will reduce sulfur in off-highway diesel by more than 99 percent. Under the Locomotive and Marine Engines Rule, new fuel and engine requirements will reduce dangerous fine particle pollution (PM) by 90 percent and NOx by 80 percent for newly-built locomotives and marine diesel engines. Combined, these measures will prevent over 26,000 premature deaths each year, reduce millions of tons of pollution a year, and prevent hundreds of thousands of respiratory illnesses by 2030.

Clean Fuel/Engine Standards will Lead to Substantial Air Quality/Health Benefits in 2030

2030	Light-duty Tier 2	Heavy-duty 2007	Nonroad Diesel Tier 4	Locomotive & Marine Diesel	2030 Total
NOx (short tons)	2,800,000	2,600,000	738,000	795,000	6,933,000
$PM_{2.5}$ (short tons)	36,000	109,000	129,000	27,000	301,000
VOC (short tons)	401,000	115,000	34,000	43,000	593,000
SOx (short tons)	281,000	142,000	376,000	0	799,000
Cost	$5 billion	$4 billion	$2 billion	$740 million	$11.74 billion
Net Benefits	$25 billion	$70 billion	$80 billion	$11 billion	$186 billion
Avoided Premature Mortality	4,300	8,300	12,000	1,400	26,000
Avoided Hospital Admission	3,000	7,100	8,900	870	19,870
Avoided Lost Work Days	700,000	1.5 million	1.0 million	120,000	3,320,000

In addition, the new standards to control emissions from ocean-going vessels will reduce NOx emission rates by 80 percent and PM emission rates by 85 percent, compared to the current limits applicable to this class of marine engines. The reductions will prevent an additional 13,000 premature deaths annually (40 CFR Parts 80, 85, et al).

However, these significant reductions to criteria pollutant emissions are not enough. Additional emission reductions from light-duty vehicles will be key to helping areas attain the ozone, PM, and nitrogen dioxide (NO_2) National Ambient Air Quality Standards (NAAQSs) and in reducing exposure to toxics for the millions of people living, working, or going to school near major

roads. In FY 2013, EPA will begin implementing new light-duty vehicle standards (Tier 3), which include improved NOx standards, off-cycle standards, and PM standards for gasoline vehicles. The Tier 3 program also includes lower limits for sulfur in gasoline that will enable more efficient aftertreatment devices.

The NVFEL will continue to ensure compliance by conducting testing operations on motor vehicles, heavy-duty engines, nonroad engines, and fuels to certify that all vehicles, engines, and fuels that enter the U.S. market comply with all federal clean air and fuel economy standards. The NVFEL will continue to conduct vehicle emission tests as part of pre-production tests, certification audits, in-use assessments, and recall programs to ensure compliance with mobile source clean air programs. Tests are conducted as a spot check comparison for motor vehicles, heavy-duty engines, nonroad engines, and fuels to: 1) certify that vehicles and engines meet federal air emission and fuel economy standards; 2) ensure engines comply with in-use requirements; and 3) ensure fuels, fuel additives, and exhaust compounds meet federal standards. In FY 2013, the EPA will continue to conduct testing activities for tailpipe emissions, fuel economy, gasoline sulfur, reformulated gasoline, ultra low sulfur diesel, alternative fuel vehicle conversion certifications, On-board diagnostics (OBD) evaluations, certification audits, and recall programs. In addition to these testing activities, EPA will continue expanding its compliance testing of heavy-duty and nonroad engines.

In FY 2013, the EPA anticipates reviewing and approving approximately 5,000 vehicle and engine emissions certification requests, including light-duty vehicles, heavy-duty diesel engines, nonroad engines, marine engines, locomotives, and others. This represents a significant increase in demand for EPA's certification services over previous years, due in part to the addition of certification requirements for stationary engines and for marine and small spark-ignited engines. The EPA charges fees to manufacturers to partially offset the cost to the Agency of certifying that these manufacturers can legally introduce their products into commerce. In FY 2014, the EPA plans to develop a rule to update these fees, which were last updated in 2004.

The Number of EPA-Issued Vehicle and Engine Certificates Have More Than Quadrupled Since 1995

Certification and compliance testing of advanced technologies, such as plug-in hybrid electric vehicles, light-duty diesel applications, and advanced after-treatment for heavy-duty highway vehicles, will continue to be a major focus in FY 2013. The EPA also will continue to review

the in-use verification program data submitted by vehicle manufacturers to determine whether there are any emissions compliance issues. In addition, the EPA will continue to increase public access to information by expanding its web-based compliance information system. This system is used by manufacturers and Agency staff to house compliance data for all regulated vehicles and engines. The EPA will continue to be responsible for vehicle Corporate Average Fuel Economy (CAFE) and gas guzzler fuel economy testing and for providing the fuel economy data to the Department of Transportation (DOT), the Department of Energy (DOE), and the Internal Revenue Service (IRS). The EPA also will begin to implement the new light duty vehicle fuel economy labeling requirements. In FY 2013, EPA expects to expend significant resources on ensuring compliance with certification as well as in–use requirements for foreign-built engines and equipment.

A standard establishing onboard diagnostics (OBD) requirements for nonroad engines will be developed in FY 2013. To meet the new nonroad diesel standards, engine manufacturers will produce engines that are going to be more complex and dependent on electronic controls, similar to highway engines. OBD standards are needed to ensure that engines are properly maintained and compliant, ensuring that the full benefits of the emission standards are realized in the real world. As required by a Judicial Consent Degree, EPA will promulgate an in-use compliance testing program for nonroad diesel engines to be conducted by diesel engine manufacturers. This program is vital to ensuring that new engine standards are actually met in-use under real-world conditions. Other actions include: in response to court remand, EPA will update standards for hydrocarbons and carbon monoxide for snowmobiles (including fuel effects); work to establish new PM standards and test procedures for jet turbine engines (in coordination with ICAO); issue Non Conformance Penalties (NCPs) for the 2010 NOx standards for heavy-duty engines; address lower Reid Vapor Pressure (RVP) in new ozone non-attainment areas (following release of the new NAAQS) as required by the CAA; and action to address the use of detergents in gasoline. In addition, EPA will continue its efforts, in coordination with FAA, to evaluate endangerment from lead emissions from piston-engine aircraft using leaded aviation gasoline.

The EPA's emission models provide the overarching architecture that supports EPA's emissions standards, generating emission factors and inventories needed to quantify emission reductions. EPA has achieved major improvements in this area with the implementation of the new mobile source emission model, MOVES. MOVES is greatly improving the Agency's ability to support the development of emission control programs, as well as provide support to states in their determination of program needs to meet air quality standards.

A critical part of EPA's support of states' emissions modeling efforts includes comprehensive training courses given throughout the country. This supports states in keeping up with the latest modeling and methodology that serves as the basis for protecting air quality in their communities. Two independent courses were developed to instruct users on the proper use of MOVES for SIP/Regional Conformity, as well as PM hot-spot analyses for Transportation Conformity. The CAA requires regular updates of the emission models to account for technology changes and new emission data. Assessing mobile source emissions requires sustained and ongoing emission research resources. In FY 2013, EPA will release a new version of MOVES that incorporates new data gathered from emission testing programs addressing new technologies

and expands the application of the model to include additional nonroad sources and toxic emissions.

As part of implementing the eight-hour ozone and fine particulate matter ($PM_{2.5}$) standards, EPA will continue to provide state and local governments with substantial assistance in developing SIPs and making conformity determinations during this period. In FY 2013, the EPA will continue to ensure national consistency in how conformity determinations are conducted across the United States and continue to ensure consistency in adequacy findings for motor vehicle emissions budgets in air quality plans, which are used in conformity determinations. EPA also will continue to provide assistance to state and local transportation and air quality agencies working on $PM_{2.5}$ hot-spot analyses to make sure analyses use the latest available information and that there is some measure of consistency across the nation. In addition, EPA will work with states and local governments to ensure the technical integrity of the mobile source controls in the SIPs for the eight-hour ozone and $PM_{2.5}$ air quality. EPA will assist in identifying control options available and provide guidance, as needed, for areas that implement conformity.

The EPA will continue partnering with states, tribes, and local governments to create inspection and maintenance (I/M) programs that focus on in-use vehicles and engines. Basic and/or enhanced I/M testing is currently being conducted in over 30 states with technical and programmatic guidance from the EPA. As a result of states' need to meet the ozone standard, some states may be required to adopt or may voluntarily adopt new I/M programs as part of their State Implementation Plans (SIPs). The EPA will continue to assist state, Tribal, and local agencies in implementing and assessing the effectiveness of their I/M programs.

In FY 2013, the EPA will continue to work with a broad range of stakeholders to develop targeted, sector-based and place-based incentives for diesel fleets (including construction, ports, freight, and agriculture) to limit emissions from older, pre-2007 diesel engines not subject to stringent emissions standards. The EPA has helped establish public/private partnerships across these sectors at the national and regional level to help fleet owners implement the most cost-effective emissions reduction programs. Reducing emissions from diesel engines will help localities meet the Agency's NAAQS and reduce exposure to air toxics from diesel engines. The EPA also is working with industry to bring about field testing and emissions testing protocols for a variety of energy-efficient, emissions reducing innovative technologies for the legacy fleet.

Performance Targets:

Measure	**(N35) Limit the increase of Carbon Monoxide (CO) emissions from mobile sources compared to a 2000 baseline.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	1.01	1.18	1.35	1.52	1.69	1.86	2.02	2.19	Tons Emitted
Actual	1.01	1.18	1.35	1.52	1.69	1.86			

Measure	(O33) Cumulative millions of tons of Volatile Organic Compounds (VOCs) reduced since 2000 from mobile sources.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	1.03	1.20	1.37	1.54	1.71	1.88	2.05	2.23	Tons Reduced
Actual	1.03	1.20	1.37	1.54	1.71	1.88			

Measure	(O34) Cumulative millions of tons of Nitrogen Oxides (NOx) reduced since 2000 from mobile sources.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	2.03	2.37	2.71	3.05	3.39	3.73	4.07	4.41	Tons Reduced
Actual	2.03	2.37	2.71	3.05	3.38	3.73			

Measure	(P34) Cumulative tons of PM-2.5 reduced since 2000 from mobile sources.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	73,460	85,704	97,947	110,190	122,434	136,677	146,921	159,164	Tons Reduced
Actual	73,460	85,704	97,497	110,190	122,434	136,677			

In the last several years, national emissions standards finalized by the EPA have included the control of air toxics from mobile sources (Mobile Source Air Toxics Rule, 2007), significantly reducing hydrocarbon air toxics while delivering PM co-benefits, and the establishment of first-ever evaporative emission standards for small spark ignition and recreational marine engines (Small SI/Recreational Marine Engine Rule, 2008). All together, the EPA estimates that six recent national standards, including the 2007 Heavy Duty, Nonroad Diesel Tier 4, and Light Duty Tier 2 rules, will yield approximately $300 billion in combined benefits annually by 2030.

Performance targets for reduction of toxicity-weighted emissions are supported by work under the Federal Stationary Source Regulations program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$1,205.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$507.0) This reflects an increase for fixed costs in maintaining and operating EPA's National Vehicle and Fuel Emissions Laboratory.

- (+$1,250.0) This reflects an increase in funding to support the procurement and installation of new heavy-duty truck chassis test equipment at EPA's National Vehicle

and Fuel Emissions Laboratory. This equipment is critical to EPA's ability to conduct compliance testing of heavy-duty trucks up to 80 thousand pounds for compliance with EPA GHG emission standards and NHTSA fuel efficiency standards. This equipment is required to ensure fairness in the marketplace and support innovative technologies.

- (+$950.0) This reflects an increase in funding for the redesign of Verify, EPA's IT system for vehicle certification. This system requires significant changes in order to implement the new standards for light and heavy-duty vehicles. Verify enables efficient application for EPA certificates, which are required before any vehicle or engine can be sold. The Verify system redesign will simplify and streamline the data management process for EPA and vehicle and engine manufacturers.

- (+$925.0) This reflects an increase to update EPA's primary fuel effects model with the latest scientific understanding of the impact of various fuel properties (e.g. aromatic content, ethanol content, vapor pressure, etc.) on light-duty vehicle emissions. This updated fuel effects model will be used to support on-going implementation of current standards, as well as any future standard setting efforts.

- (+$1,863.0 / + 3.3 FTE) This reflects additional resources to address vulnerabilities in EPA's certification and compliance testing programs. These vulnerabilities are the result of a more than four-fold increase in demand for EPA vehicle and engine certifications, more challenging compliance oversight requirements, the increasing diversity of sophisticated technologies, and the expanded universe of regulated parties that must be monitored, particularly in the area of imported small engines. Currently, EPA conducts very limited testing of small imported engines, yet a high fraction of those engines fail EPA's tests. In FY 2013, EPA will increase its oversight and testing rate for these engines. The additional resources include 3.3 FTE and associated payroll of $462.0.

- (+$3,343.0/+13.2 FTE) This reflects additional resources required to make further progress addressing climate change, by beginning the technical work and analyses necessary to support GHG standards for non-road sources, such as locomotives, marine craft, and aircraft. In addition, these funds are required to evaluate feedstocks and fuel pathways for future fuels and processes, including resources to update the science and scientific tools needed to allow evaluation and assessment of new biofuel technologies. EPA is currently addressing 20 submitted petitions for new biofuels and anticipates that it will continue to receive an increasing number of petitions in the future. The additional resources include 13.2 FTE and associated payroll of $1,386.0.

Statutory Authority:

CAA (42 U.S.C. 7401-7661f); Motor Vehicle Information Cost Savings Act; Alternative Motor Fuels Act of 1988; National Highway System Designation Act; NEP Act, SAFETEA-LU of 2005; EPAct of 2005; EISA of 2007; Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards (40 CR Parts 85, 86, and 600); Control of Emissions from New Marine Compression-Ignition Engines at or Above 30 Liters per Cylinder

(40 CFR 80, 85, 86, 94, 1027, 1033, 1039, 1042, 1043, 1045, 1048, 1051, 1054, 1060, 1065, and 1068).

Program Area: Indoor Air and Radiation

Indoor Air: Radon Program
Program Area: Indoor Air and Radiation
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$5,318.5	$3,895.0	$2,198.0	($1,697.0)
Science & Technology	***$446.1***	***$210.0***	***$0.0***	***($210.0)***
Total Budget Authority / Obligations	$5,764.6	$4,105.0	$2,198.0	($1,907.0)
Total Workyears	33.1	23.0	9.6	-13.4

Program Project Description:

Title III of the Toxic Substances Control Act (TSCA) directs the EPA to undertake a variety of activities to address the public health risks posed by exposures to indoor radon. Under the statute, the EPA studies the health effects of radon, assesses exposure levels, sets an action level, and advises the public of steps they can take to reduce exposure. The EPA also evaluates mitigation methods, institutes training centers to ensure a supply of competent radon service providers, establishes radon contractor proficiency programs, and assists states with program development through the administration of a grants program.

This program also supports the Radiation and Indoor Environments National Laboratory (R&IE) in Las Vegas, NV. R&IE is the only Federal National Institute of Standards and Technology (NIST) radon laboratory.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will eliminate radon testing support for low-income populations, including environmental justice and Tribal communities. Over the 23 years of its existence EPA's radon program has provided important guidance and technical assistance to help States and other entities conduct radon risk reduction efforts.

Performance Targets:

Work under this program also supports performance results in the Indoor Air: Radon Program under the Environmental Program Management Tab and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$210.0/-1.5 FTE) To help meet national fiscal challenges for FY 2013, the EPA will eliminate S&T funding support to communities for radon testing. The reduced resources include 1.5 FTE and associated payroll of $171.0.

Statutory Authority:

CAA Amendments of 1990; Radon Gas and Indoor Air Quality Research Act; Title IV of the SARA of 1986; TSCA, Section 6, Titles II and Title III (15 U.S.C. 2605 and 2641-2671); and IRAA, Section 306.

Reduce Risks from Indoor Air
Program Area: Indoor Air and Radiation
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$21,503.0	$17,168.0	$17,393.0	$225.0
Science & Technology	***$809.8***	***$370.0***	***$379.0***	***$9.0***
Total Budget Authority / Obligations	$22,312.8	$17,538.0	$17,772.0	$234.0
Total Workyears	62.8	53.7	54.3	0.6

Program Project Description:

Title IV of the Superfund Amendments and Reauthorization Act of 1986 (SARA) gives the EPA broad authority to conduct and coordinate research on indoor air quality, develop and disseminate information, and coordinate efforts at the federal, state, and local levels.

R&IE is the only Federal National Institute of Standards and Technology (NIST) radon laboratory.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to provide limited support to Tribal communities with field measurements and assessments upon request and provide technical support for indoor air quality remediation.

Performance Targets:

Work under this program also supports performance results in the Reduce Risks from Indoor Air program under the Environmental Program Management Tab and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$6.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$3.0) This is the net effect of adjustments for laboratory security, operations and maintenance, and utilities fixed costs.

Statutory Authority:

CAA Amendments of 1990; Title IV of the SARA of 1986.

Radiation: Protection
Program Area: Indoor Air and Radiation
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Reduce Unnecessary Exposure to Radiation

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$11,156.0	$9,616.0	$9,760.0	$144.0
Science & Technology	***$2,275.4***	***$2,094.0***	***$2,126.0***	***$32.0***
Hazardous Substance Superfund	$2,478.4	$2,468.0	$2,637.0	$169.0
Total Budget Authority / Obligations	$15,909.8	$14,178.0	$14,523.0	$345.0
Total Workyears	79.6	75.4	76.1	0.7

Program Project Description:

This program supports the ongoing radiation protection capability at the National Air and Radiation Environmental Laboratory (NAREL) in Montgomery, Alabama, and the Radiation and Indoor Environments National Laboratory (R&IE) in Las Vegas, Nevada. These nationally-recognized laboratories provide radio-analytical and mixed waste testing, quality assurance, and analysis of environmental samples to support site assessment, clean-up, and response activities for projects and in the event of an accident or radiological incident.

Both labs provide technical support for conducting site-specific radiological characterizations and cleanups, using the best available science to develop risk assessments. The labs also develop guidance, in collaboration with the public, industry, states, tribes, and other governments, for cleaning up sites that are contaminated with radioactive materials.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA, in cooperation with states, Tribes, and other federal agencies, will provide ongoing site characterization and analytical support for site assessment activities, remediation technologies, and measurement and information systems. EPA also will provide training and direct site assistance, including field surveys and monitoring, laboratory analyses, health and safety, and risk assessment support at sites with actual or suspected radioactive contamination. Some of these sites are located near at-risk communities, emphasizing the Administration's commitment to protecting vulnerable communities.

EPA's laboratories will continue to support Regional Superfund Remedial Project Managers (RPMs) and On-Scene Coordinators (OSCs), providing laboratory and field-based radioanalytical and mixed waste analyses. They also provide technical services, guidance, quality assurance oversight, and standardized procedures.

Performance Targets:

Work under this program also supports performance results in the Radiation Program in the Environmental Program Management Tab and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$55.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for FTE.

- (+0.1 FTE) This reflects an increase to support radiation lab analyses.

- (+$38.0) This increase will support lab-based radiation characterization and analysis programs.

- (-$61.0) This decrease is the net effect of adjustments for laboratory security, operations and maintenance, and utilities fixed costs.

Statutory Authority:

Atomic Energy Act (AEA) of 1954, as amended, 42 U.S.C. 2011 et seq. (1970), and Reorganization Plan #3 of 1970; Clean Air Act (CAA) Amendments of 1990; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the SARA of 1986; Energy Policy Act (EPA) of 1992, P.L. 102-486; Executive Order 12241 of September 1980, National Contingency Plan, 3 CFR, 1980; National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR 300; Nuclear Waste Policy Act (NWPA) of 1982; Public Health Service Act (PHSA), as amended, 42 U.S.C. 201 et seq.; Safe Drinking Water Act (SDWA); Uranium Mill Tailings Radiation Control Act (UMTRCA) of 1978; Waste Isolation Pilot Plant (WIPP) Land Withdrawal Act of 1992.

Radiation: Response Preparedness
Program Area: Indoor Air and Radiation
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Reduce Unnecessary Exposure to Radiation

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$3,439.8	$3,038.0	$3,083.0	$45.0
Science & Technology	***$4,181.9***	***$4,076.0***	***$4,156.0***	***$80.0***
Total Budget Authority / Obligations	$7,621.7	$7,114.0	$7,239.0	$125.0
Total Workyears	43.0	41.9	42.2	0.3

Program Project Description:

The National Air and Radiation Environmental Laboratory (NAREL) in Montgomery, Alabama, and the Radiation and Indoor Environments National Laboratory (R&IE) in Las Vegas, Nevada are nationally recognized radiological laboratories that provide field sampling and analyses, laboratory analyses, and direct scientific support to respond to radiological and nuclear incidents.[10] This includes measuring and monitoring radioactive materials and assessing radioactive contamination in the environment. This program comprises direct scientific field and laboratory activities to support preparedness, planning, training, and procedures development. In addition, selected personnel are members of EPA's Radiological Emergency Response Team (RERT) and are trained to provide direct expert scientific and technical assistance in the field.

FY 2013 Activities and Performance Plan:

In FY 2013, EPA's RERT, a component of the Agency's emergency response program, will continue to improve the level of readiness to support federal radiological emergency response and recovery operations under the National Response Framework (NRF) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The laboratory RERT members will conduct training and exercises to enhance and demonstrate their ability to fulfill EPA responsibilities in the field, using mobile analytical systems. Laboratory staff also will support field operations with fixed laboratory analyses and provide rapid and accurate radionuclide analyses in environmental matrices.[11]

[10] Additional information can be accessed at: http://www.epa.gov/narel/iag.html
[11] Additional information can be accessed at: http://www.epa.gov/radiation/rert/

Also, in FY 2013, both labs will continue to develop rapid-deployment capabilities to ensure that field teams are ready to provide scientific data, analyses, and updated analytical techniques for radiation emergency response programs across the Agency. The laboratories will maintain readiness for radiological emergency responses; participate in emergency exercises; provide on-site scientific support to state radiation, solid waste, and health programs that regulate radiation remediation; participate in the Protective Action Guidance (PAG) development and application; and respond, as required, to radiological incidents.

Performance Targets:

Work under this program also supports performance results in the Radiation: Response Preparedness program under the Environmental Program Management Tab and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$118.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$30.0) This reflects a decrease to contract resources.

- (+0.3 FTE) This increase reflects additional support for the development of training and other emergency response programs.

- (-$8.0) This decrease is the net effect of adjustments for laboratory security, operations and maintenance, and utilities fixed costs.

Statutory Authority:

Atomic Energy Act (AEA) of 1954, as amended, 42 U.S.C. 2011 et seq. (1970), and Reorganization Plan #3 of 1970; Clean Air Act (CAA) Amendments of 1990; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR 300; Executive Order 12241 of September 1980, National Contingency Plan, 3 CFR, 1980; Executive Order 12656 of November 1988, Assignment of Emergency Preparedness Responsibilities, 3 CFR, 1988; Homeland Security Act of 2002; Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA); Public Health Service Act (PHSA), as amended, 42 U.S.C. 201 et seq.; Robert T. Stafford Disaster Relief and EAA, as amended, 42 U.S.C. 5121 et seq.; Safe Drinking Water Act (SDWA); and Title XIV of the Natural Disaster Assistance Act (NDAA) of 1997, PL 104-201 (Nunn-Lugar II).

Program Area: Enforcement

Forensics Support
Program Area: Enforcement
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	***$16,354.3***	***$15,269.0***	***$15,593.0***	***$324.0***
Hazardous Substance Superfund	$2,456.2	$2,419.0	$1,214.0	($1,205.0)
Total Budget Authority / Obligations	$18,810.5	$17,688.0	$16,807.0	($881.0)
Total Workyears	99.7	104.2	96.2	-8.0

Program Project Description:

The Forensics Support program provides specialized scientific and technical support for the nation's most complex civil and criminal enforcement cases, as well as technical expertise for the Agency's compliance efforts. This work is critical to determining non-compliance and building viable enforcement cases. The EPA's National Enforcement Investigations Center (NEIC) is a fully accredited environmental forensics center under International Standards Organization (ISO) 17025, the main standard used by testing and calibration laboratories, as recommended by the National Academy of Sciences.[12] Laboratory accreditation is the recognition of technical competence through a third-party assessment of a laboratory's quality, administrative, and technical systems. It also provides the general public and users of laboratory services a means of identifying those laboratories which have successfully demonstrated compliance with established international standards. The NEIC's accreditation standard has been customized to cover both laboratory and field activities.

The NEIC maintains a sophisticated chemistry laboratory and a corps of highly trained media experts, inspectors, and scientists. The NEIC works closely with the EPA Criminal Investigation Division to provide technical support (e.g. sampling, analysis, consultation and testimony) to criminal investigations. The NEIC also works closely with the Regional Offices to provide technical assistance, consultation, on-site inspection, investigation, and case resolution services in support of the Agency's Civil Enforcement program.

FY 2013 Activities and Performance Plan:

The NEIC will continue to apply its technical resources in support of the Agency's national enforcement priorities, and support the technical aspects of criminal investigations. Efforts to stay at the forefront of environmental enforcement in FY 2013 include focused refinement of single and multi-media compliance monitoring investigation approaches, customized laboratory methods to solve unusual enforcement case challenges, and applied research and development in

[12] Strengthening Forensic Science in the United States: A Path Forward, National Academy of Sciences, 2009, available at http://www.nap.edu/catalog.php?record_id=12589

both laboratory and field applications. In response to case needs, the NEIC will conduct applied research and development to identify, develop, and deploy new capabilities, test and/or enhance existing methods and techniques, and provide technology transfer to other enforcement personnel involving environmental measurement and forensic applications. Consistent with these activities and working with appropriate organizations across the Agency, the NEIC also will play a role in evaluating the scientific basis and/or technical enforceability of select regulations of the EPA.

In FY 2013, the NEIC will continue to function under rigorous ISO requirements for environmental data measurements to maintain its accreditation. The program also will continue to utilize advanced technologies to support field measurement and laboratory analyses with a small reduction in NEIC extramural funding.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$236.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$126.0 / +0.9 FTE) This change reflects an increase to maintain NEIC's lab operations and technical expertise for compliance forensics support. The additional resources include $126.0 associated payroll for 0.9 FTE.

- (-$38.0) This reflects a reduction in NEIC's extramural budget.

Statutory Authority:

RCRA; CWA; SDWA; CAA; TSCA; Residential Lead-Based Paint Hazard Reduction Act (RLBPHRA); FIFRA; Ocean Dumping Act (i.e., MPRSA); EPCRA.

Program Area: Homeland Security

Homeland Security: Critical Infrastructure Protection

Program Area: Homeland Security
Goal: Protecting America's Waters
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$2,411.5	$1,063.0	$2,087.0	$1,024.0
Science & Technology	***$18,498.7***	***$11,361.0***	***$9,779.0***	***($1,582.0)***
Hazardous Substance Superfund	$9.1	$0.0	$0.0	$0.0
Total Budget Authority / Obligations	$20,919.3	$12,424.0	$11,866.0	($558.0)
Total Workyears	28.7	24.8	24.4	-0.4

Program Project Description:

This program provides resources to coordinate and support protection of the nation's critical water infrastructure from terrorist threats and all-hazard events. Reducing risk in the water sector requires a multi-step approach to: determine risk through vulnerability, threat, and consequence assessments; reduce risk through security enhancements; prepare to effectively respond to and recover from incidents; and measure the water sector's progress in risk reduction. The Public Health Security and Bioterrorism Response and Preparedness Act of 2002 (Bioterrorism Act) also provides that the EPA support the water sector in such activities.[13]

FY 2013 Activities and Performance Plan:

Since the events of 9/11, the EPA has been designated as the sector-specific agency responsible for infrastructure protection activities for the nation's drinking water and wastewater systems. The EPA is utilizing its position within the water sector and working with its stakeholders to provide information to help protect the nation's drinking water supply from terrorist or other intentional acts. Specifically, the EPA is responsible for assessing new security technologies to detect and monitor contaminants as part of the Water Security Initiative (WSI), establishing a national water laboratory alliance, and planning for and practicing for response to both natural and intentional emergencies and incidents.

In FY 2013, the EPA will focus on evaluation of data from the final four drinking water security pilots and the development of tools to enable national adoption of contamination warning systems by the water sector. The EPA also will continue to support water sector-specific agency responsibilities, including the Water Alliance for Threat Reduction, to protect the nation's critical water infrastructure. The Agency will continue to integrate the regional laboratory networks and the Water Security Initiative pilot laboratories into a national, consistent program. All of these efforts support the Agency's responsibilities and commitments under the National Infrastructure Protection Plan, as defined within the Water Sector Specific Plan, which includes

[13] See http://www.epa.gov/safewater/watersecurity

specific milestones for work related to the WSI, the Water Laboratory Alliance, and metric development.

Water Security Initiative and Water Laboratory Alliance

The EPA's goal is to develop a "robust, comprehensive, and fully coordinated surveillance and monitoring system"[14] for drinking water and a water laboratory network that would support water surveillance and emergency response activities. The overall goal of the initiative is to design and demonstrate an effective system for timely detection and appropriate response to drinking water contamination threats and incidents through a pilot program that has broad application to the nation's drinking water utilities in high threat cities.

The Water Security Initiative consists of five general components: (1) enhanced physical security monitoring; (2) water quality monitoring; (3) routine and triggered sampling for high priority contaminants; (4) public health surveillance; and (5) consumer complaint surveillance. Recent simulation analyses underscore the importance of a contaminant warning system that integrates all five components of event detection, as different contaminants are detected by different sequences of triggers or "alarms." Resources appropriated to date have enabled the EPA to award a total of five drinking water security pilots for the Water Security Initiative.

The Water Security Initiative is intended to demonstrate the concept of an effective contamination warning system that drinking water utilities in high threat cities of all sizes and characteristics could adopt. The FY 2013 request includes $5.9 million for necessary Water Security Initiative pilot evaluation activities and dissemination and knowledge transfer and $1.1 million for Water Alliance for Threat Reduction. In FY 2011, the EPA, in partnership with the Department of Homeland Security, convened a formal stakeholder group of water industry and state representatives to provide an independent forum for the review of the Water Security Initiative pilot data and for assisting the EPA in developing a program to promote the adoption of contamination warning systems within the water sector. Data through FY 2012 has consisted primarily of information from the first pilot, whereas in FY 2013, a full dataset from all five pilots will become available. Beginning in FY 2012, but culminating in FY 2013, the EPA and its stakeholder group will receive a wealth of data from the four remaining Water Security Initiative pilots pertaining to the effectiveness, sustainability (including costs and benefits), and ability to implement the contamination warning systems deployed in these four major metropolitan areas.

In the absence of an actual contamination event, much of the evaluation of the pilots will occur through reviewing, for example, component and system availability, alarm rates, operation and maintenance costs, and the success of conducting sample analysis in response to a trigger. The EPA will supplement these actual performance data with data based on modeled simulations of contamination events at the pilot utilities. Funding will allow the EPA to evaluate these actual and simulated datasets and to communicate lessons learned to the water sector. A critical part of this communication effort includes refining and developing materials (such as software tools) that provide practical, actionable information for water systems to use in deploying and evaluating contamination warning systems.

[14] Homeland Security Presidential Directive-9 (HSPD-9).

In a contamination event, the sheer volume or unconventional type of samples could quickly overwhelm the capacity or capability of a single laboratory. To address this potential deficiency, the EPA has established a national alliance of laboratories harnessed from the range of existing lab resources from the local (e.g., water utility) to the federal levels (e.g., the Center for Disease Control's Laboratory Response Network) into a Water Laboratory Alliance. The Water Laboratory Alliance focuses solely on water and represents the water component of the EPA's Environmental Response Laboratory Network. The Environmental Response Laboratory Network is a network with a similar purpose as the Water Laboratory Alliance but with a focus on analyses of all other environmental media. The Water Laboratory Alliance will reduce the time necessary for confirming an intentional contamination event in drinking water and speed response and decontamination efforts. Launched in 2009, the Water Laboratory Alliance is composed of a number of environmental, public health, and commercial laboratories across the nation with membership increasing steadily. In FY 2013, efforts will continue to focus on the national implementation of the Water Laboratory Alliance through the Water Laboratory Alliance Plan, a national plan which provides a protocol for coordinated laboratory response to a surge of analytical needs. The EPA also will work with regional and state environmental laboratories to conduct exercises, within the framework of the Water Laboratory Alliance Response Plan, and continue efforts to expand the membership of the Water Laboratory Alliance with the intention of achieving nationwide coverage. In addition, the EPA will continue to support environmental laboratories and utilities by facilitating access to supplemental analytical capacity and improved preparedness for analytical support to an emergency situation.

Under the Water Laboratory Alliance, the EPA also will establish partnerships with stakeholders, such as the CDC and state public health laboratories, to further efforts necessary to validate analytical methods for contaminants of high concern for intentional contamination in drinking water. About 90 percent of these contaminants currently lack validated methods.

Water Sector-Specific Agency Responsibilities

The EPA is the sector-specific agency "responsible for infrastructure protection activities" for the water sector (drinking water and wastewater utilities). The EPA is responsible for developing and providing tools and training on improving security to the 53,000 community water systems and 16,000 publicly-owned treatment works.

The EPA will continue working to ensure that water sector utilities have tools and information to prevent, detect, respond to, and recover from terrorist attacks, other intentional acts, and natural disasters. The following preventive and preparedness activities will be implemented for the water sector in collaboration with the Department of Homeland Security (DHS) and states' homeland security and water sector officials:

- Conduct webcasts to prepare utilities, emergency responders, and decision-makers to evaluate and respond to physical, cyber, and contamination threats and events;
- Disseminate tools and provide technical assistance to ensure that water and wastewater utilities and emergency responders react rapidly and effectively to intentional contamination and natural disasters. Tools include: information on high priority

contaminants, incident command protocols, sampling and detection protocols and methods, and treatment options;

- Sustain operation of the Water Desk in the Agency's Emergency Operations Center by updating roles/responsibilities, training staff in the incident command structure, ensuring adequate staffing during activation of the desk, and coordinating with EPA regional field personnel and response partners;
- Support the adoption and use of mutual aid agreements among utilities to improve recovery times;
- Provide tools that enable water systems to adapt to the challenges posed by all-hazards inclusive of extreme climate variability;
- Continue to implement specific recommendations for emergency response, as developed by the EPA and water sector stakeholders, including providing an expanded set of tools (e.g., best security practices, incident command system and mutual aid training, recovery, and resiliency) in order to keep the water sector current with evolving water security priorities;
- Continue to implement specific recommendations of the Water Decontamination Strategy as developed by the EPA and water sector stakeholders (e.g., defining roles and responsibilities of local, state, and federal agencies during an event); and
- Develop annual assessments, as required under the National Infrastructure Protection Plan, to describe existing water security efforts and progress in achieving the sector's key metrics.

Performance Targets:

Work under this program supports the EPA's Protect Human Health objective. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$25.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$1,583.0/-0.5 FTE) This decrease reflects completion of activities under the Water Security Initiative. Data collection and evaluation efforts for the first pilot will be completed by the end of FY 2012. In FY 2013, data will be evaluated for the remaining four pilots. The reduced resources include 0.5 FTE and associated payroll of $41.0.

- (-$39.0) This reflects a decrease to prevention and preparedness activities provided to the water sector.

- (+$15.0/+0.1 FTE) This reflects an increase to support tool development and information dissemination to prevent, detect, respond to, and recover from natural disasters. These additional resources include 0.1 FTE and associated payroll of $15.0.

Statutory Authority:

SDWA 42 U.S.C. §300f–300j–9 as added by Public Law 93–523 and the amendments made by subsequent enactments, Sections – 1431, 1432, 1433, 1434, 1435; CWA, 33 U.S.C. §1251 et seq.; Public Health Security and Bioterrorism Emergency and Response Act of 2002; Emergency Planning and Community Right-to-Know Act, 42 U.S.C. §11001 et seq – Sections 301, 302, 303, and 304.

Homeland Security: Preparedness, Response, and Recovery

Program Area: Homeland Security
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Reduce Unnecessary Exposure to Radiation

Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$1,272.8	$0.0	$0.0	$0.0
Science & Technology	***$41,536.8***	***$30,034.0***	***$29,708.0***	***($326.0)***
Hazardous Substance Superfund	$44,304.2	$40,599.0	$40,769.0	$170.0
Total Budget Authority / Obligations	$87,113.8	$70,633.0	$70,477.0	($156.0)
Total Workyears	177.8	176.4	176.8	0.4

Program Project Description:

Through research, development, and technical support activities, EPA's Homeland Security Research Program (HSRP) enhances the nation's preparedness, response, and recovery capabilities for large-scale catastrophic incidents including chemical, biological, or radiological (CBR) terrorist threats and attacks and other disasters.

The HSRP evaluates tools and develops cost-effective response and recovery capabilities for use by the response community, decision-makers, and risk managers. Homeland Security research develops state-of-the-art approaches to address all phases of community response to ensure public safety, protect property, and facilitate recovery. In many cases, the research program also supports the Department of Homeland Security's (DHS') needs for EPA expertise in a number of key areas including materials decontamination and disposal, threat assessment, and sampling and analytical methods. The Agency continues to strengthen remediation of decontamination capabilities through collaborative research efforts with the DHS, the Department of Defense, the Centers for Disease Control and Prevention, and other federal and non-federal organizations.

FY 2013 Activities and Performance Plan:

Building resiliency in our communities requires that they are prepared for responding to all disasters, terrorism-based or as a result of accidents or natural causes. Presidential Policy Directive #8[15] instructs federal agencies to take an integrated "all-hazards" approach in preparing the nation for disasters. Therefore, the HSRP, in concert with relevant EPA programs, will continue to re-envision research so that the science products have application to a broad set of disasters.

[15] (2011)

In FY 2013, Homeland Security specific science and engineering research will improve the Agency's ability to carry out its increased homeland security missions. Through tools and techniques, developed by the HSRP, the Agency will be able to better facilitate response to and recovery from incidents involving CBR agents by providing regions and stakeholders with valuable detection and response analytics. The program will emphasize research needed to support response to and recovery from wide-area attacks using bio-threat agents such as anthrax or radiological/nuclear agents.

The HSRP will continue to provide applied science and technical support to EPA's response community including, but not limited to, the National Decontamination Team, Environmental Response Team, Radiological Emergency Response Team, Removal Managers, and On-Scene Coordinators. For example, HSRP's experts were critical in providing technical and scientific support to the Agency during the Deepwater Horizon Oil Spill and *Fukushima* Daiichi nuclear disaster responses. These experts augmented the first responders' knowledge base with EPA specific scientific data and tools. EPA's HSRP also will continue to provide technical support and advice that can be used by water utilities to help ensure the nation's water systems are secure and drinking water is safe.

In addition to these continuing efforts, emerging homeland security related issues and priorities will influence the activities of the HSRP in FY 2013. For example, the Food Safety Modernization Act (FSMA)[16] authorized EPA to help communities prepare for and recover from food and agricultural emergencies. The HSRP will focus research to address EPA's new directives under the FSMA by determining best practices for managing large volumes of contaminated food and agricultural waste as well as addressing the associated need for sampling and analytical methods for waste characterization. Other priorities and homeland security related issues may also arise in 2013 that are not anticipated for this justification including the emergence of new chemical agents that require research to address scientific gaps. The HSRP maintains a certain level of flexibility to address the most needed research at the appropriate time, while continuing its longer-term consequence management focus.

Decontamination Research

Decontamination research fills scientific gaps associated with responding to and recovering from CBR attacks affecting wide areas such as urban centers, transportation hubs, and sports arenas. The HSRP conducts research on characterizing contamination in support of EPA's Environmental Response Laboratory Network (ERLN),[17] determining risk and clean up goals, as well as decontamination and waste management approaches. The work product of HSRP touches on each phase of response and recovery from the usage of the program's Provisional Advisory Levels (PALs)[18] for chemical agents to protect human health during recovery operations to the widely accepted and regularly updated Selected Analytical Methods for Environmental Restoration following homeland security events.[19] Future cleanup decisions will be better informed with detailed knowledge such as the persistence of bio-threat agents (natural processes

[16] (2010)
[17] http://www.epa.gov/oemerln1/

[18] http://www.epa.gov/nhsrc/news/news121208.html)
[19] http://epa.gov/sam/

may effectively inactivate some agents in short time periods)[20] and the ability of technologies to remove radiological contamination from urban surfaces following detonation of a radiological dispersion device.[21]

In FY 2013, decontamination research will focus its research on filling the most critical science gaps required by the Agency to improve its capability. To support determination of robust clean up goals following a wide area biological attack, a rapid, sensitive, molecular assay for viable anthrax spores will be developed and adapted to other bio-threat agents. PALs will be developed for additional, critical chemical agents increasing the ability to protect lives following an attack. Also, since the cost and time of cleanup is strongly dependent on clean up goals, research on microbial risk assessment methodologies and anthrax spore health effects will be conducted. Finally, strategies to remediate large-scale areas contaminated with CBR agents will be developed including understanding the fate and transport of agents, developing methods to clean urban surfaces, and approaches to manage contaminated waste.

Water Infrastructure Protection Research

Water Infrastructure Protection Research provides scientific data and tools to improve the nation's ability to protect water systems from attack as well as detect and recover from an attack once initiated.[22]

This research area has made significant impacts. Through its Water Security Initiative pilot demonstrations, this research enabled several municipalities across the nation to employ data and tools produced by the HSRP including performance information on water quality sensors,[23] sensor placement software TEVA-SPOT, and award winning event detection software CANARY.[24] To confirm a contamination event, detectable samples often require large quantities of water and methods are needed for analysis. The 2009 R&D 100 award[25] Water Sample Concentrator, developed in collaboration with Idaho National Laboratory, facilitates and streamlines this process.

Moving forward into FY 2013, water infrastructure protection research will focus on efforts to develop and test approaches to decontaminate water infrastructure and treat water associated with CBR contamination caused by terrorist activities, natural disasters, or accidents. To enable water systems to return to service as quickly and affordably as possible, research is underway on methods to isolate and treat contaminated water as well as to clean distribution system infrastructure (pipes, towers, etc). EPA also is developing real-time distribution system models to aid utilities in locating the source and extent of contamination across the system to guide decisions on how to isolate contamination and redirect water. These models also can be used to build decontamination strategies where a dynamic view of cleanup agent delivery is required. In

[20] http://cfpub.epa.gov/si/si_public_record_report.cfm?address=nhsrc/&dirEntryId=235666
[21] http://cfpub.epa.gov/si/si_public_record_report.cfm?address=nhsrc/&dirEntryId=234944
[22] This research directly supports the national Water Security Initiative, in support of HSPD-9 which directed EPA, as the Sector Specific Lead Agency (SSA) for water, to "develop robust, comprehensive, and fully coordinated surveillance and monitoring systems . . . for . . . water quality that provide early detection and awareness of disease, pest, or poisonous agents.".
[23] http://cfpub.epa.gov/si/si_public_record_report.cfm?address=nhsrc/&dirEntryId=212368
[24] http://www.epa.gov/nhsrc/water/teva.html
[25] http://epa.gov/nhsrc/news/news081409.html

addition, the chemical, biological, and physical aspects of decontamination processes are being investigated to design and optimize the cleanup process to remove or mitigate CBR contamination.

Efforts to support the Water Security Initiative will continue to provide technical assistance to utilities as they use these models to bring their water contamination warning systems online. As new and improved water contamination sensors become commercially available, the HSRP will conduct performance testing to help utilities make informed decisions about the security of their drinking water.

Building upon previously completed work, efforts in FY 2013 will address the design of new or retrofitted distribution systems so that they are inherently safer with respect to all contamination scenarios. Modeling tools will be developed and applied to both model systems and real systems to support decisions, the design of new networks of pipes, or to retrofit existing networks.

In addition, the Homeland Security Research Program and other EPA programs and offices, will partner with the Army. As a part of their Net Zero Initiative, the HSRP will assist the Army's effort to develop and demonstrate innovative water technologies to accomplish the Army's goal of net zero energy, water, and waste by 2020.

Radiation Monitoring

Maintenance of the RadNet air monitoring network supports EPA's responsibilities under the Nuclear/Radiological Incident Annex to the National Response Framework (NRF). The network includes deployable monitors and near real-time stationary monitors.

Through FY 2012, EPA expects to install all 134 purchased monitors providing near real-time radiation monitoring coverage for each of the 100 most populous U.S. cities, as well as expanded geographic coverage. In FY 2013, the Agency will maintain the expanded RadNet air monitoring network. Fixed stations will operate routinely and in conjunction with as many as 40 deployable monitors following a radiological incident. The expanded RadNet air monitoring network will provide the Agency, first responders, and the public with greater access to data, improving officials' ability to make decisions about protecting public health and the environment during and after an incident. EPA will continue to update its fixed and deployable monitoring systems including their communications capability across various media. Additionally, the data will be used by scientists to better characterize the effect of a radiological incident.

Performance Targets:

Measure	(HS1) Percentage of planned research products completed on time by the Homeland Security research program.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							100	100	Percent
Actual									

Measure	(HS2) Percentage of planned research outputs delivered to clients and partners to improve their capabilities to respond to contamination resulting from homeland security events and related disasters.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							100	100	Percent
Actual									

The table above reflects the HSRP's annual performance measures. EPA uses these measures to assess our effectiveness in delivering needed products and outputs to clients (rule makers, states, and local governments).

Additionally, EPA supports "science of science policy" approaches to assess our research. EPA collaborates with several science agencies, the research community, and the White House's Office of Science and Technology Policy. EPA supports the interagency Science and Technology in America's Reinvestment – Measuring the Effect of Research on Innovation, Competitiveness and Science (STAR METRICS) effort. STAR METRICS strives to measure the impact federal science investments have on society, the environment, and the economy.

The program also supports providing timely and quality assured ambient radiation monitoring during an emergency.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$42.0) This decrease is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$335.0) This represents a reduction in the area of decontamination research to focus resources on the most critical Agency priorities.

- (+$162.0/ +1.1 FTE) This reflects the net result of an increase of 1.1 FTE and associated payroll of $162.0 for the water security research program.

- (+$52.0/-0.2 FTE) This reflects the net result of realignments of infrastructure FTE and resources such as equipment purchases and repairs, travel, contracts, and general expenses that are proportionately allocated across programs to better align with programmatic priorities. These resources include -0.2 FTE and decreased associated payroll of $30.0.

- (-$184.0/ -0.3 FTE) This reduction reflects administrative savings from continued efforts to streamline operational expenses and activities, including information technology (IT) support activities. The reduced resources include 0.3 FTE and associated payroll of $44.0.

- (-$29.0) This reflects a reduction to the RADNet monitoring program.

- (+$3.0) This reflects an increase to the radiation decontamination program.

- (+$47.0) This reflects an increase for laboratory security, operations and maintenance, and utilities fixed costs.

- (+ 0.1 FTE) This reflects an increase in FTE to support radiation preparedness activities.

Statutory Authority:

AEA of 1954, as through P.L. 105–394, November 13, 1998, 42 U.S.C. 2011 et seq. - Section 275 Reorganization Plan #3 of 1970; CAA Amendments 42 U.S.C. 7401 et seq – Sections 102 and 103; CERCLA, as amended by the SARA 42 U.S.C. 9601 et seq., Sections 104, 105 and 106; Executive Order 12241 of September 1980, National Contingency Plan, 3 CFR, 1980; Executive Order 12656 of November 1988, Assignment of Emergency Preparedness Responsibilities, 3 CFR, 1988; PHSA, as amended, 42 U.S.C. 201 et seq., Section 241; Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 U.S.C. 5121 et seq. – Sections 201, 204, 303, 402, 403, and 502; SDWA 42 U.S.C. 300 et seq. – Sections 1433, 1434 and 1442; NDAA of 1997, Public Law 104-201, Sections 1411 and 1412; PHSBPRA of 2002, Public Law 107–188, 42 U.S.C. 201 et seq., Sections 401 and 402 (amended the SDWA); TSCA, 15 U.S.C. 53 – Section 2609; OPA, 33 U.S.C 40; PPA, 42 U.S.C 133; RCRA 42 U.S.C. 6901 et seq; EPCRA 42 U.S.C. §11001 et seq.; CWA 33 U.S.C. 1251 et seq.; FIFRA 7 U.S.C. 136 et seq.; FFDCA, 21 U.S.C 9; FQPA 7 USC 136 et seq. Executive Order 10831 (1970); PRIA; FSMA, Sections 203 and 208; Executive Order 13486: Strengthening Laboratory Biosecurity in the United States (2009).

Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$6,497.0	$5,966.0	$5,999.0	$33.0
Science & Technology	***$592.0***	***$578.0***	***$579.0***	***$1.0***
Building and Facilities	$8,269.1	$7,044.0	$8,038.0	$994.0
Hazardous Substance Superfund	$669.1	$1,170.0	$1,172.0	$2.0
Total Budget Authority / Obligations	$16,027.2	$14,758.0	$15,788.0	$1,030.0
Total Workyears	7.3	3.0	3.0	0.0

Program Project Description:

This program involves activities to ensure that EPA's physical structures and assets are secure and operational and that certain physical security measures are in place to help safeguard staff in the event of an emergency. These efforts also protect the capability of EPA's vital laboratory infrastructure assets. Specifically, funds within this appropriation support security needs for the National Vehicle and Fuel Emissions Laboratory (NVFEL).

FY 2013 Activities and Performance Plan:

In FY 2013, the agency will continue to provide enhanced physical security for the NVFEL and its employees. This funding supports the incremental cost of security enhancements required as part of an Agency security assessment review.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$1.0) This increase in funding will support security needs at the NVFEL.

Statutory Authority:

Public Health Security and Bioterrorism Emergency and Response Act of 2002; Secure Embassy Construction and Counterterrorism Act (Sections 604 and 629); CAA (42 U.S.C. 7401-7661f); Motor Vehicle Information Cost Savings Act; Alternative Motor Fuels Act of 1988; National Highway System Designation Act; NEP Act, SAFETEA-LU of 2005; EPAct of 2005; EISA of 2007.

Program Area: IT / Data Management / Security

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$96,614.1	$87,939.0	$88,893.0	$954.0
Science & Technology	***$3,483.7***	***$3,652.0***	***$4,047.0***	***$395.0***
Leaking Underground Storage Tanks	$47.7	$0.0	$0.0	$0.0
Hazardous Substance Superfund	$17,640.0	$15,339.0	$14,855.0	($484.0)
Total Budget Authority / Obligations	$117,785.5	$106,930.0	$107,795.0	$865.0
Total Workyears	493.4	490.7	488.3	-2.4

Program Project Description:

High quality data in support of sound science serves as a strategic resource that supports the Agency's mission of protecting public health and the environment. Information Technology /Data Management (IT/DM) programs facilitate the Agency's Science and Technology (S&T) programs by delivering essential services to Agency staff to allow them to conduct their work effectively and efficiently. The following four themes are reflected in IT/DM program activities: (1) facilitating mission activities through better information and tools; (2) improving agency work processes to promote efficiencies; (3) increasing transparency and innovation in the Agency's work processes; and (4) enabling the workforce with reliable tools.

Resources support the development, collection, management and analysis of environmental data (to include both point source and ambient data) to manage statutory programs and to support the Agency in strategic planning at the national, program and regional levels. The EPA provides a secure, reliable information infrastructure based on data standardization, integration and public access. IT/DM resources help ensure the EPA's processes and data are of high quality and adhere to federal guidelines and also support regional information technology infrastructure, administrative and environmental programs and telecommunications.

The work performed in the IT/DM program encompasses more than 30 distinct activities. For descriptive purposes, activities can be categorized into the following major functional areas: information access; geospatial information and analysis; Envirofacts; IT/Information Management (IT/IM) policy and planning; quality assurance; electronic records and content management; Libraries; OneEPA Web (formerly Internet Operations and Maintenance

Enhancements, or IOME); information reliability and privacy; and IT/IM infrastructure. IT/IM and OneEPA Web activities are funded under S&T.

Resources under this program also fund the Agencywide Quality Program. The Quality Program is a key management system that ensures the quality of all EPA products and services. The program develops Quality Assurance policies and oversees the EPA quality system for science and technology, which is the foundation of all of EPA environmental programs. The Quality Program also oversees the implementation of the EPA Information Quality Guidelines.[26]

FY 2013 Activities and Performance Plan:

In FY 2013, the following IT/DM activities will continue to be provided using S&T resources:

- **OneEPA Web [formerly Internet Operations and Maintenance Enhancements (IOME)]** – FY 2013 activities in this area implement and maintain the EPA Home Page (www.EPA.gov) and over 200 top-level pages that facilitate access to the many information resources available on the EPA website. In addition, OneEPA Web provides the funding to support Web hosting for all of the Agency's websites and Web pages. The EPA website is the primary delivery mechanism for environmental information to EPA staff, partners, stakeholders and the public, and is becoming a resource for emergency planning and response. (In FY 2013, OneEPA Web activities will be funded at $0.17 million in non-payroll funding under the S&T appropriation.)

- **IT/Information Management (IT/IM) Policy and Planning** – FY 2013 activities will ensure that all appropriate steps are taken to reduce redundancy among information systems and databases, streamline and systematize the planning and budgeting for all IT/IM activities, and monitor the progress and performance of all IT/IM activities and systems. The EPA's Quality Program has consistently played a major role in each of these areas. In FY 2013, the Quality Program plans to issue quality assurance (QA) standards and guidance to enhance the Agency's quality system; to conduct internal environmental program QA assessments to ensure the integrity of the Agency's quality system and to streamline internal QA processes. (In FY 2013, Quality Program activities will be funded at $1.37 million in non-payroll funding and $2.68 million in payroll funding under the S&T appropriation.)

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program Project.

[26] *Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by the Environmental Protection Agency*, EPA, 2002.
http://www.epa.gov/quality/informationguidelines/documents/EPA_InfoQualityGuidelines.pdf

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$592.0) This increase is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+ 0.2 FTE) This increase reflects current utilization rates while taking into consideration FY 2013 programmatic priorities.

- (-$197.0) This change reflects a reduction in funding for Internet Operations and Maintenance Enhancements due to efficiencies gained through the Agency's utilization of OneEPA Web.

Statutory Authority:

Federal Advisory Committee Act (FACA), 42 U.S.C. 553 et seq. and Government Information Security Act (GISRA), 40 U.S.C. 1401 et seq. – Sections 3531, 3532, 3533, 3534, 3535 and 3536 and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9606 et seq. – Sections 101-128, 301-312 and 401-405 and Clean Air Act (CAA) Amendments, 42 U.S.C. 7401 et seq. – Sections 102, 103, 104 and 108 and Clean Water Act (CWA), 33 U.S.C. 1314 et seq. – Sections 101, 102, 103, 104, 105, 107, and 109 and Toxic Substances Control Act (TSCA), 15 U.S.C. 2611 et seq. – Sections 201, 301 and 401 and Federal Insecticide Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. 36 et seq. – Sections 136a – 136y and Food Quality Protection Act (FQPA), 7 U.S.C. 136 et seq. – Sections 102, 210, 301 and 501 and Safe Drinking Water Act (SDWA) Amendments, 42 U.S.C. 300 et seq. – Sections 1400, 1401, 1411, 1421, 1431, 1441, 1454 and 1461 and Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346 et seq. and Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. 11001 et seq. – Sections 322, 324, 325 and 328 and Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6962 et seq. – Sections 1001, 2001, 3001 and 3005 and Government Performance and Results Act (GPRA), 39 U.S.C. 2803 et seq. – Sections 1115, 1116, 1117, 1118 and 1119 and Government Management Reform Act (GMRA), 31 U.S.C. 501 et seq. – Sections 101, 201, 301, 401, 402, 403, 404 and 405 and Clinger-Cohen Act (CCA), 40 U.S.C. 1401 et seq. – Sections 5001, 5201, 5301, 5401, 5502, 5601 and 5701and Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq. – Sections 104, 105, 106, 107, 108, 109, 110, 111, 112 and 113 and Freedom of Information Act (FOIA), 5 U.S.C. 552 et seq. and Controlled Substances Act (CSA), 21 U.S.C. 802 et seq. – Sections 801, 811, 821, 841, 871, 955 and 961 and Electronic Freedom of Information Act (EFOIA), 5 U.S.C. 552 et seq. – Sections 552(a)(2), 552 (a)(3), 552 (a)(4) and 552(a)(6).

Program Area: Operations and Administration

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$320,540.2	$319,777.0	$331,316.0	$11,539.0
Science & Technology	***$69,436.1***	***$72,019.0***	***$75,485.0***	***$3,466.0***
Building and Facilities	$30,254.7	$29,326.0	$33,931.0	$4,605.0
Leaking Underground Storage Tanks	$903.0	$915.0	$843.0	($72.0)
Oil Spill Response	$519.5	$535.0	$513.0	($22.0)
Hazardous Substance Superfund	$80,056.2	$80,541.0	$79,622.0	($919.0)
Total Budget Authority / Obligations	$501,709.7	$503,113.0	$521,710.0	$18,597.0
Total Workyears	405.0	417.4	416.5	-0.9

Program Project Description:

Science & Technology (S&T) resources in the Facilities Infrastructure and Operations Program are used to fund rental of laboratory and office space, utilities, security, and also to manage activities and support services in many centralized administrative areas such as health and safety, environmental compliance, occupational health, medical monitoring, fitness, wellness, safety, and environmental management functions, facilities maintenance and operations, energy conservation, greenhouse gas reduction, sustainable buildings programs, and space planning. Funding is allocated among the major appropriations for the Agency.

FY 2013 Activities and Performance Plan:

The Agency reviews space needs on a regular basis, and is implementing a long-term space consolidation plan that includes reducing the number of occupied facilities, consolidating space within the remaining facilities, and reducing the square footage where practical. Since 2006, the EPA has released approximately 380,000 square feet of space at headquarters and facilities nationwide, resulting in a cumulative annual rent avoidance of over $12.8 million. The Agency's Space Strategy efforts continue to pursue several long-term policy options that could lead to further efficiencies and potential reductions to the Agency's real property footprint. These achieved savings and potential savings partially offset the EPA's escalating rent budget. For example, replacement leases for regional offices in Boston, Kansas City, San Francisco, and Seattle are significantly higher than those previously negotiated. The Agency will continue to

manage its lease agreements with the General Services Administration and other private landlords by conducting reviews and verifying that billing statements are correct. For FY 2013, the Agency is requesting a total of $34.90 million for rent, $20.20 million for utilities, and $11.07 million for security in the S&T appropriation.

In FY 2013, the EPA will continue to improve operating efficiency and encourage the use of new, advanced technologies, and energy sources. The EPA will continue to direct resources towards acquiring alternative fuel vehicles and more fuel-efficient passenger cars and light trucks to meet the goals set by Executive Order (EO) 13423[27], *Strengthening Federal Environmental, Energy, and Transportation Management*. Additionally, the Agency will attain the Executive Order's environmental performance goals related to buildings through several initiatives, including comprehensive facility energy audits, re-commissioning, sustainable building design in Agency construction and alteration projects, energy savings performance contracts to achieve energy efficiencies, the use of off-grid energy equipment, energy load reduction strategies, green power purchases, and the use of Energy Star rated products and building standards. The EPA will continue to improve the cohesion and management of its laboratory enterprise and take advantage of potential efficiencies. In FY 2013, the Agency plans to reduce energy utilization (or improve energy efficiency) by approximately 37 billion British Thermal Units or three percent. The EPA should end FY 2013 using approximately 24 percent less energy than it did in FY 2003.

EO 13514, *Federal Leadership in Environmental, Energy, and Economic Performance*, expands upon EO 13423 and requires additional reductions to greenhouse gas emissions. The EPA will meet the requirements of EO 13514 through:

- Managing existing building systems to reduce consumption of energy, water, and materials;
- Identifying opportunities to consolidate and dispose of existing assets, optimize real property; and portfolio performance, and reduce environmental impacts; and
- Implementing best management practices in energy-efficient management of real property including Agency labs and data centers.

As part of the Agency's commitment to promoting employee health and wellness, and supporting OPM's and OMB's wellness initiative, the Agency collected data to compile an inventory of wellness services available to its employees. The data is being used to establish a core program of services for the EPA and will provide a baseline level of employee participation in those services. In FY 2012, a long-term action plan will be finalized and directed at achieving an OPM goal of 75 percent employee participation in core program services. In FY 2013, the EPA will implement its action plan with the goal of increasing employee participation by 50 percent from the baseline level of 2012. It is hoped that the availability and increased utilization of wellness services will result in a healthier and more productive work force with lower medical costs consistent with the President's goal in EO 13507. In the interim, the EPA has a short-term plan that includes the following initiatives:

[27] Information is available at http://www.fedcenter.gov/programs/eo13514/, *Federal Leadership in Environmental, Energy, and Economic Performance*; and http://www.fedcenter.gov/programs/eo13423/, *Strengthening Federal Environmental, Energy, and Transportation Management*

- Work with the General Services Administration (GSA) to expand health and wellness programs in GSA-owned and leased facilities. Some options include healthier food choices, increasing fitness center activities, and expanding health unit capabilities.
- Enhance outreach efforts to employees to increase fitness center memberships, registration for seminars and educational programs, and inoculations and screenings in health units.
- Establish or expand sports competitions and fitness challenges to build or strengthen our fitness programs nationwide.
- Offer more health educational classes and seminars to increase employee attendance and participation.

Lastly, the EPA will continue to provide transit subsidy to eligible applicants as directed by Executive Order 13150[28] *Federal Workforce Transportation.* The EPA will continue the implementation of the Safety and Health Management Systems to ensure a safe working environment.

Performance Targets:

Work under this program supports the performance measures in the Facilities Infrastructure and Operations Program Project under the EPM appropriation. These measures can also be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$706.0) This change is the net effect of projected contractual rent increases and the rent reduction realized from space consolidation efforts.

- (+$40.0) This reflects an increase in utility costs.

- (+$370.0) This reflects an increase in security guard contractual costs.

- (+$1.0) This reflects an increase in transit subsidy based on projected needs.

- (+$1,064.0) This increase supports the consolidation of the Reproductive-Toxicology Facility into the RTP Main Campus in Durham, North Carolina. EPA anticipates a savings from the release of approximately 66,700 square feet of space in RTP resulting in an annual rent avoidance of $1.7 million beginning in FY 2014.

- (+$2,697.0) The FY 2012 levels provided represent an 11 percent reduction for managing EPA's facility operations, including building maintenance, property management, transportation, and health and safety operations at all EPA facilities nationwide. The requested funding level will provide for these basic operations, which also include custodial contracts, labor and warehouse costs, and grounds maintenance and operating

[28] Additional information available at http://ceq.eh.doe.gov/nepa/regs/eos/eo13150.html

costs for regional laboratories. This funding also will allow the Agency to continue implementation of the President's EO 13514 in managing existing building systems to reduce consumption of energy, water, and materials.

Statutory Authority:

FPASA; PBA; Annual Appropriations Act; CWA; CAA; D.C. Recycling Act of 1988; Executive Orders 10577 and 12598; United States Marshals Service, Vulnerability Assessment of Federal Facilities Report; Presidential Decision Directive 63 (Critical Infrastructure Protection); Energy Policy Act of 2005; Energy Independence and Security Act of 2007.

Program Area: Pesticides Licensing

Pesticides: Protect Human Health from Pesticide Risk

Program Area: Pesticides Licensing
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$61,686.0	$58,208.0	$58,971.0	$763.0
Science & Technology	***$4,118.8***	***$3,757.0***	***$3,919.0***	***$162.0***
Total Budget Authority / Obligations	$65,804.8	$61,965.0	$62,890.0	$925.0
Total Workyears	458.5	447.2	443.2	-4.0

Program Project Description:

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), Section 3(c)(5), states that the Administrator shall register a pesticide if it is determined that, when used in accordance with labeling and common practices, the product "will not generally cause unreasonable adverse effects on the environment." Further, FIFRA defines "unreasonable adverse effects on the environment" as "any unreasonable risk to man or the environment."

The EPA's Pesticides Program screens new pesticides before they reach the market and ensures that pesticides already in commerce are safe. As directed by FIFRA, the Federal Food, Drug, and Cosmetic Act (FFDCA), and the Food Quality Act (FQPA) of 1996 as well as the Pesticide Registration Improvement Renewal Act (PRIRA) that amended FIFRA and FFDCA, the EPA is responsible for registering and re-evaluating pesticides to protect consumers, pesticide users, workers who may be exposed to pesticides, children, and other sensitive populations. To make regulatory decisions and establish tolerances for the maximum allowable pesticide residues on food and feed, the EPA must balance the risks and benefits of using the pesticide, consider cumulative and aggregate risks, and ensure extra protection for children.

Laboratory activity for the Pesticide Program supports the goal of protecting human health through efforts at three laboratories: an analytical chemistry laboratory, a microbiology laboratory at the Environmental Science Center at Fort Meade, MD, and an environmental chemistry laboratory at Stennis Space Center, Bay St. Louis, MS. These laboratories provide a variety of technical services to the EPA, other federal and state agencies, tribes, and other organizations. The laboratories assist the Agency and state enforcement laboratories by providing reference standards, analytical methods development, training, and assistance with laboratory audits. They develop and validate analytical methods for risk assessment and enforcement projects. The analytical methods are available for use by the United States Department of Agriculture (USDA), the United States Geological Survey (USGS), the EPA, and states. Additionally, the laboratories perform chemical and efficacy analyses and assist in investigations of incidents such as crop damage or illegal pesticide residues.

For additional information, please see http://www.epa.gov/opp00001/labs/index.htm.

FY 2013 Activities and Performance Plan:

In FY 2013, the Agency will protect human health by ensuring the availability of appropriate analytical methods for detecting pesticide residues in food and feed, ensuring suitability for monitoring pesticide residues, and enforcing tolerances. This will be accomplished by developing and validating multi-residue pesticide analytical methods for food, feed, and water for use by other federal and state laboratories and the EPA. Laboratories further support the estimation of human health risks from pesticide use by operating the National Pesticide Standard Repository (NPSR). The EPA's NPSR collects and maintains pesticide standards (i.e., samples of pure active ingredients or technical grade active ingredients for pesticides). The repository distributes these standards to the EPA and other federal and Tribal laboratories involved in pesticide enforcement, including tolerance, enforcement verification of label claims, and investigations of pesticide use/misuse in support of the EPA's regulatory decisions for FIFRA and FQPA. The laboratories also perform efficacy measurement and testing of antimicrobial products with public health claims – for example hospital disinfectants and research on methods to measure the efficacy of various types of antimicrobials, including sporicides.

The EPA's pesticide laboratories provide quality assurance and technical support and training to the EPA's Regional offices, state laboratories, and other federal agencies that implement FIFRA. The laboratories will evaluate registered products that are most crucial to infection control (e.g. sterilants, tuberculocides, and hospital-level disinfectants). Under the Plant Incorporated Protectants method validation program, evaluation will continue on several novel molecular-based methods.

Performance Targets:

Work under this program also supports performance results listed in EPM Pesticides: Protect Human Health from Pesticide Risk and can be found in the Performance Eight-Year Array. Some of this program's performance measures are program outputs, which represent statutory requirements to ensure that pesticides entering the marketplace are safe for human health and the environment and when used in accordance with the packaging label, present a reasonable certainty of no harm. While program outputs are not the best measures of risk reduction, they do provide a means for realizing benefits in that the program's safety review prevents dangerous pesticides from entering the marketplace.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$64.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$14.0/+0.1 FTE) This increase reflects resources to support the development of analytical methods for detecting pesticide residues and ensuring their suitability for monitoring and for tolerance enforcement. Specifically, this program provides protection to human health from potential pesticide risk by ensuring that when a pesticide is used according to the label, it will result in "no unreasonable adverse effects" on human health.

Some of the work performed in this program includes laboratory support for the portion of risk assessments which deal with human health, development of analytical methods for detecting pesticide residues in food and feed and ensuring that these methods are suitable for monitoring pesticide residues and enforcing tolerances. This increase includes 0.1 FTE and associated payroll of $14.0.

- (+$84.0) This increase supports laboratory fixed costs for the pesticides program.

Statutory Authority:

Pesticide Registration Improvement Renewal Act (PRIRA);[29] Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended; Federal Food, Drug and Cosmetic Act (FFDCA) as amended, §408 and 409; Food Quality Protection Act (FQPA); Endangered Species Act (ESA).

[29] Pesticides Registration Improvement Renewal Act (PRIRA) expires at the end of FY 2012, contingent on PRIRA being reauthorized prior to FY 2013, the Agency expects to continue the collection of Maintenance Fees for review of existing pesticide registrations, as well as the collection of Enhanced Registration Service Fees for the accelerated review of new pesticide registration applications in 2013.

Pesticides: Protect the Environment from Pesticide Risk
Program Area: Pesticides Licensing
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$41,265.6	$37,854.0	$37,960.0	$106.0
Science & Technology	***$1,995.2***	***$2,289.0***	***$2,604.0***	***$315.0***
Total Budget Authority / Obligations	$43,260.8	$40,143.0	$40,564.0	$421.0
Total Workyears	318.4	287.6	284.1	-3.5

Program Project Description:

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), section 3(c)(5), states that the Administrator shall register a pesticide if it is determined that, when used in accordance with labeling and common practices, the product "will not generally cause unreasonable adverse effects on the environment." FIFRA defines "unreasonable adverse effects on the environment" as "any unreasonable risk to man or the environment, taking into account the economic, social, and environmental costs and benefits of the use of any pesticide."[30]

In complying with FIFRA, the EPA must conduct risk assessments using the latest scientific methods to determine the risks that pesticides pose to human health and ecological effects on plants, animals, and ecosystems that are not the targets of the pesticide. The Agency's regulatory decisions are posted for review and comment to ensure that these actions are transparent and that stakeholders, including at risk populations, are engaged in decisions which affect their environment. Under FIFRA, the EPA must determine that a pesticide will not cause unreasonable adverse effects on the environment. For food uses of pesticides, this standard requires the EPA to determine that food residues of the pesticide are "safe." For other risk concerns, the EPA must balance the risks of the pesticides with benefits provided from the use of a product. To ensure unreasonable risks are avoided, the EPA may impose risk mitigation measures such as modifying use rates or application methods, restricting uses, or denying uses. In some regulatory decisions, the EPA may determine that uncertainties in the risk determination need to be reduced and may subsequently require monitoring of environmental conditions, such as effects on water sources or the development and submission of additional laboratory or field study data by the pesticide registrant.

[30] Federal Insecticide, Fungicide and Rodenticide Act, as amended. January 23, 2004. Section 3(a), Requirement of Registration (7 U.S.C. 136a). Available online at http://www.epa.gov/opp00001/regulating/laws.htm.

In addition to FIFRA responsibilities, the Agency has responsibilities under the Endangered Species Act (ESA).[31] Under ESA, the EPA must ensure that pesticide regulatory decisions will not destroy or adversely modify designated critical habitat or result in likely jeopardy to the continued existence of species listed by the U.S. Fish and Wildlife Service (FWS) or National Marine Fisheries Service (NMFS) as threatened or endangered. Given approximately 600 active ingredients in more than 19,000 products—many of which have multiple uses—and approximately 1,200 listed species with diverse biological attributes, habitat requirements and geographic range, this presents a great challenge. Where risks are identified, the EPA must work with FWS and NMFS in a consultation process to ensure these pesticide registrations will meet the ESA standard. The EPA has instituted processes for consideration of endangered species issues. In FY 2013, the Agency will continue to work towards improving compliance with ESA. A committee of the National Academy of Sciences (NAS) National Research Council (NRC) is currently examining scientific and technical issues related to the methods and assumptions used by EPA, the FWS, and the NMFS to carry out their joint responsibilities under ESA and FIFRA. In its deliberations, the NRC will focus on the scientific and technical methods and approaches the agencies use in determining risks to endangered and threatened species associated with the use of pesticides. The range of scientific issues considered by the NAS Committee will include identifying best available scientific data and information; considering sub-lethal, indirect, and cumulative effects; assessing the effects of chemical mixtures and inert ingredients; the use of models to assist in analyzing the effects of pesticide use; incorporating uncertainties into the evaluations effectively; and the use of geospatial information and datasets that can be employed by the agencies in the course of these assessments.

FY 2013 Activities and Performance Plan:

In FY 2013, the Agency will support the protection of the environment by developing methods and conducting analyses to make better informed decisions regarding pesticide exposures and risk to the environment and by operating the National Pesticide Standard Repository (NPSR) to support federal and state laboratories involved in enforcement activities. Under the Plant Incorporated Protectants (PIP) method validation program, work will continue on evaluating several novel molecular-based methods.

The laboratories also will support the protection of the environment by:

1) Evaluating residue analytical methods used for detecting pesticide residues in environmental matrices, such as water, soil, and sediment. Evaluating residue analytical methods will allow the program to better assess the results generated by the registrant and submitted to the Agency, which is required by the pesticide registration guidelines of FIFRA. Evaluating residue analytical methods also will assist the agency in developing and validating multi-residue pesticide analytical methods for environmental matrices for use by other federal and state laboratories to estimate environmental risks.

[31] The Endangered Species Act of 1973 sections 7(a)1 and 7 (a)2; Federal Agency Actions and Consultations, as amended (16 U.S.C. 1536(a)). Available at U.S. Fish and Wildlife Service, Endangered Species Act of 1973 internet site: http://www.fws.gov/endangered/laws-policies/section-7.html

2) Responding to urgent pesticide program needs for analytical chemistry support to address specific short-term, rapid turnaround issues of high priority. The laboratories cooperate with the regional offices on activities related to analysis of environmental samples for select pesticides or other environmental contaminants related to pesticide production or disposition. Additionally, the laboratories develop exposure data for dioxins, polychlorinated biphenyls, and other persistent contaminants of environmental concern, to support agency environmental risk assessments.

3) Conducting product performance evaluations of antimicrobials to remove ineffective products from the market. The labs also provide data to support use of effective tools for remediation efforts and testing capacity for environmental monitoring of microbial populations (due to overt or unintentional contamination). Another activity involves conducting validation services on methods used to detect DNA and/or proteins for PIPs in major agricultural commodities such as corn, soybeans, potatoes, and cotton.

EPA's laboratories provide technical support and quality assurance support to regional, state, and other federal laboratories in numerous ways. The laboratories are responsible for the posting and upkeep of residue analytical methods and environmental chemistry methods for food, feed, soil, and water on the EPA web site. These methods are frequently the only resource available to regional offices, state laboratories, and other federal agencies for current methodology information for the newest pesticides. The microbiology laboratory also posts and maintains the methods used to determine the efficacy of microbiological products on the web where there are approximately 400 methods currently available (see http://www.epa.gov/oppbead1/methods/). Additionally, the Agency responds to approximately 90 requests per year for method information. These requests primarily come from state FIFRA laboratories.

The laboratories are involved in the development of multi-residue analytical methods (MRMs), which are methods capable of measuring several similar pesticides simultaneously. These MRMs are made available to state and federal laboratories involved in residue monitoring and enforcement activities.

The pesticides program operates the EPA NPSR, which provides pesticide reference materials to federal and state laboratories for enforcement activities. The NPSR shipped approximately 6,000 analytical reference standards to enforcement laboratories in FY 2007 and approximately 6,500 standards in FY 2008. In FY 2009, 5,013 standards were provided. The number increased to 6,870 in FY 2010 and 6,600 in FY 2011. During FY 2012 and FY 2013, standards are anticipated to be 6,500 for each year.

The laboratories also participate in the American Association of Pest Control Officials and the State FIFRA Issues and Research Evaluation Group pesticide laboratory technical meetings with state and industry chemists, responding to issues raised by enforcement laboratories. Additionally, the laboratories are represented on and work through the Association of Analytical Chemists to develop and implement consensus methods for microbiology and chemistry.

In the area of quality assurance, the Agency's laboratories assist state and federal partners in several ways. Examples include: providing review of quality management plans and laboratory

projects conducted under interagency agreements with the Food and Drug Administration (FDA); providing technical assistance and oversight on quality assurance and technical questions from FDA and Department of Defense (DoD) laboratories for a variety of projects; providing quality assurance oversight to the FDA/White Oak facility for the Three Step Method (TSM) collaborative validation study (the FDA did not have a quality assurance unit in place at the time of the study); and conducting a readiness review at 10 collaborating laboratories working on the validation of the TSM. The TSM quantitatively measures the efficacy of antimicrobials for inactivating anthrax spores.

Performance Targets:

Some of the measures for this program are program outputs which measure progress towards meeting the program's statutory requirements. This is to ensure that pesticides entering the marketplace are safe for human health and the environment, and when used in accordance with the packaging label, ensure a reasonable certainty of no harm. While program outputs are not the best measures of risk reduction, they do provide a means for reducing risk, in that the program's safety reviews prevent dangerous pesticides from entering the marketplace.

In FY 2013, the EPA will continue the implementation of FIFRA, FFDCA, ESA, and the Pesticide Registration Improvement Act (PRIA)[32] in the exercise of the Agency's responsibilities for the registration and the review activities. It is anticipated that Pesticide Registration Improvement Renewal Act (PRIRA), which expires in 2012, will be reauthorized as it was in 2007. As part of EPA's efforts to improve accountability, the Agency will track these areas through three measures. These include: (1) percent of decisions completed in accordance with the PRIA and PRIRA or mutually negotiated times; (2) number of Registration Review dockets opened for each pesticide entering the review process to seek comments on the information the Agency has on the active ingredient; and (3) the number of final work plans completed for each active ingredient after comments are evaluated and required data are complete.

The purpose of the three measures discussed above is to develop long-term consistent and comparable information on the amount of pesticides in streams, ground water, and aquatic ecosystems to support sound management and policy decisions. USGS continues sampling its second cycle (Cycle II) from 2002-2012 and developing sampling plans for 2013-2022. The monitoring plan calls for biennial early sampling in eight urban watersheds and sampling every four years in a second set of nine urban watersheds; and yearly monitoring in eight agricultural watersheds and biennial sampling in three agricultural dominated watersheds. The sampling frequency for these sites will range from approximately thirteen to twenty-six samples per year depending on the size of the watershed and the extent of the pesticide use period. Sampling frequency is seasonally weighted so more samples are collected when pesticide use is expected to be highest.

[32] The Pesticides Registration Improvement Renewal Act (PRIRA) expires at the end of FY12, contingent on PRIA being reauthorized prior to FY 2013, the Agency expects to continue the collection of Maintenance Fees for review of existing pesticide registrations, as well as the collection of Enhanced Registration Service Fees for the accelerated review of new pesticide registration applications in 2013.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$77.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$14.0/+0.1 FTE) This increase reflects resources to support the development of analytical methods for detecting pesticide residues and ensuring their suitability for monitoring and for tolerance enforcement. The additional resources include 0.1 FTE and associated payroll of $14.0.

- (+$224.0) This increase supports laboratory fixed costs for the pesticides program.

Statutory Authority:

Pesticide Registration Improvement Renewal Act (PRIRA); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended; Federal Food, Drug and Cosmetic Act (FFDCA) as amended §408 and 409; Food Quality Protection Act (FQPA): Endangered Species Act (ESA).

Pesticides: Realize the Value of Pesticide Availability
Program Area: Pesticides Licensing
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$13,065.8	$12,532.0	$12,306.0	($226.0)
Science & Technology	***$522.8***	***$517.0***	***$575.0***	***$58.0***
Total Budget Authority / Obligations	$13,588.6	$13,049.0	$12,881.0	($168.0)
Total Workyears	97.7	87.0	86.5	-0.5

Program Project Description:

Within the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the definition of "unreasonable adverse effects on the environment" expands the concept of protecting against unreasonable risks to man or the environment, by adding "taking into account the economic, social, and environmental costs and benefits of the use of any pesticide…"[33] This language authorizes the emergency use program to respond to infestations along with other aspects of the program that enhances the benefits of pesticides.

The EPA must ensure that such emergency uses will not present an unreasonable risk to human health or the environment. The EPA's timely review of emergency exemptions has avoided an estimated $1.5 billion in crop losses per year,[34] resulting from incidents of new pests on crops when exemptions are necessary to allow non-standard pesticide use to stem off a specific outbreak or while progress is made towards full registration of new pesticides.

FIFRA clearly recognizes that there will be societal benefits beyond protection of human health and the environment from the pesticide registration process that it establishes. Section 3 of FIFRA also authorizes the EPA to register products that are identical or substantially similar to already registered products. While some effective termiticides have been removed from the market due to safety concerns, the EPA continues to work with industry to register safe alternatives that meet or exceed all current safety standards and offer a high level of protection. Three pesticide laboratories provide data that are used by the EPA to make informed regulatory decisions that recognize societal benefits: an analytical chemistry laboratory, a microbiology laboratory at the Environmental Science Center at Fort Meade, MD, and an environmental chemistry laboratory at Stennis Space Center, Bay St. Louis, MS. These laboratories also

[33] Federal Insecticide, Fungicide and Rodenticide Act, as amended. January 23, 2004. Section 3(a), Requirement of Registration (7 U.S.C. 136a). Available online at http://www.epa.gov/opp00001/regulating/laws.htm.
[34] Baseline data on crop market prices, crop production, and total acres grown are from United States Department of Agriculture (USDA) databases, while the percentage of potential yield loss without pesticides is estimated by Biological and Economic Analysis Division (BEAD) scientists based on published and unpublished studies. The number of acres treated with the pesticides are based on data submitted by state Departments of Agriculture.

validate environmental and analytical chemistry methods to ensure that the Food and Drug Administration (FDA), the United States Department of Agriculture (USDA), the EPA offices, and states have reliable methods to measure and monitor pesticide residues in food and in the environment. Additionally, the laboratories ensure that pesticides deliver intended results. The laboratories, in cooperation with industry, state, and other EPA laboratories, develop multi-residue analytical methods to allow enforcement agencies to test for several different chemicals using one test.

FY 2013 Activities and Performance Plan:

In FY 2013, the Agency will realize the benefits of pesticides by operating the National Pesticide Standard Repository (NPSR) and conducting chemistry and efficacy testing for antimicrobials. The EPA's laboratories will continue to provide quality assurance and technical support and training to the EPA's regions, state laboratories, and other federal agencies that implement FIFRA. The laboratories will evaluate registered products that are most crucial to infection control (sterilants, tuberculocides, and hospital-level disinfectants). Under the Plant-Incorporated Protectants (PIP) method validation program, work will continue on evaluating several novel molecular-based methods.

The pesticide laboratories support the program by evaluating analytical methods for detecting pesticide residues in food and feed ensuring suitability for monitoring pesticide residues and enforcement of tolerances. The NPSR also distributes analytical standards to federal and state laboratories involved in enforcement activities. The laboratories develop and validate multi-residue pesticide analytical methods for food, feed, and water for use by other federal (USDA Pesticide Data Program and FDA) and state laboratories. These laboratories generate residue data that are then used by the program to estimate human health risks. The laboratories are prepared to respond to urgent program needs for analytical chemistry support and special studies to address specific short-term, rapid turnaround priority issues.

In addition to residue methods, the laboratories provide method validation services for genetically modified organism products. They also develop data to support FIFRA Section 18 uses for new chemicals where efficacy data are non-existent (particularly biothreat agents, including B. anthracis, or emerging hospital pathogens) and evaluate the product performance of antimicrobials used to control infectious pathogens in hospital environments. The laboratories develop new test methods for novel uses or emerging pathogens, including biothreat agents. The outputs of this work provide guidelines for efficacy data for public health claims, guidance for registration, and facilitate technical support and training on testing methods and procedures.

Performance Targets:

Work under this program also supports performance results listed in EPM Pesticides: Realize the Value of Pesticide Availability and can be found in the Performance Eight-Year Array in Tab 11.

Some of this program's performance measures are program outputs, which represent statutory requirements to ensure that pesticides entering the marketplace are safe for human health and the environment and, when used in accordance with the packaging label, present a reasonable certainty of no harm. While program outputs are not the best measures of risk reduction, they do

provide a means for realizing benefits in that the program's safety review prevents dangerous pesticides from entering the marketplace.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$3.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$14.0/+0.1 FTE) This increase reflects resources to support the development of analytical methods for detecting pesticide residues and ensuring their suitability for monitoring and tolerance enforcement. Work supported includes assessment of the economic impact of registering or not registering a pesticide. Laboratory support provided by this program includes FIFRA Section 18 efforts in determining the benefits of issuing an emergency exemption and evaluation of products crucial to infection control. The additional resources include 0.1 FTE and associated payroll of $14.0.

- (+$41.0) This increase represents additional funds to support laboratory fixed costs for the pesticides program.

Statutory Authority:

Pesticide Registration Improvement Renewal Act (PRIRA); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended; Federal Food, Drug and Cosmetic Act (FFDCA) as amended, §408 and 409; Food Quality Protection Act (FQPA); Endangered Species Act (ESA).

Program Area: Research: Air, Climate and Energy

Research: Air, Climate and Energy

Program Area: Research: Air, Climate and Energy
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Address Climate Change; Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	***$119,756.0***	***$98,845.0***	***$105,894.0***	***$7,049.0***
Total Budget Authority / Obligations	$119,756.0	$98,845.0	$105,894.0	$7,049.0
Total Workyears	320.5	306.6	308.4	1.8

Program Project Description:

American communities face serious health and environmental challenges from air pollution and the growing effects of climate change. Both air pollution and climate change are intricately linked with the production and use of energy. Improving air quality and developing strategies to address climate change are central to the Agency's mission to protect public health and the environment.

The EPA's Air, Climate, and Energy (ACE) research program conducts research to inform policy and regulatory action. The EPA relies on this scientific and technical information to understand the interplay between air quality, climate change, and the changing energy landscape. ACE's research outputs and data are fundamental in making accurate and defensible policy decisions. With ACE research, the EPA can effectively enforce the Clean Air Act and other statutory and regulatory obligations.

The ACE program engages with EPA partners and stakeholders to provide research to inform policy and regulatory action that considers the impacts beyond the stack or tailpipe. For example, with the Safe and Sustainable Water Resource (SSWR) and the Sustainable and Healthy Communities Research Programs (SHCRP), ACE will collaborate on nutrient management research as well as community exposure and vulnerability from nitrogen sources analyses. To address these and other issues, ACE is focusing on the following key challenges:

- Understanding the multi-pollutant nature of air pollution;
- Developing guidance on most cost-effective approaches to reducing air pollution;
- Informing strategies to adapt to and minimize the impacts of climate change on air quality and water quality;
- Assessing the human health and environmental impacts of energy production and use; and
- Understanding the social, behavioral, and economic factors that influence the effectiveness of air quality and climate policies.

Environmental challenges in the 21st century are more complex than ever before. Stressors such as climate change, urbanization, and water quality and quantity have become universal and

require more innovative thinking and collaborative solutions. Effectively addressing these types of challenges will require systems-based solutions that seek to optimize and balance environmental, social and economic objectives. These solutions will require research that transcends disciplinary lines and includes all stakeholders in the process of defining the research to be done and how the solutions are to be integrated. Such new integrated, transdisciplinary approaches, in order to be effective in the real world, require innovation at all steps of the process; from conceptualizing the issue at hand, to technological innovation that allows for development of entirely new, environmentally responsible solutions and fosters new economic development.

FY 2013 Activities and Performance Plan:

Innovative research and development is crucial to improving air quality. In FY 2013, the EPA will continue to address critical science questions on air quality and climate change. To address the needs of decision-makers and other stakeholders, the ACE research program is organized around separate yet interlinked themes:

- *Assess Air Quality Impacts:* The ACE research program will develop and apply methods to assess the impacts and effects of air pollution exposure at individual, community, regional, and global scales. Specifically, ACE scientists will examine exposures to air pollutant mixtures and the associated effects on individuals, ecosystems, communities, and regions, including effects on those most susceptible or vulnerable.

- *Prevent and Reduce Emissions:* The ACE research program will provide the science needed to develop and evaluate approaches to preventing and reducing harmful air emissions. The data and methods resulting from this research can be used to analyze the full life-cycle impacts of new and existing energy technologies and determine whether certain energy choices are sustainable.

- *Respond to Changes in Climate and Air Quality*: The ACE research program will provide modeling and monitoring tools, metrics, and information on air pollution exposure that can be used by individuals, communities, and governmental agencies as they make public health decisions related to air quality.

While these themes guide the research, many of the research projects crosscut the themes. Below are several of the major research efforts planned for FY 2013.

Supporting NAAQS through a Multi-Pollutant Assessment of Emissions, Exposures, and Effects

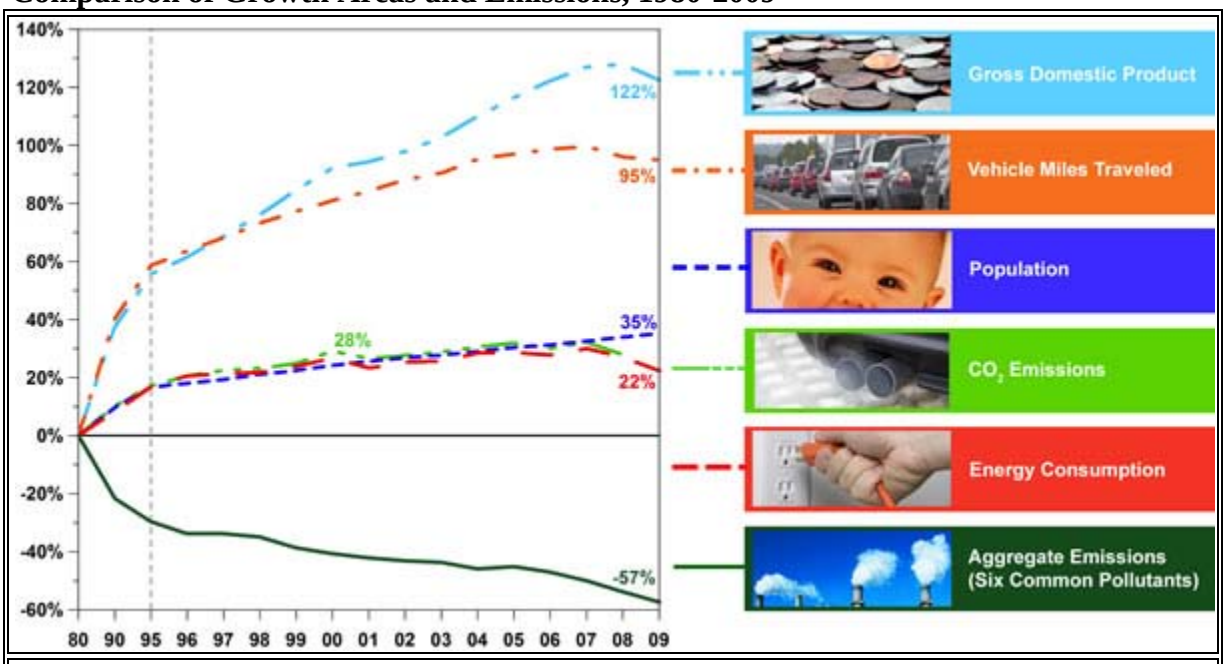
The EPA research program has provided the scientific basis for air quality standards and management practices that have yielded billions of dollars of net economic benefit.[35] ACE will continue to provide the underlying research to support the Agency's implementation of the Clean Air Act, which mandates the review of the National Ambient Air Quality Standards (NAAQS). The EPA research currently provides 40% of the fundamental cited data used to develop the

[35] http://www.whitehouse.gov/sites/default/files/omb/legislative/reports/2010_Benefit_Cost_Report.pdf

NAAQS levels.[36] The EPA also provides the primary tool that states and local governments use to develop implementation strategies. The figure below graphically depicts that since 1980, the NAAQS have led to emissions reductions to improve air quality while during that time period population, vehicle miles traveled and gross domestic product have increased.

[36] http://www.epa.gov/ncea/isa/

Comparison of Growth Areas and Emissions, 1980-2009[37]



Note: CO2 emissions estimate through 2008(Source: 2009 US Greenhouse Gas Inventory Report)

Gross Domestic Product: Bureau of Economic Analysis
Vehicle Miles Traveled: Federal Highway Administration
Population: Census Bureau
Energy Consumption: Dept. of Energy, Energy Information Administration
Aggregate Emissions: EPA Clearinghouse for Inventories and Emissions Factors

Moving forward, the ACE research program is laying the foundation for new air quality management approaches. These approaches more effectively address the actual complexities of air pollution. In FY 2013, the EPA will conduct research that evaluates the multi-pollutant nature of air pollution. The EPA will examine the effects from exposures to air pollutant *mixtures* rather than single contaminants. Single pollutant approaches have been effective to date. However, our nation needs a more realistic approach – one that reflects real-life exposure -- to protect the public and the environment. This research will consider the sources of air pollution (automobile exhaust, coal-fired power plants) and the effects of different exposures (near roadways) of air pollution.

The ACE research program will examine specific health endpoints. For example, the EPA will examine the cardiovascular effects associated with exposures to single and multiple pollutants. The EPA scientists will study the health impacts of "fresh" and "atmospherically aged" emissions. This and related research, including the Human Health Risk Assessment program's shift from single science assessments to multi-pollutant assessments and EPA-supported research

[37] http://www.epa.gov/airtrends/aqtrends.html#comparison

at numerous universities, will inform the EPA on the causes of air pollution related health effects. This multi-pollutant approach builds upon our past success and will allow for more effective use of resources in evaluations of criteria air pollutants as well as more comprehensive and effective evaluation of health effects of exposures than has been possible before. It provides a mechanism for developing scientifically sound strategies for air quality management. Multi-pollutant research will allow the EPA to account for additive, synergistic, or antagonistic effects of contaminant mixtures on individuals and ecosystems.

Near Road Emissions, Exposures, and Health Effects

The EPA will apply the multi-pollutant approach to evaluate the impacts of air pollution near roadways. "Near roadways" research examines the health impacts due to emissions from roadways. This research includes a series of studies that consider emissions, pollutant transport and transformation, exposure, and health impacts. The final study in Raleigh, NC concludes in FY 2014. The results from this near roadway research program will provide information to inform the location of roads, schools, and other infrastructure. The research program also will evaluate potential mitigation approaches (vegetation barriers, improved air handling systems in buildings) to reduce risks from exposure to air pollution near roads. This research has been coordinated with the Federal Highway Administration as well as state and local transportation officials in Nevada and Michigan.

Tools to Support Air Quality Management

The ACE research program in FY 2013 will continue to develop models and methods to support effective air quality management. State and local agencies and the EPA rely on such tools to implement NAAQS. The NAAQS levels are set by the EPA and based on the Human Health Risk Assessment program's Integrated Science Assessments of criteria air pollutants (particulate matter, ozone, lead, sulfur dioxide, nitrogen oxides, and carbon monoxide). Improvements to the widely used Community Multiscale Air Quality (CMAQ) modeling system will increase users' capability to accurately model changes in ozone, particulate matter, and hazardous air pollutant concentrations. The CMAQ is used by nations, states, and communities to model how air pollution levels change when different emission reduction alternatives are used allowing them to test a range of strategies and determine what approach best fits their situation. The CMAQ model has over 1,500 users in the U.S. and about 1,000 more around the world.

In FY 2013, the EPA will improve techniques for measuring and monitoring organic emissions (benzene, toluene, ethylene, and xylene) and greenhouse gas emissions (methane, carbon dioxide). These results will support improved emission inventories and be input into the CMAQ and other models. This will improve the models' results and give air quality managers a better understanding of how their decisions will affect air quality.

In FY 2013, the EPA will also improve methods for monitoring concentrations of pollutants in the air, including monitoring methods for ozone and acrolein. Improved monitoring methods are intended for eventual deployment in national air monitoring networks to support compliance with air pollution standards and to inform community exposure assessments important to local decision making. Exposure assessment tools and data will no longer be a stand-alone effort.

Instead, the EPA will conduct research on multipollutant decision support tools and approaches to support the NAAQS reviews.

Changing the Paradigm for Air Pollution Monitoring

A robust monitoring network is vital to the nation's air quality because it measures and tracks pollutants, identifies pollutant sources, and provides information on how Americans are exposed to air pollutants.

Declining budgets strain already struggling national, state, and local air pollution monitoring resources. Furthermore, governments face growing demands for information to address complex environmental problems. Our nation cannot effectively continue to address air pollution using current monitoring methods and approaches. The U.S. needs more cost-effective and innovative strategies.

To respond to these needs, in FY 2013, the EPA will develop and evaluate innovative approaches for monitoring and characterizing air pollution. For example, the EPA is working with the National Aeronautics and Space Administration (NASA) to examine how to use satellite data to improve air quality management activities. EPA is also developing and evaluating approaches to integrate data collected from monitors at specific places and times with results from models to understand how air pollution changes between the monitored sites and times. In addition, the EPA will also be evaluating the potential application of small low cost sensor technologies to improve air pollution exposure information and to characterize emissions. As these new approaches are developed, the EPA will evaluate and demonstrate the application of these approaches. Such approaches will support community monitoring, provide public information, inform health research, and address the NAAQS compliance and enforcement.

Assessing the Impacts of Climate Change

Climate change is now affecting, and will continue to impact, the health and quality of our environment. The National Academy of Sciences (NAS) report, *Adapting to the Impacts of Climate Change*[38] highlights the impacts to environmental systems that are crucial to our social and economic well-being. Increased flooding, prolonged drought, more severe heat waves, and changes in wetland, forest, and grassland habitats are resulting in contamination of drinking water resources, impaired air and water quality, reduced water quantity, including related socio-economic factors, as well as increased stress on fisheries, wildlife, forestry, and recreational areas. In FY 2013, EPA's researchers will continue work with other federal and state agencies through the U.S. Global Change Research Program (USGCRP). Together they will develop a coordinated national picture of how climate change is impacting human and environmental health. The ACE program researchers and activities will continue to play an important role in the development of the 2013 USGCRP National Climate Assessment.

[38] http://dels.nas.edu/resources/static-assets/materials-based-on-reports/reports-in-brief/Adapting_Report_Brief_final.pdf

Assessing How Weather Patterns Impact Climate Change and the Environment

The EPA will support research on the relationship between climate change, weather patterns, and the environment. Specifically, the EPA will improve global, regional, and local models. The EPA and other government groups rely on models to understand how climate change impacts air pollutants, water runoff, and sewage overflows. The National Oceanic and Atmospheric Administration (NOAA) and the NASA are developing models that can simulate weather extremes and meteorological impacts. The EPA will use the NASA and the NOAA models as a basis to build models that project environmental impacts.

Developing Information to Support Responses to Climate Change

The two key policy responses to climate change are adaptation and mitigation. Communities, states, and businesses are already making efforts to revise design guidelines for water treatment systems. They are also modifying existing systems to adapt to climate-driven changes in the frequency and intensity of precipitation events that can overwhelm treatment systems and degrade water quality. The ACE research program will provide expanded and improved information and tools to support such activities, which allow these communities to adapt to the impacts of climate change on air and water quality. Coordinated with the EPA efforts from the SHCRP and the SSWR research programs, the ACE program's adaptation research will focus on understanding how climate change is affecting the most vulnerable populations and ecosystems. The EPA is working with NOAA, the U.S. Geological Survey, and the Army Corps of Engineers to study the impacts of climate change on estuarine ecosystems. This research will provide needed information for watershed and coastal resource managers to protect productive fisheries and habitats as climatic conditions change. More generally, the EPA will identify the most important individual stressor or combination of stressors for specific subpopulations, species, or habitats within a geographical location. While the EPA will generate new data from experiments and field surveys, considerable effort will be devoted to synthesizing existing information into summary products or populate decision support tools. The EPA will develop web sites as decision support tools to inform decisions on impacts of the changing climate landscape.

Understanding the Environmental Impacts of Energy Production and Use

Hydraulic fracturing (HF) is a widespread practice with significant potential economic benefits, yet significant public and environmental health questions remain. In FY 2013, the EPA will begin to study the impacts of HF on air, water quality, and ecosystems. This research will complement the EPA's current study on potential impacts of HF on drinking water. The EPA's study plan includes coordination between the ACE research program and the Safe and Sustainable Water Resources research program. The EPA is also collaborating with the Department of Energy (DOE) and the Department of the Interior. This collaboration sponsors research that: 1) improves our understanding of the impacts of developing our nation's unconventional oil and gas resources, and 2) ensures the safe and prudent development of these resources. The ACE research program will examine the air quality impacts from natural gas drilling and HF operations. Research could include ambient air monitoring, emissions measurements from fugitive points, air quality and exposure modeling, and associated health

effects assessment. This research will inform national and state policies as well as the design and implementation of more sustainable approaches.

The United States strives to meet the demands of a growing economy by relying on more clean energy. In FY 2013, the ACE research program will evaluate how changes in national policy and energy technology may affect air pollutants and greenhouse gas (GHG) emissions and other environmental and human health endpoints. This work also will help the EPA understand how clean energy technologies impact water quality. The results of this research will guide policy makers at federal, state, and local levels. Guidance, such as the *Biofuel Report to Congress*, will inform policy makers in implementing legislative requirements (state renewable portfolio standards). The ACE research program broadly considers the environmental impacts of energy production and use across the full life cycle, such as how increased use of residential wood boilers for home heating can reduce GHG emissions but cause local air pollution problems. This research also will inform policies and strategies developed by the DOE, the United States Department of Agriculture (USDA), and others to build an economically and environmentally sustainable energy system for the United States.

Research Partnerships

In all these efforts, the ACE program will continue to build on successful research partnerships across academic and private sector research organizations, including its Clean Air Research Centers and support of the Health Effects Institute. Approaching air pollution and climate change from a perspective of sustainability requires the EPA to strengthen its existing interactions with other state and federal agencies, including the NOAA, the DOE, the USDA, the National Institutes of Health, the Federal Highway Administration, and the National Association of Clean Air Agencies. These partnerships have made the ACE research program more relevant to decision makers; in turn, having a more lasting benefit, while also achieving multiple goals in less time and with less resources than would otherwise have been possible.

The EPA also partners with utilities. For example, the EPA collects mercury emissions data directly from utilities. This partnership allows the EPA to assess the effectiveness of existing technologies in meeting current mercury reduction requirements. In FY 2013, the EPA will study mercury emissions and control characterization as part of a multi-pollutant research effort.

Performance Targets:

Measure	**(AC1) Percentage of products completed on time by Air, Climate, and Energy research program.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target							100	100	Percent
Actual									

Measure	(AC2) Percentage of planned research outputs delivered to clients for use in taking action on climate change or improving air quality.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							100	100	Percent
Actual									

The table reflects the ACE program's annual performance measures. EPA uses these measures to assess our effectiveness in delivering needed products and outputs to clients (decision-makers, states, and local governments).

The EPA collaborates with several science agencies and the research community. We also work with the White House's Office of Science and Technology Policy. The EPA supports the interagency Science and Technology in America's Reinvestment – Measuring the Effect of Research on Innovation, Competitiveness and Science (STAR METRICS) effort. STAR METRICS strives to measure the impact federal science investments have on society, the environment, and the economy.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$575.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$3,755.0 / +4.5 FTE) This increase to support hydraulic fracturing within the Air, Climate and Energy (ACE) research program, along with the increase in the Safe and Sustainable Water Resources research program, reflects an EPA investment of $14.1 million. Increased resources will address questions regarding the potential impacts of hydraulic fracturing (HF) on air quality. The additional resources include $612.0 associated payroll for 4.5 FTE. (Please refer to the Research: Safe and Sustainable Water Resources program/project description for an explanation of the water quality and ecosystems portion of this research investment.)

- (+$3,280.0) In FY 2013, the EPA will support climate change research originally planned for 2012. This increase will support research to understand the impacts of climate change on human health and vulnerable ecosystems. The research will accelerate efforts to: evaluate the interactions between climate change and air quality; initiate development of methods to measure carbon dioxide from geological sequestration sites; and increase efforts to develop approaches to adapt to a changing climate. This research will provide regions, tribes, states, and cities with more tools and technologies to support their climate change programs.

- (+$1,766.0) In FY 2013, the EPA will support biofuels research originally planned for 2012. This effort expands our understanding of the potential impacts to human health and ecosystems related to the increased production and use of second-generation biofuels, which are required by the Energy Independence and Security Act (EISA). This research will focus on emerging feedstocks such as corn stover and other cellulosic materials.

This science will support development of the Report to Congress (mandated in Section 204 of EISA).

- (+$1,500.0) In FY 2013, the EPA will support air monitor research originally planned for 2012. This increase will support the development of efficient, high-performing, and cost-effective monitors for ambient air pollutants. This effort is designed to provide innovative approaches for monitoring air pollution. Such monitors will replace outdated techniques, produce more detailed information, and reduce the cost of monitoring for the EPA, states, and local agencies.

- (+$185.0 / +2.8 FTE) This reflects the net result of realignments of infrastructure, FTE, and resources such as equipment purchases and repairs, travel, contracts, and general expenses that are proportionately allocated across programs to better align with programmatic priorities. The increase to resources includes 2.8 FTE and associated payroll of $381.0.

- (-$214.0) This decrease eliminates the EPA's fluid modeling research facility, used to study the effect of roadway configuration and wind direction on near-road dispersion.

- (-$914.0 / -1.3 FTE) This reduction reflects administrative savings from continued efforts to streamline operational expenses and activities, including information technology (IT) support activities. The reduced resources include 1.3 FTE and associated payroll of $177.0.

- (-$971.0 / -4.2 FTE) This reduction eliminates the Mercury Research Program. The EPA will no longer study mercury characterization or evaluate mercury emission control technologies as a separate research effort. Mercury emission and control characterization will be conducted as one of several co-emitted pollutants. Currently, the Agency collects mercury emissions data directly from utilities, which show the effectiveness of existing technologies to meet current reduction requirements, thereby reducing the need for technology research. This includes a decrease of 4.2 FTE and associated payroll of $571.0 aligned with mercury research.

- (-$1,913.0) This reflects a reduction to resources for the development of exposure assessment tools. This research will be incorporated into larger integrated efforts, such as studies on the effects of air pollution from roadway traffic. It also reflects a decrease in funding for particulate matter (PM) decision support tools and efforts to assess residential and personal exposure to air pollution. This reduction scales back the development of decision support tools related to managing PM and its precursors. The EPA will conduct research on multipollutant decision support tools and approaches to support the NAAQS reviews.

Statutory Authority:

CAA 42 U.S.C. 7401 et seq. Title 1, Part A – Sec. 103 (a) and (d) and Sec. 104 (c); CAA 42 U.S.C 7402(b) Section 102; CAA 42 U.S.C 7403(b)(2) Section 103(b)(2); Clinger Cohen Act, 40

U.S.C 11318; Economy Act, 31 U.S.C 1535; EISA, Title II Subtitle B; ERDDA, 33 U.S.C. 1251 – Section 2(a); Intergovernmental Cooperation Act, 31 U.S.C. 6502; NCPA; NEPA, Section 102; PPA; USGCRA 15 U.S.C. 2921.

Program Area: Research: Safe and Sustainable Water Resources

Research: Safe and Sustainable Water Resources

Program Area: Research: Safe and Sustainable Water Resources
Goal: Protecting America's Waters
Objective(s): Protect Human Health; Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	***$117,458.3***	***$113,476.0***	***$121,190.0***	***$7,714.0***
Total Budget Authority / Obligations	$117,458.3	$113,476.0	$121,190.0	$7,714.0
Total Workyears	423.2	436.3	443.5	7.2

Program Project Description:

The EPA's research programs produce the scientific information and tools that the EPA needs to meet its legal, statutory, and policy guidelines. Specifically, the Safe and Sustainable Water Resources (SSWR) research program assists the EPA's National Water Program and regional offices to achieve their statutory and regulatory obligations to include implementation of the Safe Drinking Water Act (SDWA) and the Clean Water Act (CWA) by:

- Characterizing and managing human health and environmental risks across the water continuum;
- Providing data, tools, and technical support for the development of drinking water and water quality criteria;
- Developing effective systems-based watershed management approaches;
- Applying technological options to restore and protect water bodies by providing information on effective identification, treatment, and management alternatives; and
- Developing and demonstrating new integrated approaches for water and wastewater treatment.

Increasing demands for sources of clean water, combined with changing land use practices, population growth, aging infrastructure, and climate change and variability, pose significant threats to the Nation's water resources. Adequate and safe water underpins the nation's health, economy, security, and ecology (NRC, 2004).[39] Failure to manage our nation's waters in an integrated and sustainable manner will limit economic prosperity and jeopardize both human and aquatic ecosystem health. To ensure our nation's water resources are safe for use and can be preserved for future generations, the EPA's Research and Development program is developing innovative solutions to these complex 21st Century water challenges.

For the most part, people, industry, and government are turning to solutions that enhance economic growth and social well-being as well as public health and the environment. These solutions will require research that transcends disciplinary lines and includes all stakeholders in

[39] For more information, please see Confronting the Nation's Water Problems: the Role of Research http://www.nap.edu/catalog.php?record_id=11031.

the process of defining the research to be done and how the solutions are to be integrated. Such new integrated, transdisciplinary approaches, in order to be effective in the real world, require innovation at all steps of the process; from conceptualizing the issue to be addressed, to technological innovation that allows for creation of entirely new environmentally responsible solutions and fosters new economic development.

The SSWR research program successfully integrates both drinking water and water quality research to address these complex water resource issues more effectively. In addition, the SSWR research program is partnering with other EPA research programs. For example, the Sustainable and Healthy Communities (SHC) research program's National Atlas Project provides national land cover data and watershed delineation for use in the SSWR program's development of watershed integrity indices. The SSWR research program results then feed back to users through National Atlas. The results of collaborative research improve decision-makers' ability to make better informed and more complete choices.

Furthermore, in an effort to maximize use of the EPA's Research and Development program workforce and expertise, the EPA will develop research "communities of practice." One such community of practice will focus on modeling approaches across media and disciplines. This approach will improve effectiveness by establishing standardized protocols for models developed and used by all of Research and Development program models from one discipline can be easily modified for use on problems that require more than a single disciplinary focus. The EPA also intends to build "communities of practice" around hydrology and decision support.

America's water resources are vast and although the EPA provides much of the scientific foundation for protecting the environmental and public health of this resource; it does not act alone. The SSWR research program is working with states and federal agencies including the National Aeronautics and Space Administration, the Department of Energy (DOE), the United States Department of Agriculture, the United States Geologic Survey, the Centers for Disease Control and Prevention, and the Department of Defense. In addition, the SSWR program and other EPA programs and offices, will partner with the Army. As a part of their Net Zero Initiative, the SSWR program will assist the Army's effort to develop and demonstrate innovative water technologies to accomplish the Army's goal of net zero energy, water, and waste by 2020.

FY 2013 Activities and Performance Plan:

In FY 2013, the Safe and Sustainable Water Resources research program will continue addressing critical science questions related to the development and maintenance of safe water resources and preservation of water resources for future generations. The SSWR research program is organized around two interrelated themes: Sustainable Water Resources and Sustainable Water Infrastructure Systems.

Sustainable Water Resources

Research conducted under the sustainable water resources theme integrates social, economic, and environmental sciences to provide innovative approaches for safe and sustainable water quality. Research is focused primarily on the water quality to meet designated uses (e.g., drinking water,

aquatic life, recreation, industrial processes) and sustain healthy people, ecosystems, and economies.

Watersheds, and their associated aquatic resources, provide critical services that support our economy and society. Stressors (e.g., climate change, habitat alteration, invasive species, toxic pollutants) acting in these watersheds result in a large number of degraded watersheds across the nation. The SSWR program's research focuses on better understanding:

- Resiliency of watersheds to stressors;
- Which watersheds require enhanced protection to sustain water resources; and
- Factors affecting successful watershed restoration to better prioritize restoration efforts.

In FY 2013, the EPA will support this effort by:

- Developing approaches to assess watershed integrity, resilience, and restoration potential by establishing key watershed indicators;
- Using a systems approach to investigate approaches to sustain water quality in watersheds;
- Beginning to characterize the social, economic, human health, and environmental impacts of water quality degradation; and
- Evaluating cost-effective watershed management strategies.

Naturally occurring contaminants and land use practices (e.g., energy production, mineral extraction, deep well injection activities, agriculture, urbanization) can impair watershed integrity, lead to loss of wetland and riparian habitats, harm estuarine and coastal ecosystems, contaminate drinking water supplies, and deplete groundwater resources. Decision-makers and environmental managers need tools to assess the sustainability of watersheds and the services they provide under current and future land use and management practices. Current regulatory and non-regulatory efforts are often piecemeal and fail to fully protect watersheds from the cumulative effects of many land use related stressors.

The SSWR research program will develop resource management tools to allow decision-makers to systematically consider complex tradeoffs occurring on a watershed, regional, or national scale. For example, research conducted by the SSWR program, including the development of wetland health indicators and the interpretation of the national wetlands survey data, is informing the EPA's first National Wetlands Condition Report.[40] This report will form the baseline for analyzing future wetland changes and trends in response to programs and policies.

Protection of surface and subsurface water, necessary for human and ecological use, is compromised by the inability to adequately assess and mitigate risks posed by waterborne chemical and microbial contaminants. In FY 2013, the Research and Development program's researchers will begin developing tools for better detection and assessment of groups of waterborne chemicals and microbial contaminants with the most potential to negatively impact human and ecosystem health. In FY 2013, the SSWR program will report on the production of

[40] For more information, see:
http://www.fws.gov/wetlands/_documents/gSandT/OtherInformation/EPANationalWetlandConditionAssessmentFS.pdf

Nitrosodimethylamine (NDMA) in drinking water; NDMA is a compound of concern because of its carcinogenic potential. These assessments and tools could allow decision makers to more effectively reduce risks, improve cost-effective treatment options, and develop guidance for the use of less hazardous products.

Excess loading of nutrients is among the most prevalent causes of surface water quality impairment. States use existing nutrient criteria, which are inadequate to remedy water resource impairments. There is a need for more effective nutrient criteria, specifically numeric nutrient criteria, and a need for public understanding of the benefits of such criteria to society, the economy, and human and ecological health. In support of the Agency's Recommended Elements of a State Nutrients Framework,[41] the EPA will conduct research to improve, demonstrate and apply numeric nutrient criteria approaches across different scales and water body types. The SSWR researchers, working with stakeholders, will continue collecting data and developing systems models to assist decision-makers with nutrient management approaches to preserve water resources for future generations. Nutrient management research will be highly integrated with the Sustainable and Healthy Communities and the Air, Climate, and Energy research programs and leveraged through collaboration with the EPA regions and the states.

Energy and mineral extraction and production may impact surface and subsurface water resources. The SSWR program is developing assessment techniques to assist our policy and decision makers in the selection of a more socio-economically and environmentally responsible energy future. The FY 2013 energy and minerals extraction and injection research will focus on understanding and preventing the impacts of subsurface land use practices on water resources, including hydraulic fracturing (HF).

Hydraulic fracturing is a widespread practice with significant potential economic benefits. The EPA seeks to understand the public and environmental health questions while maximizing the benefits of HF practices. The EPA will continue conducting research to determine whether HF has adverse effects on drinking water resources. As part of our FY 2013 research activities, the EPA will release an Interim Report on the Impacts of Hydraulic Fracturing on Drinking Water Resources in calendar year 2012. In addition, the EPA will begin studying the impacts of HF on air, water quality, and ecosystems. This research will complement the EPA's current study on potential impacts of HF on drinking water.

The EPA's study plan includes coordination between the SSWR research program and the EPA's Air, Climate and Energy research program. The EPA is also collaborating with the DOE and the Department of the Interior under a developing Memorandum of Understanding. This collaboration: 1) improves our understanding of the impacts of developing our nation's unconventional oil and gas resources, and 2) minimizes potential risks in developing these resources. The SSWR research program, in collaboration with the EPA's Office of Water and other EPA programs, will examine the potential impacts of HF practices, such as HF fluids and waste, on ecosystems and water quality. EPA's scientists will examine human and environmental health issues associated with hydraulic fracturing including changes in aquatic and terrestrial ecosystems, potential benefits of reduced HF wastewater volume and toxicity, and potential

[41] For more information, please see:
http://water.epa.gov/scitech/swguidance/standards/criteria/nutrients/upload/memo_nitrogen_framework.pdf

screening for seismic risks from HF. This research will inform national and state policies as well as the design and implementation of more sustainable approaches to oil and natural gas extraction that minimize impacts to the environment.

Sustainable Water Infrastructure Systems

Research conducted under the sustainable water infrastructure theme focuses on developing innovative water infrastructure management approaches and techniques for reducing institutional and behavioral barriers to developing improved water resources management. A systems approach to water management might include water conservation, considering wastewater and grey water as a resource, water reuse, groundwater recharge, use of green infrastructure, and energy conservation and recovery. Research will encompass system design, treatment alternatives and their potential health impacts, life-cycle analysis, best management practices (BMP), resiliency, and viability of water resources.

Storm events, and the resulting runoff of water in developed areas, can cause combined sewer overflows, excessive stormwater discharges, and a loss of permit compliance under the Clean Water Act. Green infrastructure projects are a more cost-effective way to manage storm related flows. Green infrastructure BMPs retain and infiltrate stormwater and provide the co-benefits of recreational opportunities, jobs, and increased property values. For example, the EPA collaborated with the city of Cleveland to propose an approach for incorporating green infrastructure projects into their stormwater consent decree. The proposal was accepted by the court.

In FY 2013, the SSWR program will continue developing and evaluating green infrastructure in several regional projects and will release a report on the effectiveness of green infrastructure BMPs. Research will provide guidance to assist with selection and implementation of appropriate green infrastructure technologies at various scales and locations. This information is important to municipal governments facing stormwater consent decrees and for capital planning projects to meet both the current and future needs. The EPA will provide technical guidance to municipalities across the country such as Philadelphia, Omaha, Louisville, Cleveland, and Kansas City to improve water quality by incorporating green infrastructure with gray infrastructure into plans to better control water pollution during storm events.

In addition, the SSWR research program will continue developing complete life-cycle assessments of several types of water systems (e.g., different sizes, conditions, costs) to aid water managers in making decisions that result in sustainable infrastructure to provide safe water. Integration of public health, socio-economic, and ecological factors is important for stakeholder comparisons between the *status quo* and novel/alternative scenarios for water services.

The SSWR research program also will continue to develop, evaluate, and demonstrate new water infrastructure technologies to improve cost-effectiveness and efficiency in water systems through research at the EPA Research and Development program's Technology Cluster in Cincinnati. The SSWR researchers will continue working with metropolitan partners to demonstrate treatment technologies for drinking water and wastewater treatment at the cluster facilities and

elsewhere. Results of this research will be provided to communities and regions to assist in future planning.

Breaches in aging drinking water distribution systems, between the treatment plant and the consumer's tap, can result in exposure to detrimental amounts of contaminants (both chemicals and pathogens). These contaminants are an important source of adverse waterborne health impacts. In FY 2013, the EPA will conduct research to develop innovative approaches to monitor aging water distribution and collection systems and mitigate those impacts.

The EPA is conducting research on the use of systems-based approaches to identify and manage nutrient degraded water resources and to promote protection and recovery. In FY 2013, the SSWR research program will continue developing approaches to demonstrate integrated nutrient management for estuarine ecosystems and watersheds to develop solutions that can be broadly applied to our nation's coastal watersheds. The EPA is refocusing resources to support a Southern New England Program for Innovative Estuarine Approaches. The work of the program will develop scientific and technical solutions to inform policies, environmental management structures, and business approaches to ensure the sustainability of our coastal watersheds and estuaries. Research from across the SSWR program is being used to identify and develop the scientific, technological, and behavioral innovations needed to manage nutrients in estuarine ecosystems and watersheds.

Performance Targets:

Measure	**(SW1) Percentage of planned research products completed on time by the Safe and Sustainable Water Resources research program.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target							100	100	Percent
Actual									

Measure	**(SW2) Percentage of planned research outputs delivered to clients and partners to improve the Agency's capability to ensure clean and adequate supplies of water that support human well-being and resilient aquatic ecosystems.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target							100	100	Percent
Actual									

The table reflects the SSWR research program's annual performance measures. The EPA uses these measures to assess our effectiveness in delivering needed products and outputs to clients (decision makers, states, and local governments).

The EPA collaborates with several science agencies and the research community. The EPA also works with the White House's Office of Science and Technology Policy. The EPA supports the interagency Science and Technology in America's Reinvestment – Measuring the Effect of Research on Innovation, Competitiveness and Science (STAR METRICS) effort. The STAR METRICS strives to measure the impact federal science investments have on society, the environment, and the economy.

FY 2013 Change from FY 2012 Enacted Budget: (Dollars in Thousands)

- (+$3,774.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$4,250.0 / +5.5 FTE) This increase to support hydraulic fracturing (HF) research within the Safe and Sustainable Water Resources research program, along with the increase to support HF in the Air, Climate and Energy research program, reflects a total EPA investment of $14.1 million. Increased resources will address additional questions regarding the safety of HF. This investment will complement current research to study the potential impacts of HF on drinking water. Research will address the potential impacts of HF on air quality, water quality, and ecosystems and will be conducted in collaboration with the Department of Interior and the Department of Energy.

  In coordination with the Sustainable and Healthy Communities research program, the SSWR program will assess the impacts of reduced HF Wastewater discharge on aquatic indicators and ecosystems, including toxicity testing. The EPA Research and Development program will work with the EPA Water program to screen for HF induced seismic risks. In addition, the SSWR program will conduct research to understand the impacts of disposal of HF fluids and materials. The additional resources include $721.0 associated payroll for 5.5 FTE. (Please refer to the Research: Air, Climate and Energy program description for an explanation of the air quality portion of this research investment.)

- (+$2,000.0) This reflects a refocusing of resources to support a Southern New England Program for Innovative Estuarine Approaches. The changing human landscape is placing ever increasing pressure on our coastal systems, as existing infrastructure ages and proves ineffective to support the changing demographics. The program will work with industrial, city and state partners to develop innovative scientific and technical solutions to protect estuarine ecosystems. Innovative scientific and technical solutions generated through this work will inform policies, environmental management structures, and business approaches to ensure the sustainability of our coastal watersheds and estuaries.

- (+$1,800.0) The EPA will conduct research to integrate both natural and built water infrastructure to reduce combined sewer overflow impacts. Resources will support development of regional projects that integrate natural and built water infrastructure as well as research to monitor and understand the benefits of existing integrated natural, built and green infrastructure. Projects will result in savings for states and communities through avoidance of combined sewer overflow impacts.

- (+$465.0 / +3.4 FTE) This reflects the net result of realignments of infrastructure FTE and resources such as equipment purchases and repairs, fixed costs, contracts, and general expenses that are proportionately allocated across programs to better align with programmatic priorities. The additional resources include 3.4 FTE and associated payroll of $445.

- (-$1,098.0 / -1.5 FTE) This reduction reflects an elimination of research to model and track human exposure to pathogens at beaches. The EPA expects to have met requirements set forth in the court settlement agreement and consent decree. The reduced resources include 1.5 FTE and associated payroll of $197.0.

- (-$1,151.0 / -0.2 FTE) This reduction reflects administrative savings from continued efforts to streamline operational expenses and activities, including information technology (IT) support activities. The reduced resources include 0.2 FTE and associated payroll of $26.0.

- (-$2,326.0) This reflects a reduction of funding from innovative drinking water technology research, including a competitively awarded center for research on small drinking water systems, with additional reductions to drinking water and water quality research for technical support activities.

Statutory Authority:

SDWA Part E, Sec. 1442 (a)(1); CWA Title I, Sec. 101(a)(6) 33 U.S.C. 1254 – Sec 104 (a) and (c) and Sec. 105; ERDDA 33 U.S.C. 1251 – Section 2(a); MPRSA Sec. 203, 33 U.S.C. 1443; ODBA Title II; SPA; CVA; WRDA; WWWQA; MPPRCA; NISA; CZARA;, CWPPRA; (ESA; NAWCA; *FIFRA* 7 U.S. C. 135 et seq; TSCA U.S. C. 136 et seq.

Program Area: Research: Sustainable Communities

Research: Sustainable and Healthy Communities

Program Area: Research: Sustainable Communities
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	***$192,436.1***	***$170,741.0***	***$165,730.0***	***($5,011.0)***
Leaking Underground Storage Tanks	$501.6	$396.0	$490.0	$94.0
Oil Spill Response	$1,204.3	$613.0	$618.0	$5.0
Hazardous Substance Superfund	$21,347.9	$17,677.0	$17,798.0	$121.0
Total Budget Authority / Obligations	$215,489.9	$189,427.0	$184,636.0	($4,791.0)
Total Workyears	627.9	612.7	620.9	8.2

Program Project Description:

Our nation's communities make social, economic, and environmental trade-offs in a resource-constrained world. These trade-offs are often not well-characterized in terms of the implications and interactions between human health, ecosystem services, economic vitality, and social equity. In turn, conventional decision-making often does not adequately characterize these complex interactions and can result in unanticipated consequences. To address this dilemma, the Sustainable and Healthy Communities Research Program (SHCRP) will inform and empower decision-makers in communities, as well as across EPA and in federal, state and tribal governments, to effectively and equitably weigh and integrate human health, socio-economic, environmental, and ecological factors into their decisions.

Community decisions that impact human health and environmental quality in the 21st Century are more complex than ever before. Stressors such as climate change and urbanization, for example, have become universal, and require different thinking and solutions than in the past. People, industry, and government are turning increasingly to solutions that enhance economic growth and social well-being, as well as public health and the environment. These solutions will require research that transcends disciplinary lines and includes all stakeholders in the process of defining the research to be done and how the solutions are to be integrated.

In order for the SHCRP to become more socio-economically and environmentally integrated, future approaches to protecting human health and the environment must:

- Consider the inextricable link between the natural environment and human well-being;
- Focus on proactive, preventative strategies that optimize management of multiple chemical, material and energy streams; and
- Apply systems analysis to avoid unintended consequences and maximize valuable co-benefits.

The goal of the SHCRP is to utilize a systems-based approach to research that will enable community leaders and other decision makers to understand the linkages and weigh trade-offs among human health, socio-economic, environmental, and ecological factors to foster community sustainability. The EPA seeks to inform community leaders to weigh factors including pressures on community infrastructure, provision of a safe and sustainable water supply, waste management, and clean air as they make local decisions.

The beneficiaries from the SHCRP research include state and local governments, the EPA program and regional offices, tribes, various community groups, and individuals. The SHCRP will conduct integrated, transdisciplinary research to provide tools, methods, and information to:

1) Assess the current human and ecological health of communities;
2) Evaluate the implications of alternative policies and management actions;
3) Identify/develop indicators to measure results and track changes; and
4) Facilitate the decision-making process such that full value accounting routinely factors into decisions along with consideration of the full suite of a community's values.

The two most important outcomes of the program for communities who utilize the SHCRP research will be: 1) providing tools to improve communities' ability to proactively make policy and management choices based on a full accounting of the costs, benefits and tradeoffs among social, economic, and ecological outcomes of alternative management actions; and 2) to identify creative and equitable solutions to community environmental problems that provide multiple environmental, social and economic benefits while avoiding unintended consequences of poorly informed decisions and actions. To facilitate these outcomes, the SHCRP will develop a method to more comprehensively account for the full costs and benefits of community decisions. This method called Total Resource Impacts and Outcomes (TRIO) accounting, considers economy, society, and environment.

There are important outcomes for the EPA program and regional offices as well. One of the premises of the SHCRP is that the best way to meet the long term goals of the EPA's program offices is to help communities find better and more efficient ways to meet federal requirements. This will be accomplished by providing information that helps the EPA, state and local governments develop regulations that are less expensive and where possible, that help avoid the need for regulation altogether through innovative and effective non-regulatory approaches. Most broadly, the Research and Development program's transdisciplinary, systems based research will assist the EPA in recognizing synergies in the protection of human and ecosystem health, and incorporate this understanding to improve the quality of regulatory decisions. More specifically, the SHCRP will continue to address targeted research needs of the EPA's program and regional offices that support critical regulatory and policy needs, such as waste and materials management, and contaminated site remediation. The SHCRP will also focus research on the EPA's cross-cutting strategic goals of protecting children's health, ensuring environmental justice (decreasing environmental and health disparities), and providing essential information and insights for the EPA's Report on the Environment (ROE).

The work of the SHCRP falls into four inter-related themes:

- ***Data and Tools to Support Sustainable Community Decisions*** uses interactive social media and other innovative means to enable communities and stakeholders to actively engage in the planning, design, and implementation of the SHCRP research to meet their desired sustainability goals.

- ***Forecasting and Assessing Ecological and Community Health*** conducts innovative research that will enable communities to ensure the sustainable provision of ecosystem services and to assess how the natural and built environment affects the health and well-being of their residents.

- ***Near-term Approaches for Sustainable Solutions*** builds upon EPA program experience in order to improve the efficiency and effectiveness of methods to address existing sources of land and groundwater contamination while moving to innovative approaches that reduce new sources of contamination and enable recovery of energy, materials, and nutrients from waste.

- ***Integrated Solutions for Sustainable Outcomes*** assesses the state of the art of sustainable practices for four high-priority community decision areas: waste and materials management; infrastructure, including energy and water; transportation; and, planning and zoning for buildings and land use. It will use whole-system modeling to integrate these four areas to better achieve outcomes with multiple benefits and to develop and test TRIO accounting methods.

FY 2013 Activities and Performance Plan:

In FY 2013, the SHCRP will undertake specific research to develop decision analysis and support tools, and will use interactive social media to enable communities to directly participate in the design, planning and implementation of the SHCRP research. The SHCRP will develop tools and methods to fully account for the environmental (ecological and human health), economic, and social consequences and inter-relationships involved in making decisions at the community level. Some of these tools and methods will be designed to "value" ecosystems for their contribution to human well-being, and how that value will change or remain under various alternative future scenarios and decisions. Examples of the SHCRP's continuing research activities and products in this area include:

- In collaboration with several other Federal agencies (United States Geological Survey, the United States Forest Service, the United States Department of Agriculture, and the National Oceanic and Atmospheric Administration), developing a system to classify ecosystems in terms of the services they provide (e.g. air or water purification, habitat, etc.) and also identify metrics and indicators that decision makers can use to determine how best to support that system;
- Developing a National Atlas of Sustainability which displays national, regional, and community-scale ecosystem services, and ecosystem production functions that can be used to forecast impacts of change and policy/management alternatives;

- Developing cost-effective methods to transfer measured ecosystem goods and services to ecologically similar, but currently unmonitored locations, so decision makers can utilize information about their landscape;
- Developing partnerships within the EPA and communities to demonstrate how to incorporate measured ecosystem goods and services in specific decision-making contexts; and
- Writing guidance on how to use integrative ecosystem goods and services, and system based models to help inform market decisions (e.g., how to estimate credits for markets).

This research will depend on collaboration with, and research outputs from, the Safe and Sustainable Water Resources (SSWR) research program (e.g. information on costs and benefits associated with green versus gray infrastructure) and the Air, Climate and Energy (ACE) research program (e.g. projections of energy supply and demand, deposition and distribution of air pollutants) to fully inform full value accounting of alternative decisions.

In FY 2013, the SHCRP will also conduct research to inform and assess decisions to improve community and public health. This research has two essential outcomes:

1) Enable communities to prevent exposures and adverse health impacts of environmental contaminants and other stressors; and
2) Enable communities to make development decisions that foster public health with special emphasis on vulnerable groups.

This research will provide decision-makers with approaches, data, guidance, and other tools to inform and assess options for public-health decisions related to priority community concerns. Examples of these concerns include how to make wise decisions regarding buildings and infrastructure, land use, transportation, and waste and materials. These are high-priority sectors that contribute to the complexity of exposures and effects within a given community. This research will rely upon and apply models, tools, and data developed by the Chemical Safety for Sustainability (CSS), the ACE, and the SSWR research programs related to cumulative risk of environmental contaminants and incorporate this information into systems models for community use to enable higher order consideration of social, cultural, and economic factors contributing to health and well-being.

In FY 2013, the SHCRP will also continue to support high-priority Agency research needs. These are research efforts that are largely underway, and that the EPA's program and regional offices are depending on to fulfill their statutory and regulatory requirements. For example, the SHCRP is developing materials management and sustainable technologies that reduce volume of contaminants, produce benefits or conserve resources, and minimize risks of exposure to people and ecosystems. The EPA's Solid Waste and Emergency Response program, states and tribes can apply this science to policy, regulations, and program implementation. The SHCRP and other research programs will partner with the Army. As part of their Net Zero Initiative, the SHCRP will assist the Army in their effort to develop and demonstrate innovative waste technologies to accomplish the Army's goal of net zero energy, water, and waste by 2020. This area of research is fully aligned with SHCRP research on waste and materials management.

The EPA's Air and Radiation and Water programs are working to develop standards and policies to deal with increasing levels of nitrogen pollution. The SHCRP is developing nitrogen management tools and information to provide a scientific foundation for nitrogen management approaches and policy across the EPA. It will provide information to the National Ambient Air Quality Standards (NAAQS) process, guiding the standards, and monitoring the response of ecosystems to changes in standards. It will also provide information to the EPA's Water and regional programs to improve nutrient management, provide information about sources of nitrogen, and the best ways to reduce it. This work will substantially benefit the EPA's Water program and will be carried out collaboratively with the SSWR research program. The SHCRP is also developing scenario analyses tools that assess regional vulnerabilities of communities to air and water quality exposure stemming from nitrogen sources, and local vulnerability of selected communities to air-sheds and water-sheds which may transport nitrogen pollution to them, versus self-generated pollution. The SHCRP will conduct this research collaboratively with the SSWR and ACE research programs.

One of the Administrator's priorities for the Agency is to work toward environmental justice[42]. The SHCRP is developing the science to support the EPA's efforts to bring environmental justice to our communities by providing methods for conducting disproportionate impact analysis, particularly for characterizing and assessing cumulative impacts. This research will be conducted collaboratively with the EPA's Environmental Justice program as well as the Department of Health and Human Service's National Institute for Minority Health and Health Disparities. Similarly, research is being conducted in an area known as "complex interactions." This research will assess interactions between social, natural and built environmental systems, and conditions/policies that result in unequal environmental health conditions or disproportionate impacts among diverse disadvantaged population groups, communities, neighborhoods, and individuals. This research will assess drivers of current and changing patterns of social inequalities in environmental health and develop strategies to alleviate systemic drivers of racial and socio-economic disparities.

In FY 2013, the SHCRP is conducting research to understand children's exposures, minimize risks, and inform decisions in community settings where they live, learn, play and work. While building upon challenges remaining in the EPA's Strategy for Research on Environmental Risks to Children,[43] this project is also responsive to the National Action Plans under development by the Federal Task Force to address Environmental Health and Safety Risks to Children[44] and other federal initiatives (e.g., National Prevention Strategy[45], President's Task Force on Childhood Obesity[46]). This research will directly benefit regulatory and programmatic needs of four of the EPA program offices - Chemical Safety and Pollution Prevention, Solid Waste and Emergency Response, Water, Air and Radiation - with respect to life stage susceptibility and will be conducted collaboratively with the CSS (especially with systems models such as the Virtual Embryo), the ACE (especially with impacts of air pollution on childhood asthma) and the Human Health and Risk Assessment (child-specific exposure factors) research programs. It will

[42] http://blog.epa.gov/administrator/2010/01/12/seven-priorities-for-epas-future/
[43] http://www.epa.gov/ncea/pdfs/strat4resrch.pdf
[44] http://yosemite.epa.gov/ochp/ochpweb.nsf/content/whatwe_tf_proj.htm
[45] http://www.healthcare.gov/prevention/nphpphc/strategy/report.pdf
[46] http://www.whitehouse.gov/the-press-office/presidential-memorandum-establishing-a-task-force-childhood-obesity

also benefit the Environmental Justice and Children's Health Protection programs' efforts to reduce children's health disparities in highly prevalent diseases and conditions such as asthma, obesity, and neurodevelopmental disorders. Implementation includes significant collaboration with the National Institute of Environmental Health Sciences (NIEHS) though the EPA-NIEHS co-funded Children's Environmental Health Centers Program.

The SHCRP will also provide the science to update EPA's ROE. The ROE is a comprehensive source of national-level scientific indicators describing the conditions and trends in human health and the environment. The indicators are based on data collected by the EPA, states, and other federal and non-federal organizations and meet high standards for data quality, objectivity, and utility. Activities include:

- Developing a new thematic area on sustainability/sustainable development, with relevant indicators of intensity;
- Updating graphics displaying quantified statistical uncertainty information where possible and appropriate; and
- Setting up a dynamic website interface that highlights interactive, customizable graphics and mapping capability, where appropriate.

In FY 2013, the SHCRP will continue to support Science to Achieve Results (STAR) Fellowships[47], which bolster support to the environmental generation of tomorrow, bridge to diverse communities, and boost excellent research and development that advance the protection of human health and the environment through education. The fellowships are the EPA's contribution to the national effort to ensure that the U.S. meets its current and projected human resource needs in the environmental science, engineering and policy fields.

The SHCRP will provide additional technical support to the EPA program and regions as needed to continue supporting the Agency's mission. While many of the Agency's research needs are known, and ongoing, new and urgent needs will inevitably arise outside of the process of multi-year planning. In these instances, the SHCRP will provide support to any of the EPA programs or regions where the SHCRP researchers' knowledge and skills can better enable development, implementation, or evaluation for the EPA programs and provide the scientific foundation for Agency decisions.

The SHCRP has identified a test community in which to provide community decision makers with tools to account for the full-cost of alternative policy and management approaches in FY 2013. The over-arching goal of this research is to integrate issue-specific tools and approaches with findings from other components of the SHCRP to:

1) Inform a proof of concept pilot study at the community level in Durham, North Carolina to incorporate the tools described above; and

2) Create a framework to assist communities in their efforts to achieve a more socio-economically and environmentally responsible state.

[47] http://www.epa.gov/ncer/fellow/

Performance Targets:

Measure	(HC1) Percentage of planned research products completed on time by the Sustainable and Healthy Communities research program.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							100	100	Percent
Actual									

Measure	(HC2) Percentage of planned research outputs delivered to clients, partners, and stakeholders for use in pursuing their sustainability goals.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							100	100	Percent
Actual									

The table reflects the SHCRP's annual performance measures. The EPA uses these measures to assess our effectiveness in delivering needed products and outputs to clients (decision makers, states, and local governments).

The EPA collaborates with several science agencies and the research community. The EPA also works with the White House's Office of Science and Technology Policy. The EPA supports the interagency Science and Technology in America's Reinvestment – Measuring the Effect of Research on Innovation, Competitiveness and Science (STAR METRICS) effort. The STAR METRICS strives to measure the impact federal science investments have on society, the environment, and the economy.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$863.0) This reduction reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$928.0 / +1.8 FTE) This reflects the net result of realignments of infrastructure FTE and resources such as equipment purchases and repairs, travel, contracts, and general expenses that are proportionately allocated across programs to better align with programmatic priorities. The resources include an increase of 1.8 FTE and associated payroll of $247.0.

- (-$335.0 / +5.5 FTE) This reflects a net adjustment in research on indicators for ecosystems services valuation, better management and decision tools for nitrogen, and advanced models to predict ecological impacts on community public and environmental health decisions which be complete in 2012. The increased resources include 5.5 FTE and associated payroll of $753.0.
- (-$1,000.0) This reflects a reduction in level funding to study the effects of cleaning materials and school settings on children's health. Work to assess the impact of decisions on school siting, and building materials on children's health will continue.

- (-$1,687.0 / -1.0 FTE) This reduction reflects administrative savings from continued efforts to streamline operational expenses and activities, including information technology (IT) support activities. The reduced resources include 1.0 FTE and associated payroll of $137.0.

- (-$54.0 / +1.0 FTE) This reflects a net adjustment to discontinue research on denitrification, life span susceptibility, ecosystems modeling, and field studies in the Willamette Valley which will largely be completed by the end of 2012. The adjustment also delays place-based projects to demonstrate ecosystem valuation methods, and research to support clean-up at RCRA and Brownfield sites. Finally, this adjustment eliminates field research associated with ecosystems services provided by wetlands; the increased resources include 1.0 FTE and associated payroll of $137.0.

- (-$2,000.0) This reflects a discontinuation of the funds for the EPA Laboratory Study in anticipation that funding requested in FY 2012 will be sufficient to complete the study.

Statutory Authority:

Clean Air Act, Sections 103 and 104. 42 U.S.C. 7403, 42 U.S.C. 7404,103; 104; Clean Water Act, Sections 101, 104 & 404, 33 U.S.C. 1254; Clinger Cohen Act, 40 U.S.C. 11318; Coastal Zone Management Act (CZMA), 16 U.S.C. 1451 - Section 302; Executive Order 12898, Executive Order 13045; Executive Order 13508; Environmental Research, Development & Demonstration Authorization Act; Endangered Species Act (ESA), 16 U.S.C. 1531 - Section 2; Federal Insecticide, Fungicide and Rodenticide Act sections 18 and 20; Food Quality and Protection Act P.L. 104-170, 110 Stat. 1489, Intergovernmental Cooperation Act; 31 U.S.C. 6502 (provided specialized or technical services to state or local governments); Indoor Radon abatement sec 306; Marine Protection, Research and Sanctuaries Act, Section 203, 33 U.S.C. 1443; National Environmental Education Act, 20 U.S.C. 5503(b)(3) and (b) (11); National Environmental Policy Act of 1969, Section 102 and 4332; Toxic Substances Control Act, Section 10. 15 U.S.C. 2609; Water Resources Research Act.

Program Area: Research: Chemical Safety and Sustainability

Research: Chemical Safety and Sustainability

Program Area: Research: Chemical Safety and Sustainability
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	***$85,213.6***	***$91,735.0***	***$94,241.0***	***$2,506.0***
Total Budget Authority / Obligations	$85,213.6	$91,735.0	$94,241.0	$2,506.0
Total Workyears	292.1	291.2	293.5	2.3

Program Project Description:

Environmental challenges in the 21st Century are increasingly complex. Environmental stressors, such as climate change, urbanization, and water quality and quantity, for example, have become universal and require different thinking and solutions than in the past; reducing risk can no longer be the only approach to environmental protection. Our nation needs new ways to ensure the safety of chemicals from the very beginning of their uses to prevent adverse effects of chemicals on society and the environment from being manifest while still strengthening our economic well-being.

To address this need, the EPA has reshaped its chemicals research with plans to develop innovative and cost-effective approaches and tools to better inform decisions to reduce harmful effects of chemicals on human health and the environment. In doing so, the EPA is increasing the quality, quantity and availability of information that informs decisions on chemical safety as well as the information available for data-poor chemicals.

Achieving an environmentally sustainable future demands that the EPA address today's environmental problems using a science-based approach while simultaneously preparing for future challenges. In FY 2013, EPA will continue to strengthen its planning, conduct, and delivery of science by looking at problems from a systems perspective. The EPA Science Advisory Board (SAB) advocates support for tackling environmental problems collectively rather than individually to lead to effective solutions. In a letter to EPA Administrator Lisa Jackson, the SAB states that "...a systems approach and transdisciplinary research for ORD… will strengthen the quality and relevance of research supporting EPA's mission now and well into the future[48]."
The EPA has designed a research program that incorporates principles and recommendations from a number of previous reports (e.g., the National Research Council 2007[49], U.S. EPA

[48] Office of Research and Development Strategic Research Directions and Integrated Transdisciplinary Research, July 8, 2010 http://yosemite.epa.gov/sab/sabproduct.nsf/E989ECFC125966428525775B0047BE1A/$File/EPA-SAB-10-010-unsigned.pdf
[49] National Academy of Sciences - Toxicity Testing in the 21st Century: A Vision and a Strategy, 2007 -

2009[50], U.S. EPA 2010[51]) and other advice from external stakeholders. The CSS research program will bring chemicals-related testing, evaluation, and management into the 21st Century and support the Administrator's *Essential Principles for Reforming Chemicals Management Legislation.*[52]

In planning and implementing the CSS research program, the EPA's program and regional offices have worked with the EPA's Research and Development program to identify the critical science questions that guide the CSS research program. The EPA will continue to collaborate with federal and non-government stakeholders in order to achieve its mission of evaluating the safety of chemicals and products. This kind of evaluation allows for simultaneous consideration of society's current demands and the needs of future generations.

The CSS research program will enhance our understanding of the properties of molecular structure, function, and formulation relevant to exposure and biological effects across chemical life cycles. The ultimate goal of the CSS research is to ensure safety in the design, manufacture, and use of new and existing chemicals. Three concepts are central to the CSS research program:

- *Life Cycle*: The cradle-to-grave life cycle perspective to chemical design, manufacture, use, and fate, with the aim to manage potential risk of exposure and impacts;
- *Inherency*: The physico-chemical and material properties of the chemical, and how those properties affect the behavior of chemicals in the environment; and
- *Sustainability*: The broad social, economic, and environmental impacts of chemical use.

The CSS program coordinates its research across the other EPA research programs. Complex interactions of chemicals in a community context require a systems approach to understand the links between exposure and toxicity pathways involved in disease. The CSS research program also evaluates the effects of chemicals at varying life stages along with other susceptibility factors, such as genetics and co-existing diseases, considerations that are important for understanding health and environmental impacts in communities. For example, the CSS research program supports community-level decisions by providing tools and data for use by the Sustainable and Healthy Communities research program. .

FY 2013 Activities and Performance Plan:

The Administration's science and technology priorities[53] stress the need for multidisciplinary research that transforms the approaches used to address the nation's problems. To that end, the CSS research program will develop tools that contribute to the design of safer chemicals. The program will support a range of science activities that inform the EPA's policies. Additionally,

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http://dels.nas.edu/resources/static-assets/materials-based-on-reports/reports-in-brief/Toxicity_Testing_final.pdf

[50] U.S. EPA - Strategic Plan for Evaluating the Toxicity of Chemicals, 2009 - http://www.epa.gov/stpc/toxicitytesting/index.htm

[51] U.S. EPA Administrator Lisa Jackson - Testimony Before the Senate Subcommittee on Superfund, Toxics and Environmental Health, October 26, 2010 - http://yosemite.epa.gov/opa/admpress.nsf/12a744ff56dbff8585257590004750b6/b8dc53af3572128a852577c80060a28d!OpenDocument

[52] http://www.epa.gov/opptintr/existingchemicals/pubs/principles.html

[53] For more information, see the Executive Office of the President memorandum: http://www.whitehouse.gov/sites/default/files/microsites/ostp/fy12-budget-guidance-memo.pdf

the CSS program will develop research products to address chemical risk assessment and management problems identified collaboratively with key science advisors and senior staff from across the EPA.

An efficient use of resources argues for risk assessments and risk management approaches that use only the amount and quality of scientific evidence needed and appropriate for the nature of the problem being addressed. This approach has several key advantages over current approaches:

- Thousands of chemicals can be assessed simultaneously using high-throughput and high content approaches;
- Reducing our reliance on animal testing will in turn reduce the resources needed for data generation; and
- Human disease processes, cell systems, and pathway targets can be studied directly.

The EPA's CSS research program is driven by the need to:

- Tailor data generation and evaluation approaches to support varying decisions;
- More efficiently and effectively assess chemical risks and identify what to do about them; and
- Focus on the highest-priority chemicals-related problems facing the EPA and the nation, so that research remains relevant to the Agency's mission.

Keeping this in mind, in FY 2013, the CSS research program will continue to support science outcomes through three research areas:

- *Developing the Scientific Knowledge, Tools, and Models for Integrated Evaluation Strategies:* The CSS researchers will apply enhanced testing with an integrated system of higher throughput decision support tools to develop these strategies, which will help focus and prioritize assessment of both existing and new chemicals.
- *Improving Assessment and Management Approaches for Chemical Safety and Sustainability*: The CSS researchers will assess the amount and quality of scientific evidence supporting a given assessment or management approach. Because the amount and quality of evidence vary with the nature of the problem and the intended decision to be addressed, this research area will develop approaches that are more responsive to varied specific decision contexts.
- *Targeting High Priority Research Needs for Immediate and Focused Attention*: The CSS researchers will apply integrated evaluation and context-relevant assessment approaches to specific, critical research needs that are required to fulfill regulatory mandates. In particular, this area will focus on addressing the Agency's highest priority, near-term needs.

The EPA will capture the complexities of exposure and dose using high-throughput assays to identify key linkages in the continuum between the production of a chemical, its release into the environment, the resulting exposures, and adverse outcomes for people and the natural environment. Researchers will develop biomarkers of exposure that will enable the characterization of adverse outcomes pathways in exposed populations.

The EPA also will use advanced computational techniques such as multi-scale systems models of virtual tissues to improve quantitative risk assessment and improve confidence in extrapolation models. The CSS program plans to digitize and expand the availability of this research information and then translate and transfer it in ways most useful to decision makers.

The CSS program will generate chemical evaluation strategies that integrate decision makers' needs into approaches to improve the scientific basis for their risk assessments and risk management decisions. These efforts support the development and application of improved and new:

- Strategies and approaches for the efficient assessment and management of the thousands of existing and emerging chemicals in commerce;
- Advanced computational tools for improving existing methods to understand inherent properties and predict behaviors and impacts of chemicals and their related products throughout their life-cycle;
- Approaches for alternative sustainable product formulations found by assessing chemicals throughout their life-cycle;
- Approaches to address issues of cumulative risk, chemical mixtures in the environment, vulnerability of populations, and environmental equity; and
- Methods to translate research findings into decision support tools that are useful and usable to regulators and risk managers, as well as the other Agency Research Programs: Air, Climate, and Energy; Sustainable Water and Water Resources; Sustainable and Healthy Communities; Human Health Risk Assessment; and Homeland Security.

The CSS researchers will collaborate closely with program partners across the EPA to advance the use of high throughput screening and computational models to prioritize chemicals in the Endocrine Disruptor Screening Program (EDSP). These enhanced chemical screening and priority testing approaches will produce smarter, context-relevant chemical assessment and management.

The near-term goal of this effort is to use these tools to immediately prioritize thousands of chemicals for the current EDSP Tier 1 Screen (T1S) battery. The intermediate goal is to incorporate modern technologies directly into the EDSP T1S to increase the capacity to screen for endocrine disrupting chemicals; while the longer-term goal is to replace the T1S with a suite of assays based on non-whole animal methods.

In approaching this task, the CSS program will work with partners in the National Institutes of Health and the Food and Drug Administration through the "Tox21 Consortium" that is bringing the collective expertise of governmental scientists to bear on development and use of the new toxicological methods.[54]

Through the Organization for Economic Cooperation and Development (OECD), the EPA is conducting a collaborative research effort to investigate a core set of nanomaterials that are

[54] http://www.epa.gov/comptox/toxcast/

present in carbon, metal, and metal oxide-based commercial products. The CSS research program is investigating the inherent chemical properties that influence the fate, exposure and effects of these nanomaterials, with the aim of ascertaining behavioral trends and impacts.

In FY 2013, the EPA will focus a portion of the CSS research program's activities to build on existing research of cost-efficient and resource and energy-efficient methods for synthesizing chemicals and products. The CSS program will continue to evaluate life cycle impacts that demonstrate the benefits of more sustainable approaches, inform more effective solutions to the sustainable molecular design of chemicals, and illustrate the bases of cost for those solutions.

The CSS program's Systems Models research will develop models that predict or simulate the impacts of chemical exposure on complex biological or environmental systems. These models can be used to enhance the predictive power of information on the toxicity of a chemical or mixture. As part of this effort, the CSS program will investigate the entire process from chemical exposure to adverse outcome, including interactions at all levels of biological organization in humans and wildlife.

Determining chemical interactions from source to outcome at multiple levels and scales requires assembling the data, tools and expertise to integrate chemical exposure and adverse impacts data. Innovative chemical screening technologies, such as automated, rapid screening (i.e., high-throughput screening), will be used to generate chemical data on the adverse effects of large numbers of chemicals. The following examples of research products reflect the CSS program's integration with the internal EPA programs and collaboration with the external research partners to increase the efficiency and predictive power of chemical safety testing:

- A report that compares linkages between chemical exposure and reproductive and developmental outcomes in multiple species. This information will inform the chemical testing and risk assessment of endocrine disrupting chemicals (EDCs);
- High-throughput screening data sets on 2,000 chemicals for the Endocrine Disruptor Screening Program 21 (EDSP21); and
- User-friendly, interactive customized web tools (dashboards) that provide a graphical depiction of all available chemical data relevant to our partners' decision-making needs.

In addition, the CSS research program will assist the U.S. Army in their Net Zero Initiative to develop and demonstrate innovative water technologies. The Army, in cooperation with EPA and other partners, intends to accomplish their goal of net zero energy, water, and waste by 2020.

Performance Targets:

Measure	**(CS1) Percentage of planned research products completed on time by the Chemical Safety for Sustainability research program.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target							100	100	Percent
Actual									

Measure	(CS2) Percentage of planned research outputs delivered to clients and partners to improve their capability to advance the environmentally sustainable development, use, and assessment of chemicals.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							100	100	Percent
Actual									

The table above reflects the CSS's annual performance measures. The EPA uses these measures to assess our effectiveness in delivering needed products and outputs to clients (decision-makers, states, and local governments).

The EPA collaborates with several science agencies and the research community. The EPA also works with the White House's Office of Science and Technology Policy. The EPA supports the interagency Science and Technology in America's Reinvestment – Measuring the Effect of Research on Innovation, Competitiveness and Science (STAR METRICS) effort. The STAR METRICS strives to measure the impact federal science investments have on society, the environment, and the economy.

FY 2013 Change from FY 2012 Enacted Budget: (Dollars in Thousands)

- (+$324.0) This increase is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$4087.0 / +0.9 FTE) In 2013, the EPA will support sustainable molecular design research. This reflects an increase of research efforts in sustainable molecular design of chemicals. Sustainable molecular design research correlates a chemical's inherent properties with its adverse impacts. The EPA will use this program to generate the critical information needed by manufacturers to develop inherently safer processes and products that minimize or eliminate the associated adverse impacts on human health and the environment that could result from the manufacturing, use, and disposal of chemicals, including nanomaterials. This effort will provide new principles for alternative chemical designs that are more environmentally sustainable and reduce the likelihood of unwanted toxic effects of nanomaterials and other chemicals. The resources include 0.9 FTE and associated payroll of $120.0.

- (+$166.0 / +2.0 FTE) This reflects the net result of realignments of infrastructure FTE and resources such as equipment purchases and repairs, fixed costs, contracts, travel, and general expenses that are proportionately allocated across programs to better align with programmatic priorities. The additional resources include 2.0 FTE and associated payroll of $266.0.

- (-$642.0) This reflects a reduction of research on nanomaterial properties and life cycle assessment research to inform decisions on pesticides, TSCA chemicals, and fuel additives that contain nano-scale materials.

- (-$741.0) This reflects a reduced effort to develop a broader understanding of risks associated with endocrine disrupting chemicals (EDCs), commodity chemicals, nanomaterials, and other chemical concerns. More specifically, there will be a reduced level of effort to develop and apply methods, models, and measures to evaluate real-world exposures to EDCs and characterize related effects resulting from these exposures for humans and wildlife.

- (-$688.0 / -0.6 FTE) This reduction reflects administrative savings from continued efforts to streamline operational expenses and activities, including information technology (IT) support activities. The reduced resources include 0.6 FTE and associated payroll of $80.

Statutory Authority:

CAA, Sec. 103, 104 & 154; CCA, 40 U.S.C. 11318; CERCLA; Children's Health Act; 21st Century Nanotechnology Research and Development Act, 15 U.S.C. 750; CWA, Sec. 101 - 121; Economy Act, 31 U.S.C 1535; ERDDAA, 42 U.S.C. 4361-4370; FFDCA, 21 U.S.C. Sec. 346; FIFRA; FQPA; Intergovernmental Cooperation Act, 31 U.S.C. 6502; National Environmental Policy Act of 1969, Section 102; PPA, 42 U.S.C. 13103; RCRA; SDWA, 42 U.S.C.; TSCA, Section 10, 15, 26 U.S.C.

Human Health Risk Assessment

Program Area: Research: Chemical Safety and Sustainability
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	***$46,140.1***	***$39,553.0***	***$40,505.0***	***$952.0***
Hazardous Substance Superfund	$3,737.6	$3,337.0	$3,316.0	($21.0)
Total Budget Authority / Obligations	$49,877.7	$42,890.0	$43,821.0	$931.0
Total Workyears	200.6	193.4	195.9	2.5

Program Project Description:

The EPA's research informs Agency decisions and regulatory actions to protect human health and the environment more effectively. The research produces the scientific information and tools that the EPA needs to meet its legal, statutory, and policy requirements.

The Human Health Risk Assessment (HHRA) research program's vision is to generate timely, credible human health risk assessments that lay the foundation to support Agency risk management decisions. The HHRA program provides state-of-the-science, independently peer reviewed human health risk assessments for chemicals that find their way into our air, water, and soil. The HHRA program's singular position enables the Agency to better predict and prevent risk.

As the HHRA program continues to integrate to best align with other EPA research programs, its themes provide multidisciplinary, risk-based approaches for assessments and methods necessary to guide the EPA's actions to protect public health and the environment. These themes are designed to meet the complex challenges of the 21st Century through modernizing risk assessment, aligning with partner-identified needs, and crosscutting with other national research programs. For example, the Integrated Science Assessments (ISAs) constitute the scientific basis for review of the National Ambient Air Quality Standards (NAAQS) for criteria air pollutants, and directly informs the research needs for the Air, Climate, and Energy (ACE) research program. In conjunction with the Chemical Safety for Sustainability (CSS) research program, the HHRA program will translate research findings into decision support tools for use by regulators and risk managers. The HHRA program also works with the Sustainable and Healthy Communities Research Program (SHCRP) at contaminated Superfund sites by supporting the SHCRP's Superfund Technical Support Centers. These types of partnerships further the EPA's strategic goals to protect America's waters, advance sustainable development, and ensure the safety of chemicals.

Outside of the Agency, the HHRA program's benchmark products help build close relationships with federal, state, and international partners in both accessing data and through collaborative

risk assessment development activities and training. In addition, the program includes a sizable component of technical support to meet partner and stakeholder needs.

The HHRA Program is comprised of:

- Integrated Risk Information System (IRIS) health hazard and dose-response assessments;
- Integrated Science Assessments (ISAs) of criteria air pollutants;
- Community Risk and Technical Support; and
- Methods, models, and approaches to modernize risk assessment for the 21st Century.

Integrated Risk Information System (IRIS) health hazard and dose-response assessments: The HHRA program prepares peer reviewed, qualitative and quantitative health hazard assessments on environmental pollutants of major relevance to the EPA's regulatory mandates. The IRIS assessments range from the relatively simple assessment of a single chemical (e.g., beryllium, uranium) to complex assessments of chemicals of greater prominence (e.g., Libby asbestos, chromium VI, formaldehyde). In recent years, the IRIS program has begun assessments of mixtures of related chemicals in order to enhance the single chemical assessments. The IRIS program is unique as it is the only federal program that provides qualitative and quantitative assessments of both cancer and non-cancer risks. No other federal health assessment program has a similar mission and scope with numerous opportunities for public involvement and a rigorous peer review process. As of January 2011, the IRIS database contained information on more than 550 chemical substances. These assessments provide the scientific foundation for the Agency's risk assessment and risk management decisions. In addition, the assessments are available for other agencies and the public through the IRIS internet database.

Integrated Science Assessments (ISAs) of criteria air pollutants: Congress requires that the EPA periodically review the scientific evidence for criteria air pollutants (particulate matter, ozone, lead, sulfur oxides, nitrogen oxides, and carbon monoxide) to support rulemaking decisions on whether to retain or revise the NAAQS. The ISAs provide concise evaluation and synthesis of policy-relevant science and communicate critical science judgments that provide the scientific foundation for review of the NAAQS. These ISAs are major scientific assessments that undergo rigorous external peer review by the Clean Air Scientific Advisory Committee (CASAC).

Community Risk and Technical Support (CRTS): The HHRA scientists rapidly assess problems and formulate an approach for evaluating potential exposure and risk, estimate doses based on a variety of factors, and estimate risks. The HHRA scientists also provide timely and critical technical support for emerging risk problems. Traditionally, the EPA has used the risk assessment paradigm to assess exposures and risks to single chemicals. The EPA is now moving in the direction of community-based cumulative risk assessment approaches to more accurately assess risk to human health.

Methods, models, and approaches to modernize risk assessment for the 21st Century: Activities will focus on translating research, described in the Chemical Safety and Sustainability (CSS) Research Program and elsewhere, into practical application in developing the IRIS, the ISA, and the Provisional Peer Reviewed Toxicity Values (PPRTVs) assessments, and in assessing special problems. The HHRA scientists will take advantage of recent breakthroughs in computational

methods and molecular biology to begin to translate these findings into more robust risk assessments that are faster and less expensive to produce.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to develop the IRIS and other health hazard assessments. The IRIS database will continue to contain hazard and dose-response information on the chemicals of concern in the environment, meeting the needs of the EPA scientists and decision-makers. In FY 2013, the IRIS database also will provide streamlined documents to make information more transparent, accessible, and useful to other government agencies, industry, and the American public. The program will make significant progress on health hazard assessments of high priority chemicals (e.g., dioxin, methanol, cumulative phthalate assessment, benzo-a-pyrene, Libby asbestos cancer assessment, and polychlorinated biphenyl (PCB) non-cancer assessment), completing work for interagency science consultation, external review, or posting on the IRIS web page. The IRIS program will expand intrinsic scientific knowledge and expertise in refinement of the IRIS assessments.

In response to the recommendations made by the National Academy of Sciences' (NAS) April 2011 report,[55] the Agency will continue to strengthen the IRIS process and database. All new IRIS assessment documents will be shorter, clearer, more visual, and more transparent. For assessments begun prior to the NAS report, the EPA will incorporate the recommendations in a phased approach.

The EPA will continue to develop the ISAs of criteria air pollutants, as a mandated prerequisite to the EPA's review of the NAAQS. The ISAs provide important scientific analyses in support of many of the EPA's important rulemakings. In FY 2013, the program will release final ISAs evaluating the health effects of nitrogen oxides and sulfur oxides to contribute to the EPA's review of the primary NAAQS for these air pollutants and create state-of-the-science methods for continuous evaluation of assessments of new scientific information on criteria air pollutants. The HHRA program also will begin exploring multi-pollutant assessment approaches as called for by the 2008 CASAC consultation on the EPA's draft plan for review of the Primary NAAQS for Carbon Monoxide and the 2004 NAS report on Air Quality Management.

The EPA will continue to be a leader in the development of risk assessment methods, models, and approaches to enhance the quality and objectivity of assessments through the incorporation of contemporary scientific advances. The EPA will continue to develop approaches for applying mode of action in risk assessment and improve quantification of health risks, such as physiologically based pharmacokinetic and biologically based dose response modeling, as well as characterizing environmental exposure and risk to susceptible populations.

In recognition that people are not exposed to a single pollutant in isolation, the HHRA scientists and the ACE program will collaborate with other EPA parties to shift from single assessments to Multipollutant Science Assessments (MSAs) in evaluating air pollution-induced health effects. The MSAs will allow for more efficient use of resources in evaluations of criteria air pollutants as well as a more comprehensive and effective evaluation of health effects of exposures than has

[55] http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=13142

been possible using ISAs. The intention is that MSAs will serve as a companion to the individual pollutant ISAs.

In addition, the EPA will continue to develop health hazard assessments to support program and regional decision-making. The EPA will respond with science assessment support on chemical contaminant issues requiring quick action and, ultimately, quick decisions and solutions (e.g., Hurricane Katrina, the World Trade Center disaster, and Deepwater Horizon oil spill). Responding to these types of events is a key part of the EPA's mission to protect human health and the environment and corresponds with a Board of Scientific Counselors (BOSC) recommendation[56].

The EPA will continue implementation of the Health and Environmental Research Online (HERO) to support a more continuous process to identify, compile, characterize, and prioritize new scientific studies for human health and ecological assessment development. The HERO lends transparency to the process of assessment development by allowing access to the data used for scientific decisions. For the HHRA program to be effective in translating the risk assessment science into practice, training of staff inside and outside the program will be essential. The HERO and similar projects will provide consistent, transparent literature for searching, organization, and citation for all the HHRA assessment documents. Greater access to this information will benefit not only the EPA, but also industry and individual citizens.

The methods, models, and approaches to modernize risk assessment will focus on addressing high priority Agency needs as identified by risk managers. This will be accomplished by incorporating recent advances in molecular biology and computational sciences into risk assessments, and tracking specific scientific issues and using approaches informed by recommendations from a number of expert advisory bodies. More specifically, projects will include developing the Federated Repository of Science daTa (FROST),[57] which will integrate disparate data from across the Agency and make the information far more accessible to risk assessors.

Performance Targets:

Measure	**(RA1) Percentage of planned research products completed on time by the Human Health Risk Assessment research program.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target							100	100	Percent
Actual									

[56] http://www.epa.gov/osp/bosc/pdf/hhra1007rpt.pdf
[57] http://v26265ncay001.aa.ad.epa.gov/opencms/export/ord@work/ordtoday/hotspot/HHRARAP.pdf

Measure	(RA2) Percentage of planned research outputs delivered to clients and partners for use in informing human health decisions.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							100	100	Percent
Actual									

Measure	(RA7) Annual milestone progress score for completing draft IRIS health assessments.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							50	50	Score
Actual									

Measure	(RA8) Annual progress score for finalizing IRIS health assessments.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							20	20	Score
Actual									

Measure	(RA6) Number of regulatory decisions in which decision-makers used HHRA peer-reviewed assessments (IRIS, PPRTVs, exposure assessments and other assessments)								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							no target established	20	Number
Actual									

The table above reflects the HHRA program's annual performance measures. The EPA uses these measures to assess our effectiveness in delivering needed products and outputs to clients (decision-makers, states, and local governments).

The EPA collaborates with several science agencies and the research community. The EPA also works with the White House's Office of Science and Technology Policy. The EPA supports the interagency Science and Technology in America's Reinvestment – Measuring the Effect of Research on Innovation, Competitiveness and Science (STAR METRICS) effort. STAR METRICS strives to measure the impact federal science investments have on society, the environment, and the economy.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$2,130.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+290.0) This redirects resources to support IRIS assessments. This increase will enhance the Agency's effort to continually improve the IRIS program and also increase the release of assessments.

- (+$383.0 / +2.8 FTE) This reflects the net result of realignments of infrastructure FTE and resources such as equipment purchases and repairs, travel, contracts, and general expenses that are proportionately allocated across programs to better align with programmatic priorities. The increased resources include 2.8 FTE and associated payroll of $395.0.

- (-$340.0) This reflects a reduction to resources for the Integrated Science Assessment (ISA) program and will impact the multipollutant assessment of ecological effects of deposition of nitrogen oxides (NO_x), sulfur oxides (SO_x), and other pollutants. Development of the ISA to support the review of secondary National Ambient Air Quality Standards (NAAQS) for NO_x and SO_x will occur, but the EPA's capacity to broaden the multipollutant focus of this assessment and conduct relevant critical loads analyses will be impacted. Some multipollutant analyses and work to assess criteria pollutant effects on welfare effects will be delayed.

- (-$361.0 / -0.5 FTE) This reduction reflects administrative savings from continued efforts to streamline operational expenses and activities, including information technology (IT) support activities. The reduced resources include 0.5 FTE and associated payroll of $71.0.

- (-$400.0) This reflects a reduction of work on methods and model development for modernization of risk assessment and will have an impact on scientific advances incorporated in the development of IRIS assessments and ISAs.

- (-$750.0) This reflects a redirection of resources to support the Chemical Assessment Advisory Committee under auspices of the EPA's Science Advisory Board.

Statutory Authority:

CAA Amendments, 42 U.S.C. 7403 et seq. - Sections 103, 108, 109, and 112; CERCLA (Superfund, 1980) Section 209(a) of Public Law 99-499; FIFRA (7 U.S.C. s/s 136 et seq. (1996), as amended), Sec. 3(c)(2)(A); FQPA PL 104-170; SDWA (1996) 42 U.S.C. Section 300j-18; TSCA (Public Law 94-469): 15 U.S.C. s/s 2601 et seq. (1976), Sec. 4(b)(1)(B), Sec. 4(b)(2)(B).

Program Area: Water: Human Health Protection

Drinking Water Programs

Program Area: Water: Human Health Protection
Goal: Protecting America's Waters
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$104,689.8	$98,547.0	$104,613.0	$6,066.0
Science & Technology	***$3,724.2***	***$3,782.0***	***$3,639.0***	***($143.0)***
Total Budget Authority / Obligations	$108,414.0	$102,329.0	$108,252.0	$5,923.0
Total Workyears	566.0	583.2	581.7	-1.5

Program Project Description:

This program supports drinking water programs through the Technical Support Center, which evaluates engineering and scientific data (including treatment technology information) to establish its applicability to the drinking water program's needs. The Center also:

- Develops and implements regulations to support national occurrence surveys and assists in the assessment of the contaminant occurrence data resulting from those surveys;
- Develops and evaluates monitoring approaches and analytical methods, including assessing data provided by others to demonstrate the effectiveness of new/alternate analytical methods;
- Trains regional and state certification officers and develops guidelines for the drinking water laboratory certification program;
- Works with the EPA regional offices and states to help drinking water utilities better understand their treatment and distribution systems and implement improvements to optimize performance; and
- Provides other technical support to develop and implement National Primary Drinking Water Regulations (NPDWRs). The Center also provides technical assistance to states, tribes, and drinking water systems in support of the EPA regional and state drinking water programs.[58]

FY 2013 Activities and Performance Plan:

In FY 2013, the Drinking Water Technical Support Center will:

[58] For additional program information see
http://www.epa.gov/safewater
https://www.cfda.gov/index?s=program&mode=form&tab=step1&id=63cecb6866ee587d2bfafc7b77c3563c&cck=1&au=&ck

- Provide technical and scientific support for the development and implementation of drinking water regulations. This includes the development of methods for updating rules and implementing the Unregulated Contaminant Monitoring Rule (UCMR), which requires the EPA to collect data for contaminants suspected to be present in drinking water, but that do not have health-based standards set under the Safe Drinking Water Act (SDWA), and responding to technical implementation questions regarding the entire range of NPDWRs;

- Implement the EPA's Drinking Water Laboratory Certification Program. This program sets standards and establishes methods for the EPA, state, and privately-owned laboratories that analyze drinking water samples. Through this program, the EPA will conduct three regional program reviews during FY 2013. The EPA visits each regional office on a triennial basis and evaluates their oversight of the state laboratories and the state laboratory certification programs within their purview. The EPA will deliver three (chemistry, microbiology, and cryptosporidium) certification officer training courses for state and regional representatives;

- Support small drinking water systems' efforts to optimize their treatment technology under the drinking water treatment Area Wide Optimization Program (AWOP). AWOP is a highly successful technical/compliance assistance and training program that enhances the ability of small systems to meet existing and future microbial, disinfectant, and disinfection byproducts standards and also addresses distribution system integrity issues. The program's success is illustrated by the fact that in FY 2011, 90.7 percent of community water systems (CWSs) met all applicable health-based standards, surpassing the performance target of 90 percent. In addition, 93.2 percent of the population served by CWSs received drinking water that met all applicable health-based drinking water standards, surpassing the performance target of 91 percent. By FY 2013, the EPA will have worked with four regional offices and 24 states to facilitate the transfer of specific skills;

- Begin Unregulated Contaminant Monitoring Rule 3 (UCMR3) monitoring following promulgation of the rule for the next UCMR monitoring cycle (UCMR3) in 2012. This involves extensive coordination with states and Regional Offices to carry out the Agency's implementation responsibilities. Key activities for the EPA include management of all aspects of small system monitoring, approval and oversight of supporting laboratories, troubleshooting and technical assistance, and review and validation of data. The EPA is required by Section 1452(o) of the Safe Drinking Water Act (SDWA), as amended, to annually set aside $2 million of State Revolving Funds to pay the costs of small system monitoring and sample analysis for contaminants for each cycle of the UCMR; and

- Provide analytical method development/validation to enable the implementation of the nation's drinking water compliance monitoring and future occurrence data gathering on emerging contaminants of concern.

Performance Targets:

Measure	(aa) Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	93	94	90	90	90	91	91	92	Percent Population
Actual	89	91.5	92	92.1	92	93.2			

Measure	(apm) Percent of community water systems that meets all applicable health-based standards through approaches including effective treatment and source water protection.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	93.5	89	89.5	90	90	90	90	90	Percent Systems
Actual	89.3	89	89	89.1	89.6	90.7			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$60.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$12.0 / +0.1 FTE) This increase reflects FTE directed to the Agency's priority performance goal for improving the technical, managerial and financial capabilities of small drinking water systems. The additional resources include 0.1 FTE and associated payroll of $12.0.

- (-$215.0) This decrease reflects savings achieved through administrative efficiencies.

Statutory Authority:

SDWA, 42 U.S.C. §300f–300j–9 as added by Public Law 93–523 and the amendments made by subsequent enactments.

Program Area: National Priorities

Water Quality Research and Support Grants
Program Area: National Priorities
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$0.0	$14,975.0	$0.0	($14,975.0)
Science & Technology	***$0.0***	***$4,992.0***	***$0.0***	***($4,992.0)***
Total Budget Authority / Obligations	$0.0	$19,967.0	$0.0	($19,967.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

In FY 2012, Congress appropriated $4.992 million for a Science and Technology: National Priority competitive grant program to fund high-priority water quality and availability research. The EPA was instructed to award grants on a competitive basis and give priority to not-for-profit organizations that: conduct activities that are national in scope; can provide a 10 percent match, including in-kind contributions; and often partner with the Agency.

FY 2013 Activities and Performance Plan:

There is no request for this program in FY 2013.

Performance Targets:

There are no performance measures for this program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$4,992.0) The EPA is not requesting funds to support this program in FY 2013.

Statutory Authority:

CAA 42 U.S.C. 7401 et seq. Title 1, Part A – Sec. 103 (a) and (d) and Sec. 104 (c); CAA 42 U.S.C 7402(b) Section 102; CAA 42 U.S.C 7403(b)(2) Section 103(b)(2); Clinger Cohen Act, 40 U.S.C 11318; CERCLA (Superfund, 1980) Section 209(a) of Public Law 99-499; Children's Health Act; CWA, Sec. 101 - 121; CWPPRA; CZARA; CZMA 16 U.S.C. 1451 - Section 302; Economy Act, 31 U.S.C 1535; EISA, Title II Subtitle B; ERDDA, 33 U.S.C. 1251 – Section 2(a); ESA, 16 U.S.C. 1531 - Section 2; FFDCA, 21 U.S.C. Sec. 346; FIFRA (7 U.S.C. s/s 136 et seq. (1996), as amended), Sec. 3(c)(2)(A); FQPA PL 104-170; Intergovernmental Cooperation Act, 31 U.S.C. 6502; MPRSA Sec. 203, 33 U.S.C. 1443; NAWCA; NCPA; National Environmental Education Act, 20 U.S.C. 5503(b)(3) and (b) (11); NEPA of 1969, Section 102; NISA; ODBA Title II; PPA, 42 U.S.C. 13103; RCRA; SDWA (1996) 42 U.S.C. Section 300j-18; SDWA Part E,

Sec. 1442 (a)(1); TSCA, Section 10, 15, 26 U.S.C. 2609; USGCRA 15 U.S.C. 2921; WRDA; WRRA; WWWQA

Table of Contents - Environmental Programs and Management

Environmental Protection Agency
FY 2013 Annual Performance Plan and Congressional Justification

APPROPRIATION: Environmental Program & Management
Resource Summary Table

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management				
Budget Authority	$2,915,112.9	$2,678,222.0	$2,817,179.0	$138,957.0
Total Workyears	10,933.6	10,735.1	10,758.6	23.5

Bill Language: Environmental Programs and Management

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed $9,000 for official reception and representation expenses, $2,817,179,000, to remain available until September 30, 2014. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012.)

Program Projects in EPM

(Dollars in Thousands)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Clean Air and Climate				
Clean Air Allowance Trading Programs	$20,877.3	$20,811.0	$20,888.0	$77.0
Climate Protection Program				
Energy STAR	$52,306.0	$49,668.0	$53,872.0	$4,204.0
Methane to markets	$4,863.0	$5,013.0	$4,927.0	($86.0)
Greenhouse Gas Reporting Registry	$18,357.6	$15,757.0	$18,694.0	$2,937.0
Climate Protection Program (other activities)	$40,808.6	$29,043.0	$30,498.0	$1,455.0
Subtotal, Climate Protection Program	$116,335.2	$99,481.0	$107,991.0	$8,510.0
Federal Stationary Source Regulations	$31,296.0	$27,298.0	$34,142.0	$6,844.0
Federal Support for Air Quality Management	$106,081.2	$123,469.0	$134,841.0	$11,372.0
Federal Support for Air Toxics Program	$24,005.5	$0.0	$0.0	$0.0
Stratospheric Ozone: Domestic Programs	$5,157.6	$5,570.0	$5,643.0	$73.0
Stratospheric Ozone: Multilateral Fund	$9,690.0	$9,479.0	$9,690.0	$211.0

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Subtotal, Clean Air and Climate	$313,442.8	$286,108.0	$313,195.0	$27,087.0
Indoor Air and Radiation				
Indoor Air: Radon Program	$5,318.5	$3,895.0	$2,198.0	($1,697.0)
Reduce Risks from Indoor Air	$21,503.0	$17,168.0	$17,393.0	$225.0
Radiation: Protection	$11,156.0	$9,616.0	$9,760.0	$144.0
Radiation: Response Preparedness	$3,439.8	$3,038.0	$3,083.0	$45.0
Subtotal, Indoor Air and Radiation	$41,417.3	$33,717.0	$32,434.0	($1,283.0)
Brownfields				
Brownfields	$24,443.8	$23,642.0	$25,685.0	$2,043.0
Compliance				
Compliance Assistance and Centers	$671.8	$0.0	$0.0	$0.0
Compliance Incentives	$667.3	$0.0	$0.0	$0.0
Compliance Monitoring	$109,266.9	$106,707.0	$125,209.0	$18,502.0
Subtotal, Compliance	$110,606.0	$106,707.0	$125,209.0	$18,502.0
Enforcement				
Civil Enforcement	$179,391.2	$177,290.0	$188,957.0	$11,667.0
Criminal Enforcement	$51,623.3	$48,123.0	$51,900.0	$3,777.0
Enforcement Training	$410.3	$0.0	$0.0	$0.0
Environmental Justice	$8,407.0	$6,848.0	$7,161.0	$313.0
NEPA Implementation	$17,105.0	$17,298.0	$17,424.0	$126.0
Subtotal, Enforcement	$256,936.8	$249,559.0	$265,442.0	$15,883.0
Geographic Programs				
Great Lakes Restoration	$329,215.5	$299,520.0	$300,000.0	$480.0
Geographic Program: Chesapeake Bay	$42,414.3	$57,299.0	$72,618.0	$15,319.0
Geographic Program: San Francisco Bay	$4,357.2	$5,838.0	$4,857.0	($981.0)
Geographic Program: Puget Sound	$38,113.8	$29,952.0	$19,289.0	($10,663.0)
Geographic Program: South Florida	$1,643.8	$2,058.0	$1,700.0	($358.0)
Geographic Program: Long Island Sound	$6,154.3	$3,956.0	$2,962.0	($994.0)
Geographic Program: Gulf of Mexico	$4,881.6	$5,455.0	$4,436.0	($1,019.0)
Geographic Program: Lake Champlain	$6,732.1	$2,395.0	$1,399.0	($996.0)
Geographic Program: Other				
Northwest Forest	$1,246.8	$1,294.0	$1,417.0	$123.0
Lake Pontchartrain	$2,598.0	$1,952.0	$955.0	($997.0)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Community Action for a Renewed Environment (CARE)	$2,697.5	$0.0	$2,069.0	$2,069.0
Geographic Program: Other (other activities)	$33,965.0	$0.0	$0.0	$0.0
Subtotal, Geographic Program: Other	$40,507.3	$3,246.0	$4,441.0	$1,195.0
Subtotal, Geographic Programs	$474,019.9	$409,719.0	$411,702.0	$1,983.0
Homeland Security				
Homeland Security: Communication and Information	$4,215.9	$4,249.0	$4,217.0	($32.0)
Homeland Security: Critical Infrastructure Protection	$2,411.5	$1,063.0	$2,087.0	$1,024.0
Homeland Security: Preparedness, Response, and Recovery				
Decontamination	$791.5	$0.0	$0.0	$0.0
Homeland Security: Preparedness, Response, and Recovery (other activities)	$481.3	$0.0	$0.0	$0.0
Subtotal, Homeland Security: Preparedness, Response, and Recovery	$1,272.8	$0.0	$0.0	$0.0
Homeland Security: Protection of EPA Personnel and Infrastructure	$6,497.0	$5,966.0	$5,999.0	$33.0
Subtotal, Homeland Security	$14,397.2	$11,278.0	$12,303.0	$1,025.0
Information Exchange / Outreach				
Children and Other Sensitive Populations: Agency Coordination	$8,790.8	$7,481.0	$10,923.0	$3,442.0
Environmental Education	$6,962.2	$9,699.0	$0.0	($9,699.0)
Congressional, Intergovernmental, External Relations	$53,544.3	$47,638.0	$52,896.0	$5,258.0
Exchange Network	$17,816.6	$17,724.0	$23,008.0	$5,284.0
Small Business Ombudsman	$3,106.9	$2,693.0	$3,018.0	$325.0
Small Minority Business Assistance	$2,277.5	$2,079.0	$2,291.0	$212.0
State and Local Prevention and Preparedness	$13,063.2	$13,320.0	$14,852.0	$1,532.0
TRI / Right to Know	$16,634.5	$16,322.0	$17,354.0	$1,032.0
Tribal - Capacity Building	$13,892.7	$13,736.0	$15,062.0	$1,326.0
Subtotal, Information Exchange / Outreach	$136,088.7	$130,692.0	$139,404.0	$8,712.0
International Programs				
US Mexico Border	$4,872.0	$4,313.0	$4,490.0	$177.0
International Sources of Pollution	$8,731.0	$7,659.0	$8,466.0	$807.0
Trade and Governance	$6,230.1	$5,632.0	$6,178.0	$546.0

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Subtotal, International Programs	$19,833.1	$17,604.0	$19,134.0	$1,530.0
IT / Data Management / Security				
Information Security	$7,831.2	$6,786.0	$6,868.0	$82.0
IT / Data Management	$96,614.1	$87,939.0	$88,893.0	$954.0
Subtotal, IT / Data Management / Security	$104,445.3	$94,725.0	$95,761.0	$1,036.0
Legal / Science / Regulatory / Economic Review				
Administrative Law	$5,260.3	$5,198.0	$5,392.0	$194.0
Alternative Dispute Resolution	$1,271.2	$1,194.0	$1,477.0	$283.0
Civil Rights / Title VI Compliance	$11,740.4	$11,618.0	$13,974.0	$2,356.0
Legal Advice: Environmental Program	$42,286.6	$40,746.0	$45,840.0	$5,094.0
Legal Advice: Support Program	$15,692.6	$14,260.0	$16,064.0	$1,804.0
Regional Science and Technology	$3,178.6	$2,591.0	$3,307.0	$716.0
Integrated Environmental Strategies	$17,908.7	$14,754.0	$16,326.0	$1,572.0
Regulatory/Economic-Management and Analysis	$20,329.8	$15,256.0	$23,345.0	$8,089.0
Science Advisory Board	$6,074.9	$5,135.0	$6,727.0	$1,592.0
Subtotal, Legal / Science / Regulatory / Economic Review	$123,743.1	$110,752.0	$132,452.0	$21,700.0
Operations and Administration				
Facilities Infrastructure and Operations				
Rent	$161,589.3	$170,529.0	$171,152.0	$623.0
Utilities	$12,566.5	$11,205.0	$10,660.0	($545.0)
Security	$27,991.8	$29,216.0	$31,486.0	$2,270.0
Facilities Infrastructure and Operations (other activities)	$118,392.6	$108,827.0	$118,018.0	$9,191.0
Subtotal, Facilities Infrastructure and Operations	$320,540.2	$319,777.0	$331,316.0	$11,539.0
Central Planning, Budgeting, and Finance	$85,541.1	$72,290.0	$78,817.0	$6,527.0
Acquisition Management	$30,688.2	$33,175.0	$35,727.0	$2,552.0
Financial Assistance Grants / IAG Management	$26,770.6	$24,002.0	$25,910.0	$1,908.0
Human Resources Management	$46,839.9	$37,839.0	$39,428.0	$1,589.0
Recovery Act Mangement and Oversight	$31,546.9	$0.0	$0.0	$0.0
Subtotal, Operations and Administration	$541,926.9	$487,083.0	$511,198.0	$24,115.0
Pesticides Licensing				
Pesticides: Protect Human Health from	$61,686.0	$58,208.0	$58,971.0	$763.0

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Pesticide Risk				
Pesticides: Protect the Environment from Pesticide Risk	$41,265.6	$37,854.0	$37,960.0	$106.0
Pesticides: Realize the Value of Pesticide Availability	$13,065.8	$12,532.0	$12,306.0	($226.0)
Science Policy and Biotechnology	$1,672.9	$1,754.0	$1,770.0	$16.0
Subtotal, Pesticides Licensing	$117,690.3	$110,348.0	$111,007.0	$659.0
Resource Conservation and Recovery Act (RCRA)				
RCRA: Waste Management				
eManifest	$0.0	$0.0	$2,000.0	$2,000.0
RCRA: Waste Management (other activities)	$67,520.1	$63,500.0	$65,385.0	$1,885.0
Subtotal, RCRA: Waste Management	$67,520.1	$63,500.0	$67,385.0	$3,885.0
RCRA: Corrective Action	$37,156.3	$39,422.0	$40,265.0	$843.0
RCRA: Waste Minimization & Recycling	$12,589.6	$9,547.0	$9,648.0	$101.0
Subtotal, Resource Conservation and Recovery Act (RCRA)	$117,266.0	$112,469.0	$117,298.0	$4,829.0
Toxics Risk Review and Prevention				
Endocrine Disruptors	$9,624.6	$8,255.0	$7,238.0	($1,017.0)
Toxic Substances: Chemical Risk Review and Reduction	$59,752.2	$56,497.0	$67,644.0	$11,147.0
Pollution Prevention Program	$15,994.6	$15,389.0	$15,888.0	$499.0
Toxic Substances: Chemical Risk Management	$6,868.6	$6,032.0	$3,739.0	($2,293.0)
Toxic Substances: Lead Risk Reduction Program	$14,140.9	$13,798.0	$14,698.0	$900.0
Subtotal, Toxics Risk Review and Prevention	$106,380.9	$99,971.0	$109,207.0	$9,236.0
Underground Storage Tanks (LUST / UST)				
LUST / UST	$11,622.7	$12,846.0	$12,283.0	($563.0)
Water: Ecosystems				
National Estuary Program / Coastal Waterways	$31,528.9	$27,014.0	$27,304.0	$290.0
Wetlands	$28,297.6	$21,160.0	$27,685.0	$6,525.0
Subtotal, Water: Ecosystems	$59,826.5	$48,174.0	$54,989.0	$6,815.0
Water: Human Health Protection				
Beach / Fish Programs	$2,896.2	$2,552.0	$702.0	($1,850.0)
Drinking Water Programs	$104,689.8	$98,547.0	$104,613.0	$6,066.0

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Subtotal, Water: Human Health Protection	$107,586.0	$101,099.0	$105,315.0	$4,216.0
Water Quality Protection				
Marine Pollution	$15,570.5	$12,898.0	$11,587.0	($1,311.0)
Surface Water Protection	$217,119.1	$203,856.0	$211,574.0	$7,718.0
Subtotal, Water Quality Protection	$232,689.6	$216,754.0	$223,161.0	$6,407.0
Congressional Priorities				
Congressionally Mandated Projects	$750.0	$0.0	$0.0	$0.0
Water Quality Research and Support Grants	$0.0	$14,975.0	$0.0	($14,975.0)
Subtotal, Water Quality Research and Support Grants	$0.0	$14,975.0	$0.0	($14,975.0)
Subtotal, Congressional Priorities	$750.0	$14,975.0	$0.0	($14,975.0)
TOTAL, EPA	$2,915,112.9	$2,678,222.0	$2,817,179.0	$138,957.0

Program Area: Clean Air and Climate

Clean Air Allowance Trading Programs
Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$20,877.3***	***$20,811.0***	***$20,888.0***	***$77.0***
Science & Technology	$9,934.0	$9,082.0	$9,797.0	$715.0
Total Budget Authority / Obligations	$30,811.3	$29,893.0	$30,685.0	$792.0
Total Workyears	84.3	87.6	86.7	-0.9

Program Project Description:

The Acid Rain Program, established under Title IV of the Clean Air Act Amendments of 1990, requires major reductions in sulfur dioxide (SO_2) and nitrogen oxide (NO_x) emissions from the U.S. electric power generation industry. The program continues to be recognized as a model for flexible and effective air pollution regulation, both in this country and abroad. The SO_2 program uses a market-based approach with tradable units called "allowances" (one allowance authorizes the emission of one ton of SO_2 in a given or later year). The authorizing legislation sets a permanent cap on the total amount of SO_2 that may be emitted annually by affected electric generation units (EGUs) in the contiguous U.S. The program was phased in, with the final SO_2 cap beginning in 2010 set at 8.95 million tons, a level at approximately one-half the amount these sources emitted in 1980.

Reducing emissions of SO_2 and NO_x continues to be a crucial component of the EPA's strategy for cleaner air. SO_2 and NO_x are not only the key pollutants in the formation of acid deposition (or "acid rain") which contributes to acidification of lakes and streams and makes them unable to support fish and other aquatic life, but they also contribute to the formation of fine particles (sulfates and nitrates) that are associated with significant health effects and regional haze. Winds can carry fine particles ($PM_{2.5}$) hundreds of miles from their source. When inhaled, $PM_{2.5}$ can cause serious respiratory problems, particularly for individuals who suffer from asthma or are in sensitive populations. Numerous studies have linked these exposures with premature mortality from heart and lung diseases.[1] These same small particles also are a main pollutant that impairs visibility across large areas of the country, particularly damaging in national parks known for their scenic views. NO_x emissions also contribute substantially to the formation of ground-level ozone. Ozone, when inhaled in sufficient concentrations, also can cause serious respiratory problems.

The program implements Title IV by continuing to measure, quality assure, and track emissions for SO_2 and/or NO_x from Continuous Emissions Monitoring Systems (CEMS) or equivalent

[1] U.S. Environmental Protection Agency (U.S. EPA). 2009. Integrated Science Assessment for Particulate Matter (Final Report). EPA-600-R-08-139F. National Center for Environmental Assessment – RTP Division. December. Available on the Internet at http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=216546.

direct measurement methods at over 3,600 affected EGUs in the U.S. Both the SO_2 and NO_x program components require accurate and verifiable measurement of emissions. The program conducts electronic and field audits and certifies and periodically recertifies emission monitors to ensure accurate emissions measurement and reporting. Allowance transfers are recorded in electronic tracking systems and the allowances held are reconciled against emissions for all affected sources to ensure compliance. The Acid Rain Program has maintained perfect or near-perfect (e.g., over 99%) compliance every year.

The program also is responsible for implementing U.S. commitments under the US-Canada Air Quality Agreement of 1991 to reduce and maintain lower SO_2 and NO_x emissions. The EPA's Acid Rain Program provides affected sources flexibility to select their own methods of compliance so the required emission reductions are achieved at the lowest cost (both to industry and government). For additional information on the Acid Rain Program, please visit http://www.epa.gov/airmarkets.

In 2010, total SO_2 emissions from 3,613 EGUs subject to the Acid Rain Program were 5.1 million tons, a drop of 0.6 million tons from 2009 and over 3½ million tons below the statutory annual permanent cap. Total NO_x emissions from 956 affected EGUs were 2.1 million tons in 2010, triple the Title IV NO_x emission reduction objective. The EPA's health studies and ecological assessments, analyses by the Interagency National Acid Precipitation Assessment Program (NAPAP),[2] and data from long-term monitoring networks all indicate that further reductions in SO_2 and NO_x emissions, beyond those specified in Title IV, are necessary to allow sensitive forests and aquatic ecosystems to recover from acidification. The program's environmental objective to improve ecosystems in acid-sensitive regions of the U.S. cannot be attained without more reductions in SO_2 and NO_x, the key pollutants involved in the formation of acid rain. These assessments also show that additional reductions in these emissions are needed for many areas to achieve and maintain health-based protective air quality standards for fine particulate matter ($PM_{2.5}$) and ozone.

In 1998, the EPA began administering the NO_x Budget Program (NBP), a regional cap-and-trade program for reducing NO_x emissions and transported ozone in the eastern U.S. The NBP was established initially in the Northeast Ozone Transport Region (OTR) under a Memorandum of Understanding among nine states and the District of Columbia. The NBP expanded under the NO_x State Implementation Plan (SIP) call when 12 states were added and the number of sources doubled. The NBP transitioned under the Clean Air Interstate Rule (CAIR) to the CAIR seasonal NO_x program for control of transported ozone pollution and summer NO_x emissions. Six additional states, which had not been subject to NBP, began reporting emissions for the CAIR seasonal NO_x program and participated in the EPA-administered regional allowance trading program. Units in the seasonal program reduced their NO_x emissions during the ozone season from 689,000 tons in 2008 to 594,000 tons in 2010.

The National Academy of Sciences[3] has commended the EPA on its Acid Rain Accountability Program, which relies on the Clean Air Status and Trends Network (CASTNET) for monitoring

[2] *National Acid Precipitation Assessment Program Report to Congress: An Integrated Assessment*. 2005. http://www.epa.gov/airmarkets/resource/docs/NAPAP.pdf Pages 65-73.
[3] National Academy of Sciences Report: *Air Quality Management in the United States. 2004.* www.nap.edu/catalog/10728.html

deposition, ambient sulfate and nitrate concentrations, and other air quality indicators and uses the Temporally Integrated Monitoring of Ecosystems (TIME) and Long-Term Monitoring (LTM) programs for assessing how water bodies and aquatic ecosystems are responding to reductions in sulfur and nitrogen emissions. The Acid Rain Accountability Program issues comprehensive annual reports on compliance and environmental results from implementation of the Acid Rain and related programs. These reports track progress in not only reducing SO_2 and NO_x emissions from the affected sources, but also assess the impacts of these reductions on acid deposition, air quality (e.g., ozone levels), surface water acidity, forest health, and other environmental indicators. For more information, please see http://www.epa.gov/airmarkt/progress/progress-reports.html.

FY 2013 Activities and Performance Plan:

In FY 2013, the program is projected to measure, quality assure, and track emissions for SO_2 and/or NO_x from Continuous Emissions Monitoring systems (CEMs) or equivalent direct measurement methods at over 4,400 EGUs in Acid Rain and related programs. In addition, the program will conduct audits, certify emission monitors, and report on the progress of these programs in achieving performance targets and environmental objectives. Allowance transfers are recorded in electronic tracking systems and the allowances held are reconciled against emissions for all affected sources to ensure compliance.

Nitrogen dioxide emissions also contribute substantially to the formation of ground-level ozone. Ozone, when inhaled in sufficient concentrations, can cause serious respiratory problems. Achieving and maintaining the EPA's national air quality standards is an important step towards ensuring the air is safe to breathe. In FY 2013, the EPA will continue to work with states, tribes, and local government partners toward this goal.

Performance Targets:

Measure	**(A01) Annual emissions of sulfur dioxide (SO2) from electric power generation sources.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	10,300,000	9,900,000	9,400,000	9,400,000	8,450,000	6,000,000	6,000,000	6,000,000	Tons Emitted
Actual	9,300,000	8,900,000	7,600,000	5,700,000	5,166,000	Data Avail 12/2012			

The EPA tracks annual emissions of SO_2 and NO_x and seasonal NO_x emissions from utility electric power generation sources to assess the effectiveness of the Acid Rain and related programs. Yearly performance targets have been set for annual SO_2 emissions from utility electric power generation sources. Additional information for this measure is available in the Eight-Year performance array.

The EPA tracks the change in nitrogen deposition and sulfur deposition to assess the effectiveness of the Acid Rain program with performance targets set for every three years. Please see http://www.epa.gov/airmarkt/progress/progress-reports.html for additional information.

The EPA tracks changes in surface water acidity in lakes and streams in acid sensitive regions to assess the change in the number of chronically acidic water bodies. This is a long-term measure with a performance target set for 2030. Please see http://www.epa.gov/airmarkt/progress/progress-reports.html for additional information.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$29.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.
- (-0.9 FTE) This reflects a reallocation of regional FTE to higher regional priorities.
- (+$48.0) This reflects an increase to support the Acid Rain Trading program.

Statutory Authority:

CAA (42 U.S.C. 7401-7661f).

Climate Protection Program
Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Address Climate Change

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$116,335.2***	***$99,481.0***	***$107,991.0***	***$8,510.0***
Science & Technology	$18,487.9	$16,319.0	$7,760.0	($8,559.0)
Total Budget Authority / Obligations	$134,823.1	$115,800.0	$115,751.0	($49.0)
Total Workyears	245.0	250.5	250.8	0.3

Program Project Description:

The EPA's Climate Protection Program promotes efforts to reduce greenhouse gas (GHG) emissions through voluntary programs and supports the Administration's priority of taking action on climate change. It also provides technical assistance and online reporting tools for regulated facilities to report annual greenhouse gas emissions in support of the Greenhouse Gas Reporting Program.

The EPA's voluntary public-private partnership programs are designed to capitalize on the cost-effective opportunities that consumers, businesses, and organizations have to invest in greenhouse gas reducing technologies, policies, and practices. These investments avoid greenhouse gas (GHG) emissions from power plants, mobile sources, and various other sources.

Partners of EPA's Climate Protection Programs have achieved reductions or avoided increases of carbon dioxide (CO_2) and other greenhouse gases, such as methane, nitrous oxide and fluorinated greenhouse gases – including hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF_6). Actions taken today will continue to deliver environmental and economic benefits for many years to come, since the investments made by the EPA's partners as a result of the EPA programs often have lifetimes of ten years or more. For every dollar spent by the EPA on its voluntary climate change partnership programs, the EPA estimates that the programs have reduced greenhouse gas emissions by up to 1.0 metric ton of carbon equivalent, delivered more than $75 in energy bill savings, and facilitated more than $15 in private sector investment.[4]

The EPA manages a number of voluntary efforts that remove barriers in the marketplace in order to deploy cost-effective technologies faster. The EPA's programs do not provide financial subsidies. Instead, they work by overcoming widely acknowledged barriers to energy efficiency and deployment of GHG reduction measures such as: lack of clear, reliable information on technology opportunities; lack of awareness of energy efficient products, services, and transportation choices; and the need for additional incentives for manufacturers to invest in efficiency research and development.

[4] Climate Protection Partnerships Division, U.S. Environmental Protection Agency, 2011. http://www.energystar.gov/ia/partners/publications/pubdocs/2010%20CPPD%20Annual%20Report.pdf

The EPA started the ENERGY STAR program in 1992. The program achieves significant and growing greenhouse gas reductions by dismantling identifiable market barriers stifling the adoption of cost-effective, energy-efficient technologies and practices in the residential, commercial, and industrial sectors. In 1996, the U.S. Department of Energy (DOE) joined with the EPA and assumed specific ENERGY STAR program responsibilities for several product categories. In 2009, a Memorandum of Understanding (MOU) was signed by the EPA and the DOE to more clearly define the roles and responsibilities of EPA and DOE and strengthen coordination between the two agencies. The MOU built upon the agencies' respective areas of expertise and placed the EPA in charge of the ENERGY STAR brand. The EPA now manages the specification process for all product categories (more than 60) and continues to implement the residential program. For commercial buildings, the EPA is the brand manager when ENERGY STAR is applied to whole buildings, including marketing, outreach, monitoring and verification, and performance levels.

The ENERGY STAR program continues to yield significant results. In 2010 alone, Americans, with the help of ENERGY STAR, prevented 195 million metric tons of carbon dioxide equivalent ($MMTCO_2E$), saving $20 billion on their annual utility bills. ENERGY STAR is on track to avoid 190 $MMTCO_2E$ of greenhouse gases in 2012. [5]

The EPA also manages the implementation of the Global Methane Initiative (GMI), formerly called the Methane-to-Markets Partnership, a U.S. led, international public-private partnership that brings together 40 partner governments and over 1,000 public and private sector organizations to advance methane recovery and use as a clean energy source. GMI builds on the success of the EPA's domestic methane programs and focuses on advancing project development at agriculture manure management operations, coal mines, landfills, and oil and gas systems. The EPA will work with its partners to strengthen and expand GMI to include new resource commitments from developed countries, explore opportunities to reduce emissions from new sources, such as wastewater treatment, and to develop country action plans to help direct and coordinate international efforts. As of 2011, the U.S. is supporting over 600 projects around the world and has leveraged over $387 million in public and private sector investments. These projects are yielding results now, with actual annual reductions of 31 million metric tons of CO_2 equivalent (MMTCO2E) in 2009.[6]

Launched by the EPA in 2004, the SmartWay Transport program is a voluntary partnership between the EPA and industry to reduce fuel use and emissions from goods movement. SmartWay helps its partners (shippers, motor carriers, rail carriers, logistics companies, and others) identify fuel-saving operational and technical solutions. These solutions accelerate the deployment of fuel saving, low emission technologies and best practices and promote fuel savings and GHG reductions across the global supply chain. A relatively small federal investment has brought significant change to this sector.

SmartWay is the only voluntary program working across the entire freight system to comprehensively address key national economic, energy, and environmental goals related to

[5] Additional information at: www.energystar.gov
[6] Additional information at: www.epa.gov/globalmethane and www.globalmethane.org

goods movement and freight sustainability. Numerous states, countries, international organizations, and private companies rely on SmartWay's supply chain tools, testing protocols and public-private partnership approach for their freight transport efficiency programs. California has used SmartWay verified technologies and testing protocols for their GHG programs and numerous states have used SmartWay's model idle-reduction ordinances. Canada, Mexico, China, and the European Union currently use or are in the process of adopting all or many of the critical elements of the SmartWay program.

Today, over 2,900 US corporations and organizations – including virtually all of the nation's largest truck carriers, all the class 1 rail companies, and many of the top Fortune 500 companies – rely upon SmartWay's supply chain accounting tools and methods. To date, these businesses have saved $6.1 billion dollars by cutting their fuel use by 50 million barrels of oil. This is equivalent to annual emissions from about three million cars.

Collectively, SmartWay partners have reduced 16.5 MMTCO2E, 235,000 tons NOx, and 9,000 tons PM emissions, contributing to our nation's clean air and climate goals. Improving supply chain efficiency helps these companies grow the economy, protect and generate jobs, cut imports of foreign oil, contribute to our nation's energy security, and be good environmental stewards.

SmartWay's innovative finance programs further accelerate deployment of cleaner, more efficient vehicles and equipment to help protect the health and well-being of citizens, especially in low-income communities near ports, truck stops, and borders. In developing new national standards to bring cleaner, more efficient trucks to market, the EPA and DOT drew from the SmartWay experience that includes developing test procedures to evaluate trucks and truck components and determining how these features and components perform.

The EPA manages a number of other partnership programs that tailor their approach to specific trades or organizations in the arena of climate change. The Clean Energy-Environment State and Local Program provides assistance to local and state governments for improving their facilities, and leading energy efficiency-related GHG reduction efforts. The EPA's Combined Heat and Power (CHP) Partnership promotes cost-effective CHP projects, while its Green Power Partnership supports the procurement of green power.

FY 2013 Activities and Performance Plan:

The EPA will continue to implement its government/industry partnership efforts to achieve greenhouse gas reductions. In addition to reducing greenhouse gas emissions, these efforts are projected to reduce other forms of pollution, including criteria and toxic air pollutants such as nitrogen oxides (NO_x), particulate matter, and mercury by accelerating the adoption of energy efficient products and practices.

In FY 2013, the EPA will continue to promote cost-effective corporate GHG management practices and provide recognition for superior efforts through a joint award program with non-government organizations. There also will be a focus on analyzing GHG emissions from supply chain management, which will primarily be implemented through the ongoing cooperative pilot with the General Services Administration to assist small federal suppliers in identifying their

GHG inventories. The EPA will conduct technical trainings, review inventories submitted by pilot participants, and maintain the list of participants on the EPA website through 2013.

The EPA will continue to implement the ENERGY STAR program across the residential, commercial, and industrial sectors consistent with the EPA/DOE MOU:

- Accelerating the rate that product specifications are updated in terms of stringency. For product categories with rapidly evolving models (e.g., consumer electronics, office equipment), specifications will be updated about every two years and, where appropriate, will include out-year specification criteria so that industry can anticipate upcoming revisions. For all other product categories, the EPA will consistently monitor market share and launch revisions, as appropriate.
- Pursuing comprehensive enhancements for ENERGY STAR product qualification and verification. This process began in 2010. FY 2012 will be the first full year of implementation, and enhancements will continue in FY 2013. Enhancements include:
    - All ENERGY STAR qualified products will be certified as meeting program requirements by an accredited third-party certification body. Certification will include qualification testing before product labeling and post-market verification testing to confirm that products continue to meet program requirements.
    - All product testing will be conducted in the EPA-recognized laboratories that have demonstrated technical competence, strong quality management processes, and impartiality towards test results.
    - The EPA will continue to solicit applications from accreditation bodies, laboratories, and certification bodies that wish to participate in the program. Requirements for the EPA's recognition of these organizations will build upon international standards, including provisions that they demonstrate impartiality.
- Enhancing the use of the ENERGY STAR label on products by adding products to the program.
- Strengthening the ENERGY STAR New Homes program by implementing the next version of the ENERGY STAR specification (version 3) to provide a business advantage for builders in a soft market and great benefits to homeowners, including additional installation checklists for HVAC equipment and insulation and water management to achieve better quality control of comfort and energy savings benefits.
- Expanding ENERGY STAR programs that improve the installation of products such as heating and cooling equipment -- whose efficiency is affected greatly by installation practices.
- Expanding efforts to promote improvement of commercial buildings and industrial facilities through the EPA's ENERGY STAR tools, resources, and outreach campaigns.
- Engaging regional, state, and utility energy efficiency programs and smaller trade associations in the new ENERGY STAR Challenge for Industry as a primary method of reaching diffuse industries and small and medium enterprises while continuing with the ENERGY STAR Industrial Focuses.
- Expanding building performance with ENERGY STAR to offer consistent whole building assessments to utilities and service providers.

The FY 2013 Budget Request for the ENERGY STAR program totals $53.9 million.

The EPA proposes to begin collecting user fees from product manufacturers who seek to label their products under EPA's Energy Star program. Fee collection would start in fiscal year 2014 after EPA undertakes a rulemaking process to determine products to be covered by fees and the level of fees, and to ensure that a fee system would not discourage manufacturers from participating in the program or result in a loss of environmental benefits. The legislative proposal to authorize the collection and spending of the fee is included as an administrative provision in the President's Budget Appendix.

The EPA will continue the SmartWay Transport Partnership to increase energy efficiency and lower emissions of freight transportation through verification, promotion, and low-cost financing of advanced technologies including anti-idling technologies, lower rolling resistance tires, improved aerodynamic truck designs, and improved freight logistics. SmartWay also will expand its efforts to:

- develop GHG accounting protocols for heavy-duty diesel trucks and explore opportunities to evolve protocols for the multimodal freight supply chain network;
- promote SmartWay certified light duty and heavy duty vehicles that meet SmartWay's criteria for environmentally superior performance;
- expand our SmartWay partner recruiting efforts while streamlining partner management processes;
- update, as needed, federal guidance on low GHG-emitting vehicles for implementation of Energy Independence and Security Act (EISA) Section 141 federal vehicle purchase requirements;
- continue to provide expertise and serve as a technical test bed in support of the Agency's future policy direction for greenhouse gas emissions;
- promote suite of new partner tools, designed to more easily benchmark and track performance, for shipper, carrier and logistics companies;
- encourage the adoption of SmartWay methods and tools internationally through stakeholder development, information sharing, and collaboration on pilot projects.

The FY 2013 Budget Request for the SmartWay Transport Partnership program totals $2.8 million.

The EPA will continue to lead the Global Methane Initiative (GMI) and enhance public-private sector cooperation to reduce global methane emissions and deliver clean energy to markets. Methane emissions are among the strongest global-warming potential gases and their emissions are prevalent across developing economies. The EPA will support the development and implementation of methane recovery and use projects at landfills, agricultural waste operations, coal mines, wastewater, and natural gas and oil facilities in key developing countries and countries with economies in transition. The EPA support will involve identifying and addressing technical, institutional, legal, regulatory, and other barriers to project development and will leverage investments and assistance provided by the private sector and other partners through the

GMI's country action plans. The FY 2013 Budget Request for the Global Methane Initiative totals $4.9 million.

The EPA will continue policy and technical assistance to developing countries and countries with economies-in-transition. The focus is on efforts to monitor, report, and verify greenhouse gas emissions and sequestration through cost-effective measures and assist in the fulfillment of the U.S. obligations under the U.N. Framework Convention on Climate Change (UNFCCC).

The EPA will continue to implement the Greenhouse Gas Reporting Program. Established in October 2009, this program has a total of 31 sectors of which 11 were added in 2010. The Agency expects efforts by both headquarters and regional offices to implement this program for approximately 13,000 reporters. Focus areas for the GHG Reporting Rule will include:

- expanding the database management systems for new sectors and updating, as necessary, for the existing reporters;
- verifying reported data, through a combination of electronic reviews and on-site audits and developing and deploying verification protocols for new sectors;
- providing guidance and training to reporters and using the results of verification to focus the training and outreach to existing reporters to ensure that they report in an accurate and timely manner; and
- sharing data with the public, within the federal Government, with state and local governments, and with reporting entities to support improved understanding of both emission levels and opportunities for GHG reductions.

In FY 2013, the budget request for the Greenhouse Gas Reporting Rule, in the EPM appropriation, is $18.7 million.

The EPA will continue to implement the recommendations of the President's Interagency Task Force on Carbon Capture and Storage (CCS). This work focuses on efforts to identify, analyze, and address key gaps to near-term and long-term demonstration and deployment of CCS technologies.

Performance Targets:

Measure	**(G02) Million metric tons of carbon equivalent (MMTCO2E) of greenhouse gas reductions in the buildings sector.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	97.2	107.8	118.8	130.2	143	156.9	168.7	182.6	MMTCO2e
Actual	110.4	132.4	140.8	143.4	163.5	Data Avail 12/2012			

Measure	**(G06) Million metric tons of carbon equivalent (MMTCO2E) of greenhouse gas reductions in the transportation sector.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	2.2	3.3	5.5	9.5	7.2	9	11.3	14	MMTCO2e
Actual	2.2	4.2	5.9	6	7	Data			

						Avail 12/2012			

Measure	(G16) Million metric tons of carbon equivalent (MMTCO2E) of greenhouse gas reductions in the industry sector.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	212	229.6	248.3	267.3	304	346.2	372.9	421.9	MMTCO2e
Actual	251.9	267.3	289.7	293.7	362.8	Data Avail 12/2012			

Measure	(G17) Percentage of registered facilities that submit required and complete GHG data by the annual reporting deadline.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							100	100	Percent of Facilities
Actual									

There are over 20 climate change programs that work with the private sector to cost effectively reduce greenhouse gas emissions and facilitate energy efficiency improvements. Each sector (buildings, industry, and transportation) has performance and efficiency measures to track the amount of greenhouse gas emissions that are reduced as a result of the program's efforts. As of 2010, the EPA's voluntary, public private partnerships helped the business, industry and transportation sectors avoid 533 MMTCO2E emissions.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$2,937.0/ +3.2 FTE) This reflects an increase to support the Greenhouse Gas Reporting Program. The additional resources will handle increases in the general reporting and verification workload across the many industry sectors and emission sources as well as our work with states. It includes outreach to reporters on topics such as how to comply with the rule and how to report emissions using the electronic reporting tool as well as how to address any potential reporting errors prior to data publication. These resources will provide assistance to reporting entities, ensure data accuracy, and provide transparency into the major sources of GHG emissions across the nation. The additional resources include 3.2 FTE and associated payroll of $547.0.

- (+$4,204.0/ +6.2 FTE) This reflects an increase to the ENERGY STAR program to restore some of the reduction made in FY 2012. These resources are for oversight of the third-party certification system for ENERGY STAR products and the implementation of the EPA's verification process for residential, commercial, and industrial buildings. The increase will improve quality control over the ENERGY STAR product labeling program which impacts more than 1,500 manufacturing companies seeking to qualify their products and close to 7,000 building owners certifying commercial buildings as ENERGY STAR annually. In addition, the increased funds will be utilized to revise product and building specifications to advance energy efficiency and allow ENERGY

STAR to continue to be a differentiator in the marketplace. The additional resources include 6.2 FTE and associated payroll of $940.0.

- (+$1,348.0/ -3.1 FTE) The dollar increase will be used to support public and private organizations implementing the full range of least cost compliance and mitigation options associated with the EPA's power sector air regulations, including Clean Energy resources like end-use energy efficiency, combined heat and power, and renewable energy. FTE will be moved to higher priority programs in FY 2013. Of the total resources, there is a payroll decrease of $185.0 that is offset by other changes.

- (-$86.0/ -6.3 FTE) This is a reallocation of resources from the Global Methane Initiative to support other climate change programs. Of the total resources, pay-related resources decrease by $849.0, offset by other contract changes to support the ongoing GMI program.

- (+$107.0) This reflects resources for web tools and technology infrastructure to support activities across the program. This supports core IT functions.

Statutory Authority:

CAA Amendments, 42 U.S.C. 7401 et seq. – Sections 102, 103, 104 and 108; Pollution Prevention Act (PPA), 42 U.S.C. 13101 et seq. – Sections 6602, 6603, 6604 and 6605; National Environmental Policy Act (NEPA), 42 U.S.C. 4321 et seq. – Section 102; Grand Canyon Protection Act (GCPA), 15 U.S.C. 2901 – Section 1103; Federal Technology Transfer Act (FTTA), 15 U.S.C. – Section 3701a; CWA, 33 U.S.C. 1251 et seq. – Section 104; SWDA, 42 U.S.C. 6901 et seq.- Section 8001; EPA, 42 U.S.C. 16104 et seq.

Federal Stationary Source Regulations
Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Address Climate Change; Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$31,296.0***	***$27,298.0***	***$34,142.0***	***$6,844.0***
Total Budget Authority / Obligations	$31,296.0	$27,298.0	$34,142.0	$6,844.0
Total Workyears	110.5	111.9	135.7	23.8

Program Project Description:

Under the Clean Air Act (CAA), the EPA is responsible for setting, reviewing, and revising National Ambient Air Quality Standards (NAAQS) for six common pollutants and for setting emission standards for sources of these "criteria" pollutants. These national standards form the foundation for air quality management and establish goals that protect public health and the environment.

The CAA established two types of NAAQS. Primary standards set limits to protect public health, including the health of sensitive populations, such as asthmatics and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings. The six pollutants for which the EPA has established NAAQS include: particulate matter (PM), ozone, sulfur dioxide (SO_2), nitrogen dioxide (NO_2), carbon monoxide (CO), and lead.

This program also includes activities, mandated by the CAA, directed toward reducing air emissions of toxic pollutants from stationary sources. Specifically, this program provides for the development of control technology-based standards for major sources (i.e., Maximum Achievable Control Technology - MACT standards) and area sources, the development of standards of performance and emissions guidelines for waste combustion sources, the assessment and regulation of residual risk remaining after implementation of the control technology-based standards, the periodic review and revision of the control technology-based standards, and associated national guidance and outreach. The program also includes issuing, reviewing, and periodically revising, as necessary, New Source Performance Standards (NSPS) for criteria and certain listed pollutants, setting standards to limit emissions of volatile organic compounds (VOC) from consumer and commercial products, and establishing Reasonably Available Control Technology (RACT) through issuance and periodic review and revision of control technique guidelines (CTG).

In addition to existing CAA and court-ordered mandates, the EPA is required to periodically review and revise both the list of air toxics subject to regulation and the list of source categories for which standards must be developed. Available information strongly indicates that this requirement will become significant over time.

FY 2013 Activities and Performance Plan:

Activities described within Federal Stationary Source Regulations support the Addressing Climate Change and Improving Air Quality objectives in the Strategic Plan.

Addressing Climate Change

The CAA requires the EPA to set NSPS for industrial categories that cause, or significantly contribute to, air pollution that may endanger public health or welfare. In 2013, EPA will continue work to develop NSPS for sources of greenhouse gases (GHGs) for refineries, consistent with the requirements of the CAA. Section 111 of the CAA requires the EPA, at least every eight years, to review and, if appropriate, revise NSPS for each source category for which such standards have been established. To improve efficiencies for EPA and state implementation, safeguard public health, and increase certainty for industry, concurrently with this ongoing review for listed source categories, the EPA will perform analyses and make determinations to address whether regulation of GHG emissions from such listed source categories is warranted. Using emission inventory data, the EPA will determine feasible emission control within a reasonable timeframe, and where significant emission reductions could be achieved cost-effectively. The supporting analyses will include developing emission estimates, evaluating costs of control, and, to the extent possible, quantifying economic, environmental, and energy impacts.

Improving Air Quality

In FY 2013, the EPA will continue reviewing criteria pollutant standards in accordance with the statutory schedule with an emphasis on completing reviews of the ozone standard and the lead standard by 2014. The Agency has set a schedule for completing NAAQS reviews in order to meet the five-year deadline in the CAA, conducting several concurrent reviews under a challenging schedule requiring substantial investment in highly trained staff and the allocation of significant analytical resources toward the NAAQS review process. Each review involves extensive scientific peer review by the Agency scientific and technical experts, the design and conduct of complex risk and exposure analyses, a complete policy assessment, and consultation with external scientific experts at each stage of the review process.

Air toxics are pollutants known to cause or suspected of causing cancer, birth defects, reproductive effects, or other serious health problems. Based on the 2005 National Air Toxics Assessment, the EPA estimates that approximately 200 excess cancer cases per year may result from the inhalation of air toxics from outdoor sources, and of this total, 30 to 90 cases can be attributable, directly or indirectly, to hazardous air pollutant emissions from stationary sources regulated by the EPA. To reduce or eliminate the unacceptable health risks and cumulative exposures to air toxics from multiple sources in affected communities and to fulfill its statutory and court-ordered obligations, the EPA will continue to pursue opportunities to meet multiple CAA requirements for stationary sources in more integrated ways in 2013. For example, where the CAA requires the Agency to take multiple regulatory actions that affect the same industry, the EPA will consider aligning the timing of these rulemaking actions to take advantage of synergies between the multiple rules, where feasible. Coordinating such actions allows the

Agency to meet multiple CAA objectives for controlling both criteria and toxic air pollutants while considering cost effectiveness and technical feasibility of controls. It also creates greater certainty for regulated industry. Even with the greater efficiency provided by this approach, resources are needed to complete the court-ordered and statutorily required review and promulgation of standards and conduct rigorous analysis to incorporate the best available science.

In addition to reviewing existing standards, work is currently underway to achieve and maintain compliance with the ozone standards established in 2008, 1997, and 1979; the 1997 PM_{10} and $PM_{2.5}$ standards; the 2006 $PM_{2.5}$ standard; the potential revisions to $PM_{2.5}$ standards in 2012; the 2008 Lead standard; the 2010 NO_2 standard; the 1971 CO standard; and the 2010 SO_2 standard.

Meeting the CAA schedule results in approximately 70 stationary source rules due for review and promulgation. 35 of them are already on a court-ordered deadline or in litigation. Currently, all of these rules are in some stage of development within the EPA. Additional litigation over pending or already-missed deadlines is expected on another 200 rules. Since 1990, the EPA has published 96 MACT standards covering 187 pollutants emitted from 174 industrial categories. However, a number of these rules have been found deficient by the courts, necessitating substantial revisions.

Reductions in emissions from prioritized sectors (such as petroleum refining, iron and steel, chemical plants, and coatings) will reduce emissions of air toxics, help ozone nonattainment areas, and enhance our climate change efforts. Additional controls at these sources also will reduce emissions near affected communities, including low income and minority communities. The EPA also will address programmatic elements, including court-vacated rules that apply across many industrial sources (such as exemptions for start-up, shutdown and malfunction, and the collection and application of the best available data). The EPA has reviewed existing regulations to identify potential emissions monitoring deficiencies and the Agency has embarked upon a course to correct these, including the application of new, advanced monitoring technologies. The Agency will modify reporting procedures to allow facilities to report compliance data electronically, reducing the burden and costs at the industry, state, and federal levels.

Significant resources are needed to fulfill legal and statutory deadline obligations to complete certain MACT and waste incineration standards, to issue residual risk and technology review standards for MACT categories, to review and revise NSPS, and to issue control technique guidelines for control of VOCs.

Current State of the Air Toxics Program

- +70 rules need to be under development by FY 2012-2013
- 35 of the 70 are under legal deadline
- Almost 200 will be past their statutory deadline by FY 2012-2013
- +50 need to be re-issued or amended to adhere to court opinions

The EPA will engage in rulemaking efforts regarding Petroleum Refineries NSPS, Petroleum Refineries MACT I and II, Iron and Steel, Chemical Plants, and Coatings. To address standards that are part of the residual risk litigation settlement, the EPA also will make significant progress in issuing standards for the following categories: Phosphoric Acid and Phosphate Fertilizer; Flexible Polyurethane Foam Production; Acrylic and Modacrylic Fibers Production; Polycarbonate Production; Off-Site Waste and Recovery Operation; and Group III Polymers and Resins.

Performance Targets:

Measure	**(001) Cumulative percentage reduction in tons of toxicity-weighted (for cancer risk) emissions of air toxics from 1993 baseline.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	34	35	35	36	36	36	37	42	Percent Reduction
Actual	38	39	40	40	40	Data Avail 12/2012			

Measure	**(002) Cumulative percentage reduction in tons of toxicity-weighted (for non-cancer risk) emissions of air toxics from 1993 baseline.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	58	58	59	59	59	59	59	58	Percent Reduction
Actual	52	53	53	53	53	Data Avail 12/2012			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$285.0) This is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.
- (+$1,955.0/ +13.7 FTE) This reflects an increase to support the development of New Source Performance Standards that address greenhouse gases, including 13.7 FTE and

associated payroll of $1,399.0. This support will ensure that the EPA will perform analyses using the latest science and data to make determinations to address whether regulation of GHG emissions from certain source categories is warranted.

- (+$1.0) This reflects an increase for program support.

- (+$2,748.0/ +6.0 FTE) This increases resources to ensure that the EPA will meet court-ordered deadlines and work on statutory deadlines to issue stationary source regulations, including 6.0 FTE with associated payroll of $840.0. This increase will allow EPA to more efficiently coordinate actions to meet multiple CAA objectives for controlling both criteria and toxic air pollutants while considering cost effectiveness, the technical feasibility of controls, and provide greater certainty for regulated industry.

- (+$2,425.0/ +4.1 FTE) This reflects an increase to support the review of criteria pollutant standards in accordance with the CAA statutory schedule with an emphasis on completing reviews of the ozone standard and lead standard by 2014, with the potential for substantial benefits to human health. This increase includes 4.1 FTE with associated payroll of $574.0.

Statutory Authority:

CAA (42 U.S.C. 7401-7661f).

Federal Support for Air Quality Management
Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Address Climate Change; Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$106,081.2***	***$123,469.0***	***$134,841.0***	***$11,372.0***
Science & Technology	$11,054.0	$7,091.0	$7,622.0	$531.0
Total Budget Authority / Obligations	$117,135.2	$130,560.0	$142,463.0	$11,903.0
Total Workyears	732.5	824.6	849.7	25.1

Program Project Description:

Under the Clean Air Act (CAA), the EPA is responsible for setting, reviewing, and revising National Ambient Air Quality Standards (NAAQS) for six common pollutants and for setting emission standards for sources of these "criteria" pollutants. These national standards form the foundation for air quality management and establish goals that protect public health and the environment.

The CAA established two types of NAAQS. Primary standards set limits to protect public health, including the health of sensitive populations, such as asthmatics and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings. The six pollutants for which the EPA has established NAAQS include: particulate matter (PM), ozone, sulfur dioxide (SO_2), nitrogen dioxide (NO_2), carbon monoxide (CO), and lead.

The Federal Support for Air Quality Management Program assists state, Tribal, and local air pollution control agencies in the development, implementation, and evaluation of programs to implement the NAAQS, establish standards for reducing air toxics, and sustain visibility protection. The EPA develops federal measures and regional strategies that help to reduce emissions from stationary and mobile sources; however, states and Tribes have the primary responsibility for developing clean air measures necessary to meet the NAAQS and protect visibility. The EPA partners with states, Tribes, and local governments to create a comprehensive compliance program to ensure that multi-source and multi-pollutant reduction targets and air quality improvement objectives, including consideration of environmental justice issues, are met and sustained.

For each of the six criteria pollutants, the EPA tracks two kinds of air pollution trends: air pollutant concentrations based on actual measurements in the ambient (outside) air at selected monitoring sites throughout the country and emissions based on engineering estimates or measurements of the total tons of pollutants released into the air each year. The EPA works with state and local governments to ensure the technical integrity of source controls in State Implementation Plans (SIPs) and with Tribes to ensure the technical integrity of source controls

in Tribal Implementation Plans (TIPs). The EPA assists states, Tribes, and local agencies to identify the most cost-effective control options available, including consideration of multi-pollutant reductions and innovative strategies. This program includes working with other federal agencies to ensure a coordinated approach and working with other countries to address pollution sources outside U.S. borders that pose risks to public health and the environment within the U.S. This program also supports the development of risk assessment methodologies for air pollutants.

Toxic air pollutants are known to cause or suspected of causing increased risk of cancer and other serious health effects. This Federal Support Program assists state, Tribal, and local air pollution control agencies in reducing air toxic emissions through modeling, inventories, monitoring, assessments, and strategies. The EPA also supports programs that reduce inhalation risk and deposition to water bodies and ecosystems (e.g., the Great Waters program), facilitate international cooperation to reduce transboundary and intercontinental air toxics pollution, develop and update the National Emissions Inventory (NEI), develop risk assessment methodologies for toxic air pollutants, and provide training for air pollution professionals. In addition, the program includes activities for the implementation of federal air toxics standards and for the triennial National Air Toxics Assessment (NATA).

FY 2013 Activities and Performance Plan:

Addressing Climate Change

During FY 2013, the EPA will continue to take steps to address climate change. The Agency will issue additional policy and guidance on greenhouse gas (GHG) related issues for the Title V operating permits and Prevention of Significant Deterioration (PSD) programs. The EPA will continue to issue permits directly to sources in areas where states, Tribes, or local agencies do not issue permits. In addition, the EPA will oversee the activities of state and local permitting programs as they review GHG permit applications which are expected to increase in FY 2013. Under Step 1 and 2 of EPA's Tailoring Rule, the Agency estimates that about 550 sources will need to obtain title V permits for the first time due to their GHG emissions. The majority of these newly permitted sources will likely be solid waste landfills and industrial manufacturers. There could be approximately 900 additional PSD permitting actions each year triggered by increases in GHG emissions from new and modified emission sources. [7]

In FY 2013, the EPA regional offices will continue to issue and oversee increased numbers of PSD and Title V permits because of the new requirements for GHG emissions control and new requirements for permitting sources in Indian country. Additionally, the regional offices will issue GHG PSD permits in states where EPA has issued Federal Implementation Plans (FIPs). Regional offices review approximately 70% of all initial operating permits and 25% of all operating permit renewals issued by states, Tribes, or local agencies. It is expected that regional offices will review an increasing number of permits issued by states, Tribes, or local agencies and review changes to state, Tribal, and local PSD and Title V programs due to the incorporation of GHG provisions. The EPA will continue to address complex national policy questions that arise and ensure national consistency as these requirements are implemented.

[7] Fact sheet for Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Final Rule http://www.epa.gov/nsr/documents/20100413fs.pdf

The EPA will consider the results of a range of international assessments issued in 2012 and address the climate impacts of short-lived climate forcers. These traditional air pollutants, including black carbon, a constituent of particulate matter (PM), and ozone are having an immediate effect on climate. Reducing emissions of these pollutants can reap immediate climate and public health benefits. The EPA will continue to identify the most significant domestic and international sources of black carbon and ozone precursor emissions working through a new global initiative of the State Department and through collaboration with the Arctic Council and the Convention on Long-range Transboundary Air Pollution (LRTAP). Based on these findings and enhanced analytical capabilities, the EPA will consider the best steps for addressing these emissions.

Improving Air Quality

In FY 2013, the EPA will continue its Clean Air Act (CAA) prescribed responsibilities to administer the NAAQS by taking federal oversight actions and by developing regulations and policies to ensure continued health protection during the transition between the pre-existing and new standards. The EPA will provide technical and policy assistance to states developing or revising attainment SIPs and will designate or redesignate areas as attainment or nonattainment. The NAAQS improve air quality and reduce related health impacts and their costs to the nation.

Particulate Matter (PM) is linked to tens of thousands of premature deaths per year and repeated exposure to ozone can cause acute respiratory problems and lead to permanent lung damage. Elevated levels of lead in children have been associated with IQ loss, poor academic achievement, and delinquent behavior, while effects in adults include increased blood pressure and cardiovascular disease, and decreased kidney function. Short-term exposure to sulfur dioxide (SO_2) can result in adverse respiratory effects, including narrowing of the airways, which can cause difficulty breathing and increased asthma symptoms, particularly in at-risk populations, including children, the elderly, and people with asthma.

In addition to meeting CAA requirements, the EPA will develop its multi-pollutant and sector based efforts by constructing and organizing initiatives around industrial sectors. The focus of these efforts is to address an individual sector's emissions comprehensively and to prioritize regulatory efforts on the pollutants of greatest concern. The EPA will continue to look at all pollutants in an industrial sector and identify ways to take advantage of the co-benefits of pollution control. In developing sector and multi-pollutant approaches, the EPA seeks innovative solutions that address the differing nature of the various sectors. This approach can provide greater certainty and reduce costs to industry by combining multiple standards.

One of the EPA's top priorities is to mitigate health risks and cumulative exposures to air toxics from multiple sources in affected communities and to enable the Agency to fulfill its CAA and court-ordered obligations. The CAA requires that the technological bases for all MACT standards be reviewed and updated as necessary every eight years. In FY 2013, the EPA will continue to conduct risk assessments to determine whether the MACT rules appropriately protect public health.

Between 2012 and 2013, there are approximately 70 stationary source (e.g., air toxics) rules due for review and promulgation under the CAA; 35 of which are already on court-ordered deadlines or in litigation. All of these rules are in some stage of development at the present time. To develop effective standards, the EPA needs accurate information about actual emissions, their composition, specific emission points, and transport into communities.

The EPA will continue to enhance analytical capabilities to develop effective regulations including: analyzing the economic impacts of regulations and policies; developing and refining existing emission test methods for measuring pollutants from smokestacks and other industrial sources; developing and refining existing source sampling measurement techniques to determine rates of emissions from stationary sources; and conducting dispersion modeling that characterizes the atmospheric processes that disperse a pollutant emitted by a source. The S & T component of this program supports the scientific development of these capabilities. The EPA's current assessments indicate that while many air toxics are widespread, areas of concentrated emissions such as communities with concentrated industrial and mobile source activity (near ports or distribution areas) often have greater cumulative exposure. Working with stakeholders and informed by analysis of air quality health risk data, the EPA is working to prioritize key air toxics regulations that can be completed expeditiously and that will address significant risks to public health.

In FY 2013, the EPA will provide assistance to state, Tribal, and local agencies in implementing national programs and assessing their effectiveness. The EPA uses a broad suite of analytical tools such as source characterization analyses, emission factors and inventories, statistical analyses, source apportionment techniques, quality assurance protocols and audits, improved source testing and monitoring techniques, urban and regional-scale numerical grid air quality models, and augmented cost/benefit tools to assess control strategies. Please see http://www.epa.gov/ttn for further details. The Agency will maintain these tools (e.g., integrated multiple pollutant emissions inventory, air quality modeling platforms, etc.) to provide the technical underpinnings for more efficient and comprehensive air quality management and for integration with climate change activities.

The EPA continues to implement recommendations of the National Research Council, such as developing a more integrated multiple pollutant management framework that incorporates criteria and toxic air pollutants. The Agency will continue to implement, as appropriate, key reform recommendations of the Clean Air Act Advisory Committee's Subcommittee on Air Quality Management, including working with selected state and local agencies on alternative approaches to air quality planning.

The EPA will continue to implement a strategy that, where appropriate, supports the development and evaluation of multiple pollutant measurements. This strategy includes changes, where the Agency deems necessary, to effectively implement revised NAAQS monitoring requirements for ozone, lead, SO_2, nitrogen dioxide (NO_2), carbon monoxide (CO), and PM. The EPA will continue development of emissions measurement methods for condensable $PM_{2.5}$ for cross-industry application to ensure that accurate and consistent measurement methods can be employed in the NAAQS implementation program. The EPA will continue to assist other federal agencies and state and local governments in implementing the conformity regulations. The

regulations require federal agencies, taking actions in nonattainment and maintenance areas, to determine that the emissions caused by their actions will conform to the SIP.

In addition, the EPA will continue to participate in assessing and addressing the effects of global and hemispheric transboundary air pollution on U.S air quality management efforts. The EPA will continue participating in negotiations under international treaties such as the U.S.-Canada Agreement, the Convention on Long-range Transboundary Air Pollution, and the UNEP Global Mercury Treaty to address fine particles, ozone, mercury, and persistent organic pollutants. In addition, the EPA will continue working on capacity building efforts in key countries and regions (e.g., China, Asia, and Mexico) to reduce transboundary air pollution.

The EPA will continue to operate and maintain the Air Quality System (AQS), which houses the nation's air quality data and allows for data and technology exchange/transfer. The EPA will modify AQS, as necessary, to reflect new ambient monitoring regulations and to ensure that it complies with critical programmatic needs and with the Agency's architecture and data quality standards. The EPA will continue to operate and maintain the AQS Data Mart, which provides access to the scientific community and others to obtain air quality data via the internet. The EPA will modify the AQS Data Mart, as necessary, to ensure it reflects changes made to AQS. For more information about AQS visit http://epa.gov/ttn/airs/airsaqs/. The EPA will continue to operate and maintain AirNow, which provides real-time air quality data and forecasts nationwide. Further, the EPA will operate and maintain the Emissions Inventory System (EIS), a system used to quality assure and store current and historical emissions inventory data, and to generate the National Emissions Inventory (NEI). The NEI is used by the EPA, states, and others to analyze the public health risks from air toxics and to develop strategies to manage those risks and support multipollutant analysis covering air toxics, NAAQS pollutants, and GHGs.

The EPA will continue to support permitting authorities on the timely issuance of renewal permits and to respond to veto petitions under the Title V operating permits program. The EPA will continue to address monitoring issues in underlying federal and state rules and to take appropriate action to more broadly improve the Title V program. Please see http://www.epa.gov/air/oaqps/permits/ for further details. The Agency will perform monitoring and modeling support associated with permit issuance and National Environmental Policy Act evaluation. EPA maintains the RACT/BACT/LAER clearinghouse (RBLC) to help permit applicants and reviewers make pollution prevention and control technology decisions for stationary air pollution sources and includes data submitted by several U.S. territories and all 50 states on over 200 different air pollutants and 1,000 industrial processes. Please see http://cfpub.epa.gov/RBLC/ for more information on the RBLC.

The EPA will undertake analyses aimed at developing New Source Review (NSR) regulations to more effectively address sources of criteria pollutants and GHGs and EPA will continue to work with state and Tribal governments to implement revisions to the PSD requirements and NSR rules, including updates to delegation agreements (for delegated states) and review of implementation plan revisions (for SIP-approved states and TIP-approved tribes). The EPA will continue to review and respond to reconsideration requests and (working with the Department of Justice) legal challenges related to NSR program revisions, take any actions necessary to respond to court decisions, and work with states and industries on NSR applicability issues. Emphasis

will be given to assisting Tribes in implementing the Tribal NSR Rule and helping them develop the capacity to assume delegation of the rule or to effectively participate in reviews of permits issued by EPA in Indian country.

To improve the NAAQS federal program, the EPA will continue, within current statutory and resource limitations, to address deficiencies in designations and implementation. For example, the EPA has been working to synchronize the issuance of implementation guidance with the final revised NAAQS. The agency's goal is to provide this guidance as early as possible in the process to assist states in implementing standards. The agency will continue consulting with states to determine additional methods to improve the SIP development and implementation process that are within current statutory limitations.

The EPA will continue to offer technical support to state and local agencies as they implement the National Air Toxics Monitoring Network. The network has two main parts: the National Air Toxics Trends Sites (NATTS) and Local Scale Monitoring (LSM) projects. The NATTS, designed to capture the impacts of widespread pollutants, is comprised of 27 permanent monitoring sites, and the LSMs are comprised of scores of short-term monitoring projects, each designed to address specific local issues. Please see http://www.epa.gov/ttn/amtic/airtoxpg.html for additional information. The EPA continues to use its technical expertise to improve monitoring systems to fill data gaps and get a better assessment of actual population exposure to toxic air pollution. Also, the EPA will continue updating analytical efforts designed to provide nationwide information on ambient levels of criteria and toxic air pollutants.

In FY 2013, the EPA will continue to implement the Urban Air Toxics Strategy by providing information and training to states and communities through documents, websites, and workshops on tools to help them in conducting assessments and identifying risk reduction strategies for air toxics. The Agency will emphasize activities to help environmental justice communities address air toxics concerns.

The EPA will continue its efforts to improve dissemination of information between EPA offices, the state, local and Tribal governments, and the public. The EPA will work through an intra-agency workgroup to create educational resources to disseminate information about new air toxics and mercury standards. These environmental outreach activities will support EPA's mission to expand the conversation on environmentalism and work to improve air quality. The purpose of these activities will be to ensure that the American public is educated about air quality issues and standards. These resources will be available to educate the public, specifically teachers, informal educators, and parents.

These improvements are expanding analytical tools such as the National Air Pollution Assessment (NAPA) and National Air Toxic Assessment (NATA) to include demographics and cumulative, aggregate environmental risks to different communities and population subgroups (e.g., children, the elderly); enhancing quantitative benefits assessment tools such as BenMAP to include analytic capabilities for air toxics; improving emission inventory estimates for toxic air pollutants using the data collected through source and ambient monitoring; and managing information (e.g., regulatory requirements, compliance status, pollutant release information, permitting status) for regulated entities electronically in a single location by modernizing the Air

Facility System (AFS) database. The EPA anticipates that these improvements will increase the Agency's ability to meet aggressive court ordered schedules to complete rulemaking activities, especially in the Risk Technology Review program.

Performance Targets:

Measure	(M94) Percent of major NSR permits issued within one year of receiving a complete permit application.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	70	75	78	78	78	78	78	78	Percent Issued
Actual	70	83	79	76	46	Data Avail 12/2012			

Measure	(M95) Percent of significant Title V operating permit revisions issued within 18 months of receiving a complete permit application.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	91	94	97	100	100	100	100	100	Percent Issued
Actual	91	81	85	87	82	Data Avail 12/2012			

Measure	(M96) Percent of new Title V operating permits issued within 18 months of receiving a complete permit application.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	83	87	91	95	99	99	99	99	Percent Issued
Actual	83	51	72	70	67	Data Avail 12/2012			

Measure	(M9) Cumulative percentage reduction in population-weighted ambient concentration of ozone in monitored counties from 2003 baseline.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	5	6	8	10	11	12	13	15	Percent Reduction
Actual	7	6	9	13	15	Data Avail 12/2012			

Measure	(M91) Cumulative percentage reduction in population-weighted ambient concentration of fine particulate matter (PM-2.5) in all monitored counties from 2003 baseline.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	2	3	4	5	6	15	16	29	Percent Reduction
Actual	7	8	13	17	23	Data Avail 12/2012			

Measure	(MM9) Cumulative percentage reduction in the average number of days during the ozone season that the ozone standard is exceeded in non-attainment areas, weighted by population.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target			19	23	26	29	45	50	Percent Reduction
Actual			37	47	56	Data Avail 12/2012			

Measure	(MM8) Cumulative percentage reduction in the number of days to process State Implementation Plan revisions, weighted by complexity.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target			1.2	2.4	2.9	3.1	3.1	3.1	Percent Reduction
Actual			3.3	1.8	14	Data Avail 12/2012			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$1,545.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$1,587.0/ + 12.8 FTE) This represents an increase for Clean Air Act Permitting activities, including 12.8 FTE with associated payroll of $1,348.0. These resources and FTE will support the timely issuance of permits under EPA's CAA responsibility to issue permits directly to sources in areas where states, local agencies, or tribes do not issue them. In addition, EPA Regional Offices require resources to review PSD and Title V permits issued to states, local, and tribal agencies. EPA HQ will continue to develop sector- and source-specific guidance on significant national policy issues.

- (-$276.0/ -1.0 FTE) This eliminates resources for the Agency's Residential Woodsmoke Program and the online Air Quality Trends Report. The Air Quality Trends Report is a valuable source of information for the EPA stakeholders and partners and its elimination reflects tough choices made in FY 2013. The reduced resources include 1.0 FTE and associated payroll of $130.0.

- (+$6,972.0/ +13.0 FTE) This represents an increase for EPA to provide assistance to state, tribal, and local agencies in implementing national programs and assessing their effectiveness, including 13.0 FTE with associated payroll of $1,365.0. This assistance includes source characterization analyses, emission factors and inventories, statistical analyses, source apportionment techniques, quality assurance protocols and audits, improved source testing and monitoring techniques, urban and regional-scale numerical grid air quality models, and augmented cost/benefit tools to assess control strategies.

- (-$34.0) This reflects a reduction to general program support costs.

- (+$1,500.0) This reflects an increase in resources for the integration of environmental outreach activities through an intra-agency workgroup to create educational resources to disseminate information to the public and increase transparency about new air toxics and mercury standards and other critical environmental issues. These environmental outreach activities will support EPA's core mission to expand the conversation on environmentalism.

- (+$78.0) This reflects an increase for resources for web tools and environmental information.

Statutory Authority:

CAA Amendments of 1990 (42 U.S.C. 7401-7661f).

Stratospheric Ozone: Domestic Programs
Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Restore the Ozone Layer

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$5,157.6***	***$5,570.0***	***$5,643.0***	***$73.0***
Total Budget Authority / Obligations	$5,157.6	$5,570.0	$5,643.0	$73.0
Total Workyears	27.6	23.6	23.7	0.1

Program Project Description:

The stratospheric ozone layer protects life on Earth by shielding the Earth's surface from harmful ultraviolet (UV) radiation. Scientific evidence, amassed over the past 35 years, has shown that ozone-depleting substances (ODS) used around the world destroy the stratospheric ozone layer and contribute to climate change.[8] Overexposure to increased levels of UV radiation due to ozone layer depletion is expected to continue to raise the incidence of skin cancer and other illnesses.[9] Skin cancer is the most common cancer diagnosed in the U.S. One American dies almost every hour from melanoma, the deadliest form of skin cancer.[10] Increased UV levels have been associated with other human and non-human effects, including cataracts, immune suppression, and effects on aquatic ecosystems and agricultural crops.

The EPA estimates that in the U.S. alone, the worldwide phase-out of ODS will avert millions of non-fatal and fatal skin cancers, as well as millions of cataracts, between 1990 and 2165.[11] Cataracts are the leading cause of blindness worldwide, and in the U.S. a significant source of cost to the Medicare budget. EPA's estimates regarding the U.S. health benefits from the ODS phase-out are based on the assumption that international ODS phase-out targets will be achieved, allowing the ozone layer to recover later this century. According to current atmospheric research, the ozone layer is not expected to recover until mid-century at the earliest, due to the long lifetimes of ODS in the stratosphere.[12]

The EPA's Stratospheric Ozone Protection Program implements the provisions of the Clean Air Act Amendments of 1990 (the Act) and the Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol), continuing the control and reduction of ODS in the U.S. and lowering health risks to the American public. Since ODS and many of their substitutes are also

[8] World Meteorological Organization (WMO). Scientific Assessment of Ozone Depletion: 2010. Global Ozone Research and Monitoring Project–Report No. 52, 516 pp., Geneva, Switzerland. 2011.
[9] Fahey, D.W., and M.I. Hegglin (Coordinating Lead Authors), Twenty questions and answers about the ozone layer: 2010 Update, In Scientific Assessment of Ozone Depletion: 2010, Global Ozone Research and Monitoring Project–Report No. 52, 516 pp., World Meteorological Organization, Geneva, Switzerland,2011.
[10] American Cancer Society. "Skin Cancer Facts." Accessed August 9, 2010. Available on the internet at http://www.cancer.org/Cancer/CancerCauses/SunandUVExposure/skin-cancer-facts.
[11] U.S. Environmental Protection Agency (EPA). The Benefits and Costs of the Clean Air Act 1990-2010: EPA Report to Congress. EPA: Washington, DC. November 1999.
[12] WMO, 2011.

potent greenhouse gases, appropriate control and reduction of these substances also provide significant benefits for climate protection. The Act provides for a phase-out of production and consumption of ODS and requires controls on their use, including banning certain emissive uses, requiring labeling to inform consumer choices, and requiring sound servicing practices for the use of ODS in various products (e.g., air conditioners and refrigerators). The Act also prohibits venting ODS or their substitutes, including hydrofluorocarbons (HFCs).

As a signatory to the Montreal Protocol, the U.S. is committed to ensuring that our domestic program is at least as stringent as international obligations and to regulating and enforcing the terms of the Protocol domestically. With 196 Parties and universal participation, the Montreal Protocol is the most successful international environmental treaty in existence.[13] With U.S. leadership, the Parties to the Montreal Protocol agreed, in 2007, to a more aggressive phase-out for ozone-depleting hydrochlorofluorocarbons (HCFCs). This adjustment to the Montreal Protocol requires dramatic global HCFC reductions during the period 2010-2040, equaling a 47 percent reduction in overall emissions compared to previous commitments under the Protocol.

The Stratospheric Ozone Protection Program also works with the supermarket industry through the GreenChill Partnership.[14] GreenChill helps supermarkets transition to environmentally-friendlier refrigerants, reduce harmful refrigerant emissions, and move to advanced refrigeration technologies, strategies, and practices that lower the industry's impact on the ozone layer and climate. The program now includes more than 7,200 stores in all 50 states. In 2010, partners achieved leak rates 50 percent below the national average and established plans to reduce leaks even more.

The EPA's Responsible Appliance Disposal (RAD) Program[15] is a partnership that protects the ozone layer and reduces emissions of greenhouse gases through the recovery of ODS and HFCs from old refrigerators, freezers, air conditioners, and dehumidifiers. RAD currently has 38 partners. In 2009, RAD partners disposed of more than 680,000 refrigerant-containing appliances annually, reducing emissions by 150 ozone depletion potential (ODP)-weighted tons and 1.42 million metric tons of carbon dioxide equivalent ($MMTCO_2eq$).

While the Stratospheric Ozone Protection Program continues to heal the ozone layer and garner climate co-benefits, the EPA also works to improve public health by sharing information to help the public make informed decisions about health and the environment. The EPA SunWise program is a national environmental and health education program that teaches children and their caregivers how to protect themselves from overexposure to the sun through the use of classroom, school, and community-based components.[16] This outreach is important, given that successive generations of American children will continue to grow up under a compromised ozone layer until the middle of this century. SunWise has grown substantially in its 12 years of existence, from 25 schools in 1999 to more than 35,000 active teachers at 28,000 active schools nationwide in 2011. It is now relied on by public and private schools in every U.S. state. SunWise partner

[13] See: http://ozone.unep.org/Publications/MP_Key_Achievements-E.pdf, http://www.eoearth.org/article/Montreal_Protocol_on_Substances_that_Deplete_the_Ozone_Layer, http://ozone.unep.org/highlights.shtml (Nov 2, 2009, entry)
[14] For more information, see: www.epa.gov/greenchill
[15] For more information, see: www.epa.gov/ozone/partnerships/rad
[16] For more information, see www.epa.gov/sunwise

schools amount to a quarter of all schools in several states. According to a study published in *Pediatrics*,[17] every federal dollar invested in SunWise results in a $2-$4 savings in health care.

FY 2013 Activities and Performance Plan:

In carrying out the requirements of the Act and the Montreal Protocol in FY 2013, the EPA will continue to implement the domestic rulemaking agenda for control and reduction of ODS. Ongoing work of the Significant New Alternatives Policy (SNAP) to evaluate and regulate substitutes for ozone-depleting chemicals will continue to advance this agenda. The EPA will provide compliance assistance and enforce rules controlling ODS production, import, and emission.

In FY 2013, the EPA will focus its work to ensure that ODS production and import caps under the Montreal Protocol and Clean Air Act continue to be met. The Clean Air Act requires reductions and a schedule for phasing out the production and import of ODS. These requirements correspond to the domestic consumption cap for class II HCFCs, as set by the Parties to the Montreal Protocol. As of January 1, 2010, ODS production and imports were capped at 3,810 ODP-weighted metric tons, which is 25 percent of the U.S. baseline under the Montreal Protocol. Each ODS is weighted-based on its ozone depleting potential. In 2015, U.S. production and import will be reduced further, to 10 percent of the U.S. baseline, and in 2020, all production and import will be phased out except for exempted amounts.

Given the 2010 and 2015 milestones for the ODS phase-out, the EPA is receiving and responding to an increased number of ODS substitute applications, many of which represent lower-GHG options. Under the Significant New Alternatives Policy (SNAP) program,[18] the EPA reviews alternatives to assist the market's transition to alternatives that are safer, including for the climate system. The purpose of the program is to allow a smooth transition away from ODS by identifying substitutes that offer lower overall risks to human health and the environment. As necessary, the EPA restricts the use of alternatives for given applications that, if not restricted, would be more harmful to human health and the environment on an overall basis. In FY 2013, the EPA will consider the suite of available substitutes for each of approximately 50 end uses (e.g., appliance foam blowing agents, domestic refrigeration, air conditioning) in eight industrial sectors, and with the listing of new alternatives, review previous decisions, as necessary.

The program also yields other benefits. Many of these alternatives warrant increased focus because they offer significant energy efficiency gains as part of the overall transition.

The EPA also will continue to work with federal and international agencies to halt the illegal import of ODS. Additional efforts foster the smooth transition to non-ozone-depleting alternatives in various sectors.

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[17] *Pediatrics*. 2008 May;121(5):e1074-84. Economic evaluation of the US Environmental Protection Agency's SunWise Program: Sun Protection Education for Young Children. Kyle JW, Hammitt JK, Lim HW, Geller AC, Hall-Jordan LH, Maibach EW, De Fabo EC, Wagner MC.

[18] For more information, see: www.epa.gov/ozone/snap/

Performance Targets:

Measure	(S01) Remaining US Consumption of hydrochlorofluorocarbons (HCFCs), chemicals that deplete the Earth's protective ozone layer, measured in tons of Ozone Depleting Potential (ODP).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	<9,900	<9,900	<9,900	<9,900	<3,811	<3,811	<3,700	<3,700	ODP Tons
Actual	6,205	6,296	5,667	3,414	2,435	Data Avail 12/2012			

Annual performance goals are set to meet Clean Air Act requirements for the quantities and schedule for the phase-out of ODS production and import. These requirements correspond to the domestic consumption cap for HCFCs as set by the Parties to the Montreal Protocol. Beginning on January 1, 1996, HCFC consumption was capped at the sum of 2.8 percent of the domestic ODP-weighted consumption of chlorofluorocarbons in 1989 plus the ODP-weighted consumption of HCFCs in 1989.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$45.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$28.0/ +0.1 FTE) This reflects an increase in FTE and resources to support the ODS phase-out programs.

Statutory Authority:

CAA Amendments of 1990, Title I, Parts A and D (42 U.S.C. 7401-7434, 7501-7515), Title V (42 U.S.C. 7661-7661 f), and Title VI (42 U.S.C. 7671-7671q); The Montreal Protocol on Substances that Deplete the Ozone Layer.

Stratospheric Ozone: Multilateral Fund
Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Restore the Ozone Layer

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$9,690.0***	***$9,479.0***	***$9,690.0***	***$211.0***
Total Budget Authority / Obligations	$9,690.0	$9,479.0	$9,690.0	$211.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The ozone layer in the stratosphere protects life on Earth by preventing harmful ultraviolet (UV) radiation from reaching the Earth's surface. Scientific evidence amassed over the past 35 years has shown that ozone-depleting substances (ODS) used around the world destroy the stratospheric ozone layer and contribute to climate change.[19] Increased levels of UV radiation, due to ozone depletion, have contributed to increased incidence of skin cancer, cataracts, and other health effects.[20] Skin cancer is the most common type of cancer, accounting for nearly half of all cancers.[21] Increased UV levels also have been associated with other human and non-human effects, including cataracts, immune suppression, and effects on aquatic ecosystems and agricultural crops.[22]

The EPA estimates that in the U.S. alone, the worldwide phase-out of ODS will avert millions of non-fatal and fatal skin cancers[23] and millions of cataracts between 1990 and 2165.[24] According to current research, the ozone layer is expected to recover later this century. This long recovery period is due to the long atmospheric lifetime of ODS.[25] These estimates are based on the assumption that international ODS phase-out targets will be achieved through full participation by all countries (both industrialized and developing), allowing the ozone layer to recover. If developing countries go back to using ODS, at even 70 percent of historic rates, within twenty years the environmental and health gains to date would be negated, as would billions of dollars spent.

[19] World Meteorological Organization (WMO). Scientific Assessment of Ozone Depletion: 2010. Geneva, Switzerland. 2011.
[20] Fahey, D.W., and M.I. Hegglin (Coordinating Lead Authors), Twenty questions and answers about the ozone layer: 2010 Update, In Scientific Assessment of Ozone Depletion: 2010, Global Ozone Research and Monitoring Project–Report No. 52, 516 pp., World Meteorological Organization, Geneva, Switzerland,2011..
[21] American Cancer Society. "Skin Cancer Facts." Accessed August 9, 2010. Available on the Internet at http://www.cancer.org/Cancer/CancerCauses/SunandUVExposure/skin-cancer-facts.
[22] United Nations Environment Programme (UNEP), UNEP, Environmental Effects of Ozone Depletion: 2006 Assessment. Nairobi, Kenya, 2007.
[23] U.S. Environmental Protection Agency (EPA). The Benefits and Costs of the Clean Air Act 1990-2010: EPA Report to Congress. EPA: Washington, DC. November 1999. Also:
[24] Protecting the Ozone Layer Protects Eyesight – A Report on Cataract Incidence in the United States Using the Atmospheric and Health Effects Framework Model. Accessed August 9, 2010. Available on the Internet at: http://www.epa.gov/ozone/science/effects/AHEFCataractReport.pdf
[25] WMO, 2011.

The EPA will provide data to the Automated Commercial Environment (ACE), a data system being developed by the U.S. Customs and Border Protection, for importers and exporters to use to submit reports to over 40 agencies and for Customs to make admissibility decisions about products and shipments at US ports of entry, including those containing ODS. Ending the production and use of ODS not only saves the ozone layer, but it also reduces the climate impact of these potent greenhouse gases (GHGs).

Under the Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol), the U.S. and other developed countries contribute to the Multilateral Fund to support projects and activities in developing countries to eliminate the production and use of ODS. The Montreal Protocol is the first multilateral treaty to have universal participation with ratification by all 196 countries. The U.S. contribution to the Multilateral Fund, which is split between the EPA and the Department of State, is 22 percent of the total based on the U.N. scale of assessment. The Multilateral Fund draws heavily on U.S. expertise and technologies and the permanent seat of the U.S. on the Executive Committee ensures cost-effective assistance. Negotiated text supporting the 2007 adjustment to the Protocol commits donor countries, including the U.S., to "stable and sufficient" funding to the Multilateral Fund. The Parties to the Montreal Protocol agreed, in the 2007 adjustment, to a more aggressive phase-out for ozone-depleting hydrochlorofluorocarbons (HCFCs), which involves dramatic HCFC reductions during the period from 2010-2040, equaling a 47 percent reduction in overall emissions. Most of these reductions will occur in developing countries. As most ODS are strong greenhouse gases (GHGs), this faster phase-out also will result in large reductions in GHG emissions.

FY 2013 Activities and Performance Plan:

The EPA's contributions to the Multilateral Fund in FY 2013 will help continue support for cost-effective projects designed to build capacity and eliminate ODS production and consumption in over 60 developing countries. Today, the Multilateral Fund supports over 6,000 activities in 148 countries that, when fully implemented, will prevent annual emissions of more than 451,000 metric tons of ODS. Additional projects will be submitted, considered, and approved in accordance with Multilateral Fund guidelines.

Performance Targets:

Work under this program also supports performance results in the Stratospheric Ozone: Domestic Program under the Environmental Program Management Tab and can be found in the Performance Eight-Year Array in Tab 11.

The Clean Air Act requires reductions and a schedule for phasing out the production and import of ODS. These requirements correspond to the domestic consumption cap for class II HCFCs, as set by the Parties to the Montreal Protocol. Each ODS is weighted based on the damage it does to the stratospheric ozone layer—this is the ozone depletion potential (ODP). Since January 1, 2010, the U.S. is required to meet a consumption cap of 3,810 ODP-weighted metric tons. Further incremental reductions are required through 2020 until all ODS production and import are phased out, except for exempted amounts.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$211.0) This reflects an increase to support the Montreal Protocol.

Statutory Authority:

CAA Amendments of 1990, Title 1, Parts A and D (42 U.S.C. 7401-7434, 7501-7515), Title V (42 U.S.C. 7661-7661f), and Title VI (42 U.S.C. 7671-7671q); The Montreal Protocol on Substances that Deplete the Ozone Layer.

Program Area: Indoor Air and Radiation

Indoor Air: Radon Program
Program Area: Indoor Air and Radiation
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$5,318.5***	***$3,895.0***	***$2,198.0***	***($1,697.0)***
Science & Technology	$446.1	$210.0	$0.0	($210.0)
Total Budget Authority / Obligations	$5,764.6	$4,105.0	$2,198.0	($1,907.0)
Total Workyears	33.1	23.0	9.6	-13.4

Program Project Description:

Title III of the Toxic Substances Control Act (TSCA) directs the EPA to undertake a variety of activities to address the public health risk posed by exposures to indoor radon. Under the statute, the EPA studies the health effects of radon, assesses exposure levels, sets an action level, and advises the public of steps they can take to reduce exposure. The EPA also evaluates mitigation methods, institutes training centers to ensure a supply of competent radon service providers, establishes radon contractor proficiency programs, and assists states with program development through the administration of a grants program.

Radon is the second leading cause of lung cancer – and the leading cause of lung cancer mortality among non-smokers – accounting for about 21,000 deaths per year. The EPA's non-regulatory indoor radon program promotes actions to reduce the public's health risk from indoor radon. The EPA and the Surgeon General recommend that people do a simple home test and, if levels above EPA's guidelines are confirmed, reduce those levels by home mitigation using inexpensive and proven techniques. The EPA also recommends that new homes be built using radon-resistant features in areas where there is elevated radon. This voluntary program has succeeded in promoting partnerships between national organizations, the private sector, and state, local, and Tribal governmental programs to achieve radon risk reduction.

FY 2013 Activities and Performance Plan:

In FY 2011, the EPA launched a new radon initiative with other federal agencies to significantly increase attention to radon testing, mitigation, radon resistant new construction, and public education opportunities within each agency's sphere of responsibility. A significant portion of the risk reduction in the Federal Radon Action Plan will protect low-income Americans**.** In FY 2013, the EPA will continue to implement the multi-agency plan, as well as continue to implement the Agency's own radon program, although at slightly lower funding levels. Using information dissemination, social marketing techniques, and partnerships with influential public health and environmental organizations, the EPA will drive action at the national level to reduce radon risk in homes and schools. These actions promote testing for indoor radon, fixing homes

and schools when radon levels are high, and building new homes and schools with radon-resistant features.

In FY 2013, the EPA will continue its outreach and education to the general public and its technical assistance to states, although at slightly lower funding levels**.** The EPA will engage in public outreach and education activities, encourage radon risk reduction as a normal part of doing business in the real estate marketplace, promote local and state adoption of radon prevention standards in building codes, and participate in the development of national voluntary standards (e.g., mitigation and construction protocols) for adoption by states and the radon industry.[26]

The EPA's financial assistance to states and Tribes, through the State Indoor Radon Grants (SIRG) Program (authorized by Section 306 of TSCA Title III (the Indoor Radon Abatement Act) and described in another program element), will be eliminated in FY 2013, along with the resources for EPA regional office oversight. While the Radon program continues to be important to protect human health, over the course of the program, the EPA has provided significant grant funding to support states' efforts to establish sustainable programs. Some states now have the technical expertise and program funding in place to continue radon protection efforts without federal funding. The elimination of SIRG makes it necessary for state and local radon programs to maintain the number of homes with high radon levels that are mitigated, the number of new homes that are built with radon resistant new construction, and the number of schools with high radon levels that are mitigated or built with radon resistant new construction.

Performance Targets:

Measure	**(R50) Percentage of existing homes with an operating radon mitigation system compared to the estimated number of homes at or above EPA's 4pCi/L action level.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	No Target Established	No Target Established	11.1	11.5	12	12.5	13.3	13.9	Percent of Homes
Actual	9.4	10.3	11	12	12.3	Data Avail 12/2012			

Measure	**(R51) Percentage of all new single-family homes (SFH) in high radon potential areas built with radon reducing features.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	No Target Established	No Target Established	30	31.5	33	34.5	36	37.5	Percent of Homes
Actual	27.4	28.6	31	36.1	40.1	Data Avail 10/2012			

As a result of decrease in funding and other disinvestments in the Radon program, the EPA may not meet its 2015 long-term goal of preventing 1,460 premature lung cancer deaths annually. The

[26] http://www.epa.gov/radon

Agency's annual goals: 1) 13.9 percent of existing homes with an operating radon mitigation system compared to the estimated number of homes at or above EPA's 4pCi/L action level and 2) 37.5 percent of all new single family homes (SFH) in high radon potential areas built with radon reducing features also may not be met.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$1,522.0/ -11.9 FTE) This disinvestment eliminates all regional oversight for the State Indoor Radon Grants, which are being eliminated, as well as regional radon outreach, education, and technical assistance to the general public and states. This is a mature program that is being reduced to help meet the nation's fiscal challenges in FY 2013. The reduced resources include 11.9 FTE and associated payroll of $1,522.0.

- (-$175.0) This reduces national radon outreach, education, and technical assistance to the states.

Statutory Authority:

CAA Amendments of 1990; Radon Gas and Indoor Air Quality Research Act; Title IV of the SARA of 1986; TSCA, Section 6, Titles II and Title III (15 U.S.C. 2605 and 2641-2671); and IRAA, Section 306.

Reduce Risks from Indoor Air
Program Area: Indoor Air and Radiation
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$21,503.0***	***$17,168.0***	***$17,393.0***	***$225.0***
Science & Technology	$809.8	$370.0	$379.0	$9.0
Total Budget Authority / Obligations	$22,312.8	$17,538.0	$17,772.0	$234.0
Total Workyears	62.8	53.7	54.3	0.6

Program Project Description:

Title IV of the Superfund Amendments and Reauthorization Act of 1986 (SARA) gives the EPA broad authority to conduct and coordinate research on indoor air quality, develop and disseminate information, and coordinate risk reduction efforts at the federal, state, and local levels.

In this non-regulatory (voluntary) program, the EPA works through partnerships with non-governmental organizations and federal partners, as well as professional organizations, to educate and encourage individuals, schools, industry, the health care community, and others to take action to reduce health risks from poor indoor air quality. For many reasons, including peoples' decisions to smoke in their own homes, air inside homes, schools, and offices can be more polluted than outdoor air even in the largest and most industrialized cities.[27] People typically spend close to 90 percent of their time indoors, and may therefore be exposed more to air pollution indoors than out.[28] These conditions impact everyone, but there is a disproportionate burden for children, the elderly, people with respiratory conditions, including asthma, and low income families. In developing countries, indoor air pollution, primarily from unvented cooking and heating appliances, is the fourth leading cause of morbidity.

Additionally, the EPA uses technology transfer to improve the design, operation, and maintenance of buildings, including schools, homes, and offices, to promote healthier indoor air. The EPA provides technical guidance and assistance that directly supports states, Tribes, local governments, and a wide range of non-governmental organizations and networks, such as those representing public health professionals, school administrators, business officials, teachers, facility designers and managers, and indoor air quality service providers.

[27] U.S. EPA. 1987. *The Total Exposure Assessment Methodology (TEAM) Study: Summary and Analysis Volume I*. EPA 600-6-87-002a. Washington, DC: Government Printing Office.
[28] U.S. EPA. 1989. *Report to Congress on Indoor Air Quality, Volume II: Assessment and Control of Indoor Air Pollution.* EPA 40-6-89-001C. Washington, DC: Government Printing Office.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA's Indoor Air Program will continue to support the Administrator's priorities, including the protection of vulnerable subpopulations, especially children. The EPA will continue to promote comprehensive asthma care that integrates management of environmental asthma triggers and health care services by building community capacity for delivering comprehensive asthma care programs through the Communities in Action for Asthma-Friendly Environments Campaign. The EPA will place a particular emphasis on protecting vulnerable populations, including children, and low-income and minority populations disproportionately impacted by poor asthma outcomes. The EPA is one of three agency co-chairs of the Coordinated Federal Action Plan to Reduce Racial and Ethnic Asthma Disparities, an initiative under the auspices of the Taskforce on Environmental Health Risks and Safety Risks to Children.

The EPA will continue to provide, evolve, and extend existing program guidance to promote good indoor air quality across a range of building types – homes, schools, offices, and other indoor spaces – during multiple phases of the building life cycle. As part of this effort, EPA will collaborate with public and private sector organizations to provide clear and verifiable protocols and specifications for promoting good indoor air quality and efficiently integrate these protocols and specifications into existing energy efficiency, green building, and health-related programs and initiatives. The comprehensive and integrated specifications and protocols will address the control and management of moisture and mold, combustion gases, particles and VOCs, and protection and management of HVAC systems to ensure adequate ventilation and combustion safety. FY 2013 activities will include a special focus on equipping the affordable housing sector with training and guidance to promote the adoption of these best practices with the aim of creating healthy, energy efficient homes for low income families.

Internationally, the EPA will integrate its outreach and communication commitments under the Partnership for Clean Indoor Air with the new Global Alliance for Clean Cookstoves, a public-private initiative dedicated to developing a global market for clean cookstoves and fuels. The EPA will continue to provide technical expertise and assistance to developing countries to equip organizations within those countries to address human health risks due to indoor smoke from cooking and heating fires. Since 2003, the Indoor Air Program has documented 6.5 million households worldwide who have adopted clean and efficient cooking practices through the Partnership's programs, reducing 40 million people's exposure to dangerous pollutants.

Performance Targets:

Measure	**(R17) Additional health care professionals trained annually on the environmental management of asthma triggers.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	2,000	2,000	2,000	2,000	2,000	2,000	3,000	3,000	Professionals Trained
Actual	3,582	4,582	4,558	4,614	4,153	Data Avail 12/2012			

Measure	(R16) Percentage of the public that is aware of the asthma program's media campaign.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	>20	>20	>20	>20	>30	>30	>30	>30	Percent Aware
Actual	33	Data Not Avail	Data Not Avail	33	Data Avail 4/2012	Data Avail 12/2012			

Measure	(R22) Estimated annual number of schools establishing indoor air quality management plans consistent with EPA guidance.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	1,200	1, 100	1,100	1,000	1,000	1,000	1,000	1,000	Schools
Actual	1,200	1,346	1,614	1,765	2,448	Data Avail 12/2012			

The EPA will strive to meet its long-term strategic goal for 2015, that 7.6 million people with asthma will be taking the essential actions to reduce their exposure to environmental triggers. The EPA's goal is to motivate an additional 400 thousand people with asthma to take these actions in 2013, bringing the total number to approximately 6.9 million people with asthma who are taking the essential actions to reduce their exposure to environmental triggers. As another component of reducing exposure to environmental triggers for children with asthma, the EPA will work to reduce existing disparities between disproportionately impacted populations and the overall population.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$151.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+ $74.0 / +0.6 FTE) This reflects increased FTE and resources to support outreach for the indoor air program.

Statutory Authority:

CAA Amendments of 1990; Title IV of the SARA of 1986.

Radiation: Protection
Program Area: Indoor Air and Radiation
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Reduce Unnecessary Exposure to Radiation

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$11,156.0***	***$9,616.0***	***$9,760.0***	***$144.0***
Science & Technology	$2,275.4	$2,094.0	$2,126.0	$32.0
Hazardous Substance Superfund	$2,478.4	$2,468.0	$2,637.0	$169.0
Total Budget Authority / Obligations	$15,909.8	$14,178.0	$14,523.0	$345.0
Total Workyears	79.6	75.4	76.1	0.7

Program Project Description:

Congress designated the EPA as the primary federal agency charged with protecting human health and the environment from harmful and avoidable exposure to radiation. The EPA has important general and specific duties depending on the enabling legislation (e.g., Atomic Energy Act, Nuclear Waste Policy Act, Clean Air Act, etc). The EPA's Radiation Protection Program carries out this responsibility through its federal guidance and regulations/standards development activities. The EPA provides oversight of operations at the Waste Isolation Pilot Plant (WIPP). The EPA also regulates airborne radioactive emissions and ensures that the Agency has appropriate methods to manage radioactive releases and exposures under Sec. 112 of the Clean Air Act, which governs the EPA's authority to regulate hazardous air pollutants.

Other EPA responsibilities include radiation clean-up and waste management guidance, radiation pollution prevention, and guidance on radiation protection standards and practices to federal agencies. The Agency's radiation science is recognized nationally and internationally; it is the foundation that the EPA, other federal agencies, and states use to develop radiation risk management policy, guidance, and rulemakings. The Agency works closely with other national and international radiation protection organizations, such as the National Academy of Sciences, the National Council on Radiation Protection and Measurements, the International Atomic Energy Agency, the International Commission on Radiation Protection, and the Organization of Economic and Cooperative Development's Nuclear Energy Agency to advance scientific understanding of radiation risks.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to implement its regulatory oversight responsibilities for Department of Energy (DOE) activities at the WIPP facility, as mandated by Congress in the WIPP Land Withdrawal Act of 1992. The EPA also will continue its oversight work to ensure the permanent and safe disposal, consistent with EPA standards,[29] of all radioactive waste

[29] Additional information at: http://www.epa.gov/radiation/wipp/background.html

shipped to WIPP. This includes conducting inspections of waste generator facilities and evaluating DOE's compliance with applicable environmental laws and regulations every five years. The EPA will complete the revision to the Uranium Mill Tailings Radiation Control Act regulation (40 CFR 192), last reviewed in 1995, and the related Hazardous Air Pollutants, Subpart W (40 CFR 61) update.

The EPA, in partnership with other federal agencies, will continue to promote the management of radiation risks in a consistent and safe manner at water treatment facilities and during cleanups at Superfund, DOE, Department of Defense (DOD), state, local and other federal sites. The EPA will continue to conduct limited radiation risk assessments and provide guidance and technical tools, when available.

Performance Targets:

Measure	**(R37) Time to approve site changes affecting waste characterization at DOE waste generator sites to ensure safe disposal of transuranic radioactive waste at WIPP.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	105	90	80	70	70	70	70	70	Days
Actual	100	86	75	75	66	Data Avail 12/2012			

The EPA's radiation labs are supporting Strategic Plan Goal 1, Objective 4: Reducing Unnecessary Exposure to Radiation through their ongoing work. The program developed a performance measure that demonstrates the EPA's ability to expedite processes while ensuring safe disposal of transuranic radioactive waste at the WIPP.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$125.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$19.0) This increase will support the development of radiation guidances and support documents.

- (+0.5 FTE) This reflects an increase in FTE to support radiation program development.

Statutory Authority:

AEA of 1954, as amended, 42 U.S.C. 2011 et seq. (1970), and Reorganization Plan #3 of 1970; CAA Amendments of 1990; CERCLA as amended by the SARA of 1986; Energy Policy Act of 1992, P.L. 102-486; Executive Order 12241 of September 1980, National Contingency Plan, 3 CFR, 1980; NWPA of 1982; PHSA as amended, 42 U.S.C. 201 et seq.; SDWA; Uranium Mill Tailings Radiation Control Act (UMTRCA) of 1978; WIPP Land Withdrawal Act.

Radiation: Response Preparedness
Program Area: Indoor Air and Radiation
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Reduce Unnecessary Exposure to Radiation

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$3,439.8***	***$3,038.0***	***$3,083.0***	***$45.0***
Science & Technology	$4,181.9	$4,076.0	$4,156.0	$80.0
Total Budget Authority / Obligations	$7,621.7	$7,114.0	$7,239.0	$125.0
Total Workyears	43.0	41.9	42.2	0.3

Program Project Description:

The EPA generates policy guidance and procedures for EPA radiological emergency response under the National Response Framework (NRF) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). EPA maintains its own Radiological Emergency Response Team (RERT), is a member of the Federal Radiological Preparedness Coordinating Committee (FRPCC), and also supports the Federal Advisory Team for Environment, Food, and Health (the "A-Team"). The EPA responds to radiological emergencies, conducts national and regional radiological response planning and training, and develops response plans for radiological incidents or accidents.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA's RERT, a component of the Agency's emergency response structure, will continue to ensure that it maintains and improves the level of readiness to support federal radiological emergency response and recovery operations under the NRF and NCP. The EPA will design training and exercises to enhance the RERT's ability to fulfill EPA responsibilities, as well as analyze them for improvements needed for overall radiation response preparedness.[30] Through personnel and asset training and exercises, EPA will continue to enhance and maintain its state of readiness for radiological emergencies.

The EPA will continue to coordinate with its interagency partners, under the Federal Radiological Preparedness Coordinating Committee, to revise federal radiation emergency response plans and develop radiological emergency response protocols and standards. The Agency will continue to develop guidance addressing lessons learned from incidents, including the recent Fukushima Nuclear Incident, and exercises to ensure more effective coordination of EPA support with other federal and state response agencies. The EPA will continue to develop and maintain Protective Action Guides (PAGs) for use by federal, state, and local responders. Additionally, the EPA will provide training on the use of the PAGs to users through workshops and radiological emergency response exercises.

[30] Additional information can be accessed at: http://www.epa.gov/radiation/rert/

The EPA will continue to participate in planning and implementing international and federal table-top and field exercises including radiological anti-terrorism activities, with the Nuclear Regulatory Commission (NRC), Department of Energy (DOE), Department of Defense (DOD), and Department of Homeland Security (DHS). The EPA also will continue to train state, local, and federal officials and provide technical support to federal and state radiation, emergency management, solid waste, and health programs that are responsible for radiological emergency response and development of their own preparedness programs.

The EPA will continue development and implementation of field-based measurement methods, procedures, and quality systems to support expedited assessment and characterization of outdoor and indoor areas impacted with radiological contamination. Application of these field-based methods and procedures will support rapid assessment and triage of impacted areas (including buildings, indoor environments, and infrastructure) and development of cleanup strategies.

The EPA's Special Teams will design and establish an instrument quality program for field-based radiological measurements. The EPA's Special Teams also will develop procedures for ensuring protection of responders by minimizing exposure and keeping the dose as low as reasonably achievable.

Performance Targets:

Measure	**(R35) Level of readiness of radiation program personnel and assets to support federal radiological emergency response and recovery operations.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	78	80	85	90	90	90	90	90	Percent Readiness
Actual	78	83	87	90	97	Data Avail 6/2012			

Measure	**(R36) Average time before availability of quality assured ambient radiation air monitoring data during an emergency.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	1.9	1.3	1	0.8	0.7	0.7	0.5	0.5	Days
Actual	1.9	1.3	0.8	0.8	0.5	Data Avail 12/2012			

The EPA will maintain the level of readiness of radiation program personnel and assets to support federal radiological emergency response and recovery operations. EPA expects to be on track through its ongoing work to accomplish its FY 2013 goal of protecting public health and the environment by minimizing unnecessary exposure to radiation.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$22.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$23.0) This increase supports the development of emergency response activities.

Statutory Authority:

Atomic Energy Act (AEA) of 1954, as amended, 42 U.S.C. 2011 et seq. (1970), and Reorganization Plan #3 of 1970; Clean Air Act (CAA) Amendments of 1990; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR 300; Executive Order 12241 of September 1980, National Contingency Plan, 3 CFR, 1980; Executive Order 12656 of November 1988, Assignment of Emergency Preparedness Responsibilities, 3 CFR, 1988; Homeland Security Act of 2002; Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA); Public Health Service Act (PHSA), as amended, 42 U.S.C. 201 et seq.; Robert T. Stafford Disaster Relief and EAA, as amended, 42 U.S.C. 5121 et seq.; Safe Drinking Water Act (SDWA); and Title XIV of the Natural Disaster Assistance Act (NDAA) of 1997, PL 104-201 (Nunn-Lugar II).

Program Area: Brownfields

Brownfields
Program Area: Brownfields
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$24,443.8***	***$23,642.0***	***$25,685.0***	***$2,043.0***
Total Budget Authority / Obligations	$24,443.8	$23,642.0	$25,685.0	$2,043.0
Total Workyears	135.4	145.6	142.4	-3.2

Program Project Description:

The Brownfields program is designed to help states, tribes, local communities, and other stakeholders involved in environmental revitalization and economic redevelopment to work together to plan, inventory, assess, safely cleanup, and reuse brownfields. Brownfield sites are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Brownfields redevelopment is a key to revitalizing downtown areas, thereby increasing property values and creating jobs. Revitalizing these once productive properties helps communities by removing blight, improving environmental conditions and providing public health benefits, satisfying the growing demand for land, helping to limit urban sprawl, fostering ecologic habitat enhancements, enabling economic development, and maintaining or improving quality of life. This program comprises the administrative component necessary to achieve the Brownfields mission. It includes human resources, travel, training, technical assistance, and research activities.

The EPA's work is focused on removing barriers and creating incentives for brownfields cleanup and redevelopment. The EPA's Brownfields program funds research efforts, clarifies liability issues, develops and maintains federal, state, Tribal, and local partnerships, conducts environmental outreach and training activities, and creates related job training and workforce development programs. The program provides the necessary administrative framework to develop the funding solicitations, and to select, award and manage the ongoing and approximately 300 additional grant awards each year. The EPA brownfield grants are in the form of cooperative agreements and require considerable effort to manage and ensure recipients are performing successfully.

Agency staff oversees and manages hundreds of brownfields cooperative agreements awarded each year. Regional project officers are managing as many as 30 cooperative agreements per project officer which is well above the ten cooperative agreements that the program's workload model suggest each project officer should manage. This program project supports the staffing and cooperative agreement management responsibilities. The program also provides financial assistance for: (1) hazardous substances training for organizations representing the interests of states and Tribal co-implementers of the Brownfields law and (2) technical outreach support to

address environmental justice issues and support Brownfields research by providing tools and technical resources to help a variety of stakeholders identify technologies, technical help, contacts, and other resources to aid in the assessment and cleanup of brownfield properties. Technical assistance to communities in the form of research, training, and analyses can lead to appropriate and cost effective implementation of brownfields redevelopment projects by providing communities the knowledge necessary to understand market conditions, evaluate technical and economic alternatives available and understand potential obstacles to implementing effective and economically productive solutions.

The program provides funding for staff to work across the Agency's other programs, such as the air, water, enforcement and other media offices to advance approaches for Brownfields cleanup and redevelopment that will improve environmental outcomes - such as reducing vehicle miles traveled, reducing stormwater runoff and pollutant loadings. For example, this program supports the Agency's participation in the America's Great Outdoors federal partnership and will continue to identify opportunities to support communities whose vision includes the revitalization of brownfields and other contaminated properties for conservation and recreational purposes, as well as collaborate with our partner agencies and communities in identifying critical resources that may be appropriately employed in pursuit of restoring and protecting our outdoors legacy.

The EPA's enforcement program develops guidance and tools that clarify potential environmental cleanup liabilities, thereby providing greater certainty and comfort for parties seeking to reuse these properties. The enforcement program also can provide direct support to parties seeking to reuse contaminated properties in order to facilitate transactions through consultations and the use of enforcement tools.

The Brownfields Program employs smart growth and sustainable design approaches in brownfield redevelopment. The smart growth activities include: (1) working with state and local governments and other stakeholders to create cross-cutting solutions that improve the economic and institutional climate for Brownfields redevelopment; (2) removing barriers and creating incentives for Brownfields redevelopment; and (3) ensuring improved water and air quality in Brownfields redevelopment.

The Land Revitalization Program works with communities facing challenges related to the revitalization of brownfields and other contaminated lands. The primary mission of the Land Revitalization program is to support communities in their efforts to restore contaminated lands into sustainable community assets that maximize beneficial economic, ecological, and social uses to the community and ensure protection of human health and the environment. A priority for both the Land Revitalization and Brownfields Programs is to assist communities facing the difficult challenge of recovering from the recession, particularly those areas affected by the reorganization of the U.S. auto industry. The auto industry is beginning to recover and this recovery is contributing to the nation's overall economic recovery. However, part of the necessary restructuring implemented by the auto industry included the abandonment of unwanted assets such as former manufacturing plants. Many communities in the midwest (e.g., Flint, MI, Toledo, OH, Indianapolis, IN, and Kensoha WI) are faced with finding solutions for the assessment, cleanup and repurposing of former auto industry properties. The Agency is setting a priority to work with these communities to assist them in finding solutions so that these

properties can once again become assets to their communities. The Land Revitalization and Brownfields programs can assist these communities with planning, training, and technical assistance to plan for and implement solutions that will result in the cleanup and revitalization of former manufacturing facilities.

FY 2013 Activities and Performance Plan:

Throughout FY 2013, the Brownfields program will continue to foster federal, state, local, and public-private partnerships to return properties to productive economic use in communities. This approach emphasizes environmental health and protection that also achieves economic development and job creation through the redevelopment of Brownfields properties, particularly in underserved and disadvantaged communities.

In FY 2013, the EPA's Brownfields program will manage a significant workload of assessment, cleanup, revolving loan fund (RLF), and Environmental Workforce Development and Job Training cooperative agreements. Project officers for this program negotiate and award new cooperative agreements as part of current workload as well as manage the grants throughout their full life-cycle. The FY 2013 Budget requests an increase to enhance the agency's capability to provide administrative and technical support to the regional offices through the necessary contractual support to manage the Program's numerous grant funding competitions[31], and to manage the critical database system that collects data from grantees regarding the specific activities and environmental outcomes of the grant funding (the Assessment, Cleanup and Redevelopment Exchange System ACRES database). The Program requires this support to assist with management of the considerable cooperative agreement workload (Regional project officers are managing as many as 30 cooperative agreements per project officer which is well above the ten to eleven cooperative agreements that the program's workload model suggest each project officer should manage).

In addition to supporting the operations and management of the Brownfields program, funds in FY 2013 will provide financial assistance for training on hazardous waste to organizations representing the interests of state and Tribal co-implementers of the Small Business Liability Relief and Brownfields Revitalization Act (SBLRBRA), otherwise known as the 2002 Brownfields Amendments. The program also offers outreach support for the Administrator's Priority of promoting Environmental Justice issues affecting Tribal and native Alaskan villages or other disadvantaged communities that need to address perceived or real hazardous substance contamination at sites in their neighborhood or community.

In FY 2013, the program will work with other programs through an intra-agency workgroup to carry out environmental outreach activities through enhancing educational resources and disseminating information about the Brownfields program including environmental justice and brownfields redevelopment and cleanup. Other outreach activities include community training through issuance of grants, innovative awards, and collaboration with national environmental organizations. These environmental outreach activities will support the EPA's mission to expand the conversation on environmentalism and working for environmental justice.

[31] Including maintaining the Agency's relationship with the National Older Worker Career Center, an important source of short-term technical expertise.

The EPA will provide technical assistance to communities that have been awarded funding by applying smart growth approaches to Brownfields redevelopment. The EPA also will conduct further research on incentives for cleanup that encourage Brownfields redevelopment, pilot additional techniques to accomplish redevelopment within communities, identify new policy and research needs, and highlight best practices that can be copied in other communities. Brownfield redevelopment is an essential component of smart growth development, as both seek to return abandoned and underutilized sites and existing infrastructure to their fullest potential as environmentally sound community and economic assets.

The EPA's request includes $200,000 to assist communities affected by the recession, particularly those communities impacted by the reorganization of the U.S. auto industry, by providing technical assistance in the areas of planning and analyzing how to safely and sustainably assess, cleanup up and revitalize former manufacturing facilities. The EPA will conduct training activities to assist communities in identifying potential obstacles to sustainable revitalization, analyzing potential solutions, and engaging affected stakeholders in community revitalization efforts.

In FY 2013, the EPA's Brownfields program request includes $1.3 million for the smart growth program. This program addresses critical issues for Brownfields redevelopment, including land assembly, development permitting issues, financing, parking and street standards, accountability to uniform systems of information for land use controls, and other factors that influence the economic viability of Brownfields redevelopment. The best practices, tools, and lessons learned from the smart growth program will directly inform and assist the EPA's efforts to increase area-wide planning for assessment, cleanup, and redevelopment of Brownfields sites.

In FY 2013, the EPA is requesting a decrease of $138 thousand for Brownfield's enforcement program. The EPA's enforcement program will continue to work collaboratively with our partners on innovative approaches to help achieve the Agency's land reuse priorities. The EPA's enforcement program will also continue to develop guidance and tools to provide greater certainty and comfort regarding potential liability concerns for parties seeking to reuse these properties.

The National Brownfields Conference is the largest and most comprehensive conference in the nation focused on environmental revitalization and economic redevelopment issues. Starting in FY 2013, the EPA plans to distribute a larger portion of the total cost of planning and delivering the Brownfields Conference to conference attendees by charging a registration fee for the conference. The cost to the Agency will be reduced by the amount of revenue collected through registration fees. Therefore, the EPA is optimistic that the Agency's portion of funding for the National Brownfields Conference will be significantly less during this fiscal year.

Performance Targets:

Work under this program supports performance results in the STAG: Brownfields Program Projects and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$107.0) This increase reflects the recalculation of base workforce costs for existing FTE.

- (-$247.0 / -3.2 FTE) This decrease reflects a realignment of total FTEs to better reflect performance efficiencies that have been developed for Brownfields grants management and enforcement activities.

- (+$2,058.0) This net increase: 1) enhances the agency's capability to provide administrative and technical support to the regional offices through contract support and management of the ACRES database; 2) allows the program to promote training and technical support activities to brownfields communities, including training to increase compliance activities such as ACRES reporting and compliance with the All Appropriate Inquiries regulation; and 3) allows the program to provide the opportunity for small and rural communities, and communities facing significant financial hardship, to attend and participate in the National Brownfields Training Conference, through travel scholarships and reduced registration fees.

- (+$125.0) This increase is to provide resources to integrate environmental outreach resources and training to the public and increase transparency about the Brownfields program, environmental justice and other environmental issues. These environmental outreach activities will support the EPA's core mission to expand the conversation on environmentalism.

Statutory Authority:

Comprehensive Environmental Response, Compensation and Liability Act , as amended by the Small Business Liability Relief and Brownfields Revitalization Act, 42 U.S.C. 9601 et seq. – Sections 101, 107 and 128 and the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq. – Section 8001.

Program Area: Compliance

Compliance Monitoring
Program Area: Compliance

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$109,266.9***	***$106,707.0***	***$125,209.0***	***$18,502.0***
Oil Spill Response	$111.2	$138.0	$142.0	$4.0
Hazardous Substance Superfund	$1,192.5	$1,221.0	$1,223.0	$2.0
Total Budget Authority / Obligations	$110,570.6	$108,066.0	$126,574.0	$18,508.0
Total Workyears	624.1	626.7	634.5	7.8

Program Project Description:

The Compliance Monitoring program's overarching goal is to assure compliance with the nation's environmental laws and protect human health and the environment through inspections and other compliance monitoring activities. Compliance monitoring comprises all activities to determine whether regulated entities are in compliance with applicable laws, regulations, permit conditions, and settlement agreements. In addition, compliance monitoring activities are conducted to determine whether conditions exist that may present imminent and substantial endangerment to human health and the environment. Compliance monitoring activities include data collection, analysis, data quality review, on-site compliance inspections/evaluations, investigations, and reviews of facility records and monitoring reports.

The EPA's Compliance Monitoring activities target areas that pose significant risks to human health or the environment, display patterns of non-compliance, or involve disproportionately exposed populations. The EPA's Compliance Monitoring program manages compliance and enforcement data and associated information systems, which are then used to manage the compliance and enforcement program.[32] The program also responds to information requests, tips, and complaints from the public. The Agency uses multi-media approaches such as cross-media inspections, sector initiatives, and risk-based targeting to take a more holistic approach to protecting human health and ecosystems and to solving the more intractable environmental problems. In addition, the Agency reviews and responds to 100 percent of the notices for movement of hazardous waste, Cathode Ray Tube export notices for recycling, and Spent Lead Acid Battery export notices for recycling across U.S. international borders. The Agency ensures

[32] For more information, refer to: http://www.epa.gov/compliance/monitoring/index.html

that these wastes are properly handled in accordance with international agreements and Resource Conservation and Recovery Act (RCRA) regulations.[33]

The EPA coordinates, supports, and oversees the performance of states, local agencies, and tribal governments that conduct compliance monitoring activities. The Agency's Compliance Monitoring program also provides technical assistance and training to federal, state, and tribal inspectors. The EPA's efforts complement state and tribal programs to ensure compliance with laws throughout the United States. The EPA works with states and tribes to identify where these compliance inspections, evaluations, and investigations will have the greatest impact on achieving environmental results.

FY 2013 Activities and Performance Plan:

The EPA has achieved impressive pollution control and health benefits through vigorous compliance monitoring and enforcement, but enforcement alone will not address all non-compliance problems. The sheer number of regulated facilities, the contributions of large numbers of smaller sources to environmental problems, and federal and state budget constraints, mean the EPA can no longer rely primarily on the traditional single facility inspection and enforcement approach to ensure widespread compliance.[34] In FY 2013, the Agency will need to innovate in order to achieve gains in compliance over the long-term.

The Agency needs to develop and implement a new paradigm that relies heavily on advances in both monitoring and information technology. This new paradigm is called "Next Generation Compliance." There are multiple components to this new paradigm: the use of modern monitoring technology to detect pollution problems; electronic reporting by facilities so that we have quality, complete, and timely information on compliance and pollutants; transparency so the public is aware of facility and government environmental performance; implementation of innovative enforcement approaches; and structuring our regulations to promote compliance. In FY 2013, the National Enforcement and Compliance Assurance program will continue to implement Next Generation Compliance approaches to help achieve the EPA's goals more efficiently and effectively while continuing to pursue high priority work.

The program proposes to focus resources from historically lower priority programs in order to support the implementation of Next Generation Compliance approaches. This work will invest in 21st century technology to increase the Agency's ability to ensure fairness by detecting violations that impact public health, reduce transaction costs, and better engage the public to drive behavioral changes in the regulated community. In FY 2013, as part of Next Generation Compliance, the Agency will continue to enhance the efficiency and effectiveness of the Compliance Monitoring program by emphasizing electronic reporting (e-reporting), enhancing data systems to collect, synthesize and disseminate monitoring data, and deploying state of the art monitoring equipment to the field.

The Agency will continue implementing enhancements to the Compliance Monitoring program by using Next Generation Compliance approaches in the following areas:

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[33] For more information about the Import/Export program, refer to: www.epa.gov/compliance/international/importexport.html
[34] www.epa.gov/compliance/resources/policies/civil/cwa/actionplan101409.pdf

- Expanding Electronic Reporting. In FY 2013, the Agency will move forward with efforts to convert key paper reporting regulations to electronic format. Replacing paper based reporting with electronic reporting will decrease unnecessary reporting burdens on industry and improve the efficiency of the EPA and state partners. The key reporting regulations will be selected based on an Agency wide review conducted in FY 2012. In FY 2013, EPA will implement a new electronic reporting policy (to be issued in FY 2012) to include electronic reporting as the default (rather than paper reporting) in new regulations whenever reporting is appropriate.

- Designing Regulations to Improve Compliance. As part of the process of developing new rules, the EPA will identify opportunities where objective self-monitoring and/or self-certification, third party certification, public accountability, electronic reporting and other tools may be appropriate.

- Using a market based approach for electronic reporting from regulated entities. The EPA will continue to develop an open platform "electronic reporting file" data exchange standard modeled after that used by the IRS to collect tax data. The intent is to take advantage of the expertise of the private sector to create new electronic reporting tools. These private sector electronic reporting tools would be based on data standards of the EPA and would replace the largely paper-based reporting systems that evolved over the past 30 years. Further, in those programs where the EPA has already built electronic reporting tools, the private sector may enhance these tools to better support industry needs, enabling the EPA largely to eliminate the need to fund the operation and maintenance of these tools.

- Expand the capability of the EPA and state data systems. The EPA will continue to expand its capability to receive, analyze, and make publicly available information on the compliance status of facilities and their impact on public health and the environment.

In February 2010, the EPA's Enforcement and Compliance Assurance program announced three overarching goals to guide its work: 1) aggressively go after pollution problems that matter to communities; 2) reset our relationship with states; and 3) improve transparency. At the same time, the program announced the selection of new National Enforcement Initiatives for the FY 2011-2013 period, replacing the prior set of National Enforcement Priorities.[35]

These new National Enforcement Initiatives include:

- Municipal Infrastructure – keeping raw sewage and contaminated stormwater out of our nation's waters;
- Concentrated Animal Feeding Operations (CAFO) – preventing animal waste from contaminating surface and ground waters;
- Air Toxics – cutting toxic air pollution from facilities out of compliance with the Clean Air Act;

[35] EPA previously used the term "National Enforcement Priorities" to refer to these initiatives. EPA changed the terminology to "National Enforcement Initiatives" to describe this work more accurately and to make clear that these areas of focus do not include all the priority problems or compliance and enforcement work EPA is doing.

- Clean Air Act New Source Review/Prevention of Significant Deterioration – reducing widespread air pollution from the largest sources, especially the coal-fired utility, cement, glass, and acid sectors;
- Mining and Mineral Processing Initiative – protecting and cleaning up our communities from toxic and hazardous waste; and
- Energy Extraction Sector – assuring compliance with environmental laws.

In FY 2013, the Compliance Monitoring program will continue to identify the most serious violations under these National Initiatives so that appropriate enforcement actions can be initiated to remedy the violations and achieve the stated goals.

To ensure the quality of compliance monitoring activities, the EPA is continuing to develop national policies, update inspection manuals, provide required training for inspectors, and issue inspector credentials. In FY 2013, the EPA will continue to conduct training to ensure that the inspectors/investigators are: 1) knowledgeable of environmental requirements and policies; 2) technically proficient in conducting compliance inspections/evaluations and taking samples; and 3) skilled at interviewing potential witnesses and documenting inspection/evaluation results. Compliance monitoring activities include oversight of and support to states and tribes, as well as authorizing states/tribes employees to conduct inspections and evaluations on the EPA's behalf. The program works across the Agency and with states and tribes to build capacity, share tools and approaches, and develop networks of professionals that can share and help build expertise.

In FY 2013, the Agency will improve its efficiency by integrating technology and electronic capture of data from the field into the inspection and evaluation process. Adopting 21st century tools provides an opportunity to improve the timeliness and accuracy of data collection and entry while increasing national consistency and uniformity in the inspection and evaluation process and increasing the efficiency of submitting inspection and evaluation reports. Utilizing 21st century technology also creates efficiencies for industry as well as state and tribal partners.

Compliance monitoring includes the use of data systems to run compliance and enforcement programs under the various statutes and programs that the EPA enforces. In FY 2013, the Agency will focus on enhancing its data systems to support electronic reporting, providing more comprehensive and accessible data to the public, and allowing for improved integration of environmental information with health data and other pertinent data sources from other federal agencies and private sources. The Agency will continue its multi-year project to modernize its national enforcement and compliance data system, the Integrated Compliance Information System (ICIS), which supports both compliance monitoring and civil enforcement. The second of ICIS's three phases of development will be completed in FY 2013:

- Phase I of ICIS established a multi-media federal enforcement and compliance database in FY 2002. This system is used every day across the EPA to support the enforcement and compliance program. The data are used for targeting, internal performance management, and reporting results to the public via the Enforcement and Compliance History Online (ECHO) website.

- Phase II of ICIS is the modernization of the Permit Compliance System (PCS), which supports the EPA and state management of the National Pollutant Discharge Elimination System program. As of August 2011, 34 states, 2 tribes, 8 territories, and the District of Columbia are using ICIS. In FY 2012, several states will move from PCS to ICIS. In FY 2013, all remaining states in PCS will be moved to ICIS, thus completing Phase II.

- Phase III of ICIS expands the system to include the unique requirements of the Clean Air Act stationary sources compliance and enforcement program through the modernization of the Air Facility System (AFS). In FY 2012, the EPA will finalize the AFS modernization requirements and complete a detailed technical design. In FY 2013, the EPA will conduct system development and testing, focusing on air toxics as the first new module.

The EPA is committed to making meaningful facility compliance information available and accessible to the public using 21st century technologies. The EPA will continue to increase the transparency of the EPA's monitoring and enforcement program by making multi-media compliance monitoring information available to the public through the ECHO website during FY 2013. In FY 2013, EPA expects to create new mobile ECHO applications, dramatically increasing public access. In FY 2011, ECHO was recognized by the President as an example for other federal agencies to use in making access to compliance data more transparent. ECHO, and its powerful companion tool for regulators, the Online Targeting and Information System (OTIS), serves more than 400 government entities.[36] Together, OTIS and ECHO provide the public and regulators with information on facility compliance, pollutant releases, and environmental quality, averaging 180 thousand queries per month in FY 2011.

The Compliance Monitoring program will help advance additional priorities of the Administrator. In FY 2013, the EPA will continue its focus on improving the health of children by assessing how non-compliance contributes to health risks in schools, and targeting compliance and enforcement actions to reduce risks to children.

The Pollution Prosecution Act of 1990 directed the Agency to create the National Enforcement Training Institute (NETI) to provide environmental enforcement and compliance training nationwide to all levels of government. In FY 2013, NETI will continue to provide classes, webinar seminars and web based training for the national environmental enforcement personnel through the use of new internet technologies and using EPA experts in the regions and at EPA headquarters. NETI also will continue to provide support for state personnel enforcement training.

The EPA will continue to review all notices for trans-boundary movement of hazardous waste and for export of Cathode Ray Tubes and Spent Lead Acid Batteries to ensure compliance with domestic regulations and international agreements. While the vast majority of the hazardous waste trade occurs with Canada, the United States also has international trade agreements with Mexico, Malaysia, Costa Rica, and the Philippines, and is a member of the Organization for Economic Cooperation and Development, which issued a Council Decision controlling trans-

[36] See White House Press Release January 11, 2011, "Presidential Memoranda - Regulatory Compliance" at: http://www.whitehouse.gov/the-press-office/2011/01/18/presidential-memoranda-regulatory-compliance

boundary movement of hazardous waste applicable to all member countries. In FY 2011, the EPA responded to 1,937 notices representing 578 import notices and 1,359 export notices..

Performance Targets:

Measure	(409) Number of federal inspections and evaluations.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							19,000	17,000	Inspections/ Evaluations
Actual									

Measure	(412) Percentage of open consent decrees reviewed for overall compliance status.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							100	100	Percent
Actual									

Results will become available for these measures at the end of FY 2012, and will be reported in the FY 2012 Annual Performance Report and the FY 2014 Congressional Justification.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$1,811.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$3,585.0 / +8.3 FTE) This change reflects a redirection of resources within other enforcement program projects for higher priority activities such as conducting compliance inspections, maintaining compliance monitoring tools for effective targeting, and supporting EPA's enforcement data systems. These resources are critical to maintain adequate capacities in enforcing various statutes and programs and ensuring that targets for enforcement inspections and total pounds of pollution prevented are met over time. The additional resources include $1,185.0 associated payroll for the 8.3 FTE.

- (+$13,171.0) This change reflects increased resources to support the Agency's efforts to increase compliance with the nation's environmental laws as part of a realignment of the Agency's priorities. This includes supporting the development of tools to facilitate electronic reporting of data, ensuring new and existing rules incorporate electronic reporting, revamping data systems to collect, synthesize and disseminate monitoring data, and deploying advanced monitoring equipment to the field. These resources will invest in 21st century technology to increase the EPA's ability to detect violations that impact public health, reduce transaction costs, and better engage the public to drive behavioral changes in the regulated community.

- (+$68.0 / +0.5 FTE) This increase supports the enforcement component of an Agencywide effort to reduce air toxics pollution within at-risk communities and around schools and other places where children may be exposed. These resources will be used to assess compliance with existing air toxics emission rules and pursue enforcement actions. The additional resources include $68.0 associated payroll for 0.5 FTE.

- (-$133.0 / -1.0 FTE) This decrease reflects a transfer to the National Environmental Policy Act Implementation program supporting reviews of energy development projects occurring in the regions. The reduced resources include $133.0 associated payroll for 1.0 FTE.

Statutory Authority:

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NEPA; NAAEC; LPA-US/MX-BR.

Program Area: Enforcement

Civil Enforcement
Program Area: Enforcement

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$179,391.2***	***$177,290.0***	***$188,957.0***	***$11,667.0***
Leaking Underground Storage Tanks	$644.0	$789.0	$792.0	$3.0
Oil Spill Response	$2,209.6	$2,286.0	$2,968.0	$682.0
Hazardous Substance Superfund	$4.4	$0.0	$0.0	$0.0
Total Budget Authority / Obligations	$182,249.2	$180,365.0	$192,717.0	$12,352.0
Total Workyears	1,203.9	1,205.1	1,205.7	0.6

Program Project Description:

The Civil Enforcement program's overarching goal is to assure compliance with the nation's environmental laws to protect human health and the environment. Effective enforcement is essential to deter violations and to promote compliance with federal environmental statutes and regulations. The program collaborates with the United States Department of Justice, states, local agencies, and tribal governments to ensure consistent and fair enforcement of all environmental laws and regulations. The program seeks to focus on violations that threaten communities, maintain a level economic playing field by ensuring that violators do not realize an economic benefit from noncompliance, and deter future violations. The Civil Enforcement program develops, litigates, and settles administrative and civil judicial cases against serious violators of environmental laws.

The EPA's National Enforcement and Compliance Assurance program is responsible for maximizing compliance with 12 environmental statutes, 28 distinct programs under those statutes, and dozens of regulatory requirements under those programs which apply in various combinations to a universe of approximately 40 million regulated federal and private entities. In addition, as a means for focusing its efforts, the enforcement program identifies, in three year cycles, serious noncompliance patterns as national initiatives. The enforcement program coordinates the selection of these initiatives with programs and regional offices within the EPA, and with states, local agencies and tribes, in addition to soliciting public comment.

The EPA uses a variety of integrated tools to maximize compliance with the nation's environmental laws. This includes assistance to regulated entities to ensure fair notice and to

make clear how to comply with regulations; compliance monitoring (e.g., monitoring compliance status, identifying violations through on-site inspections, investigations, and collection and analysis of compliance data); incentives to motivate regulated facilities/companies to identify, disclose and correct violations; and administrative, civil and criminal enforcement. In addition to using these tools, the enforcement program provides oversight of authorized state and local agency performance to ensure that national environmental laws are enforced in a consistent, equitable manner that protects public health and the environment. The EPA also works directly with tribal governments to build their capacity to implement environmental enforcement programs.

FY 2013 Activities and Performance Plan:

EPA has achieved impressive pollution control and health benefits through vigorous compliance monitoring and enforcement, but enforcement alone will not address all noncompliance problems. The sheer number of regulated facilities, the contributions of large numbers of smaller sources to environmental problems, and federal and state budget constraints, mean the Agency can no longer rely primarily on the traditional single facility inspection and enforcement approach to ensure widespread compliance.[37] Instead, the Agency needs to develop and implement a new paradigm that relies heavily on advances in both monitoring and information technology.

This new paradigm is called "Next Generation Compliance." There are multiple components to this new paradigm: the use of modern monitoring technology to detect pollution problems; electronic reporting by facilities so that the Agency has quality, complete, and timely information on compliance and pollutants; transparency so the public is aware of facility and government environmental performance; implementation of innovative enforcement approaches; and structuring our regulations to promote compliance. In FY 2013, the national Enforcement and Compliance Assurance program will increase efforts to implement Next Generation Compliance approaches to help achieve the EPA's goals more efficiently and effectively while continuing to pursue high priority work.

Under the Next Generation Compliance effort, the EPA will continue to review compliance reporting requirements contained in existing rules to identify opportunities for conversion to a national electronic reporting format. As part of the process of developing new rules, the EPA also will continue to identify opportunities to use objective self-monitoring, self-certification or third party certification, public accountability, advanced monitoring, and electronic reporting requirements. Electronic reporting, replacing paper based reporting, is likely to be a common feature of most new rules, although the appropriate approach and tools used for particular rules will vary. Replacing paper based reporting with electronic reporting will decrease unnecessary reporting burdens on industry and improve the efficiency of the EPA and state partners.

The EPA also will continue investing in more modern monitoring technology (e.g., portable emission detectors, thermal imaging cameras, flow meters, and remote monitoring equipment) to increase the effectiveness and efficiency of our compliance monitoring program. Using modern

[37] www.epa.gov/compliance/resources/policies/civil/cwa/actionplan101409.pdf

monitoring tools will allow the EPA and state inspectors to do more efficient and effective inspections and compliance verification. Maximizing the use of advanced data and monitoring tools will allow the EPA and states to focus limited inspection and enforcement resources in those areas where they are most effective or most necessary such as: complex industrial operations that require physical inspection, repeat violators, cases involving significant harm to human health or the environment, or potential criminal violations.

In FY 2013, the Agency will continue to focus on complex and challenging national pollution problems including Clean Water Act "wet weather" pollutant discharges, violations of the Clean Air Act New Source Review/Prevention of Significant Deterioration (NSR/PSD) requirements and Air Toxics regulations, and Resource Conservation and Recovery Act (RCRA) violations at mineral processing facilities, as well as reviewing and addressing emerging problems in the energy extraction sector. Information on initiatives, regulatory requirements, enforcement alerts, and results from civil enforcement activities will be made available to the public and the regulated community on the EPA's web sites.[38]

The Agency's civil enforcement resources provide primary support for the U.S. Department of Justice's civil action against BP, Anadarko, and others responsible for the Deepwater Horizon oil spill. The Department of Justice filed its complaint on behalf of the EPA, the U.S. Coast Guard and other federal plaintiffs in December 2010. The EPA is actively participating in the litigation and discovery process in response to the Deepwater Horizon oil spill; this is expected to continue through FY 2013. The Agency is requesting $1.0 million and 3.2 FTE for Deepwater Horizon litigation support.

The Civil Enforcement program encompasses the full range of environmental issues such as water, air, waste, and others issues, including the regulation of federal facility sites. The Federal Facilities Enforcement program will continue to expeditiously pursue enforcement actions at Federal facilities where significant violations are discovered, with a specific focus expected on noncompliance with stormwater, underground storage tanks, RCRA waste requirements, and other priority areas. The program also will continue its partnership in *FedCenter*, the federal facility environmental stewardship and compliance assistance center cosponsored by more than a dozen federal agencies.

In FY 2011, through its efforts in the core program and national initiatives, the EPA achieved pollution reduction commitments totaling 1.8 billion pounds per year, the second highest amount since the EPA began measuring pollutant reductions from enforcement cases using current methodologies. Also in FY 2011, EPA enforcement actions required companies to invest an estimated $19 billion in actions and equipment to control pollution (injunctive relief), a record amount. In addition, the EPA's top 15 Clean Air Act enforcement actions of FY 2011 reduced emissions of particulate matter, sulfur dioxide, nitrogen oxides, and VOCs, resulting in projected health benefits and other environmental improvements valued at $15 to $36 billion each year.

The EPA's Clean Water program will continue to work with states, tribes, and communities to improve our nation's impaired waters. In addition, the EPA, working with permitting authorities, is revamping compliance and enforcement approaches to make progress on the most important

[38] For more information, visit: http://www.epa.gov/oecaerth/civil/index.html

water pollution problems. This work includes getting raw sewage out of water, cutting pollution from animal waste, and reducing pollution from stormwater runoff. These efforts will help to clean up great waters like the Chesapeake Bay and will focus on revitalizing urban communities by protecting and restoring urban waters. Enforcement also will support the goal of assuring clean drinking water for all communities, including small systems and in Indian country.

The EPA will collaborate with states, tribes, and communities to reduce air toxics pollution, especially pollution affecting vulnerable communities. In FY 2013, the EPA will continue to support the air toxics initiative by targeting air monitoring, inspections, and enforcement activities to reduce toxic emissions.

The EPA's RCRA Corrective Action enforcement program supports the goal set by the Agency and its state partners of attaining remedy construction at 95 percent of 3,747 RCRA facilities by the year 2020. In 2010, the EPA issued the "National Enforcement Strategy for Corrective Action" (NESCA) to promote and communicate nationally consistent enforcement and compliance assurance principles, practices, and tools to help achieve this goal. In FY 2013, the EPA will continue targeted enforcement under this strategy and will work with its state partners to assess the contribution of enforcement in making progress towards the 2020 corrective action goal. As a result of this assessment, necessary modifications to NESCA will be made and additional tools and guidance may be developed.

The Renewable Fuels Standard regulations that became effective in July of 2010 under the Energy Independence and Security Act (EISA) of 2007 require increased use of renewable fuels. In FY 2013, as a result of the increasing use of new feedstocks, production processes and fuels, the Civil Enforcement program will help the regulated community understand their statutory obligations under the EISA; inspect renewable fuel production facilities; monitor compliance with renewable fuel requirements; monitor and enforce the credit trading program; and undertake administrative and judicial enforcement actions against violators.

In FY 2013, reliable information on compliance and program performance remains critical. The EPA's Civil Enforcement program will continue to rely heavily on the Integrated Compliance Information System (ICIS) to manage its compliance and enforcement activities by tracking the status of all civil judicial and administrative enforcement actions, as well as compliance and enforcement results. The EPA will continue to make information on its enforcement work publically accessible on its ECHO web site.

The Civil Enforcement program also will support the Environmental Justice program by focusing enforcement actions on industries that have repeatedly violated environmental laws in communities that may be disproportionately exposed to risks and harm from environmental contaminants, including minority and/or low-income areas. The EPA works to protect these and other burdened communities from adverse human health and environmental affects through programs consistent with environmental and civil rights laws.

It is critically important that the EPA continually assess priorities and embrace new approaches that can help achieve the Agency's goals more efficiently and effectively. The EPA's FY 2013 budget submission for the Enforcement and Compliance Assurance program decreases some

program areas in order to continue the pursuit of the Agency's highest priority work. The EPA will continue to determine the areas most appropriate for reduction while implementing a new enforcement paradigm through Next Generation Compliance.

Performance Targets:

Measure	(400) Millions of pounds of air pollutants reduced, treated, or eliminated through concluded enforcement actions.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					480	480	480	480	Million Pounds
Actual					410	1,100			

Measure	(402) Millions of pounds of water pollutants reduced, treated, or eliminated through concluded enforcement actions.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					320	320	320	320	Million Pounds
Actual					1,000	740			

Measure	(404) Millions of pounds of toxic and pesticide pollutants reduced, treated, or eliminated through concluded enforcement actions.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					3.8	3.8	3.8	3.8	Million Pounds
Actual					8.3	6.1			

Measure	(405) Millions of pounds of hazardous waste reduced, treated, or eliminated through concluded enforcement actions.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					6,500	6,500	6,500	6,500	Million Pounds
Actual					11,800	3,600			

Measure	(410) Number of civil judicial and administrative enforcement cases initiated.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							3,300	3,200	Cases
Actual									

Measure	(411) Number of civil judicial and administrative enforcement cases concluded.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							3,200	3,000	Cases
Actual									

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$3,425.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$350.0 / -2.5 FTE) This reflects a reduction in lower priority civil enforcement programs to support higher priority activities. The reduced resources include 2.5 FTE and associated payroll of $350.0.

- (+$4,287.0) This change reflects an increase to support the Agency's efforts to increase compliance with the nation's environmental laws as part of a realignment of the Agency's priorities. This includes modernizing the EPA's approach to enforcement by ensuring new and existing rules incorporate electronic reporting and deploying monitoring equipment to the field to increase support for the civil enforcement program. Using modern enforcement and monitoring tools will allow the EPA and states to do more efficient and effective inspections and enforcement, focusing limited enforcement resources in those areas where they are most effective or most necessary such as complex industrial operations that require physical inspection, repeat violators, cases involving significant harm to human health or the environment.

- (+$3,416.0) This provides needed resources to maintain the capacity and support for litigation, investigation, and inspection efforts. These resources ensure continuity in enforcing various statutes and avoid declines in pounds of pollution prevented over time.

- (+$1,029.0 / +3.2 FTE) This increase is provided for Deepwater Horizon litigation support, discovery management, and the continuing civil investigation against existing and potential additional defendants. The additional resources include $448.0 associated payroll for 3.2 FTE.

- (-$140.0 / -1.0 FTE) This decrease reflects a transfer to the criminal enforcement program reflecting regional legal support for the criminal enforcement program.

Statutory Authority:

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NAAEC; LPA-US/MX-BR; NEPA; SBLRBRERA; CERCLA; PPA; CERFA; AEA; PPA; UMTRLWA; EPAct.

Criminal Enforcement
Program Area: Enforcement
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$51,623.3***	***$48,123.0***	***$51,900.0***	***$3,777.0***
Hazardous Substance Superfund	$7,845.9	$7,903.0	$7,680.0	($223.0)
Total Budget Authority / Obligations	$59,469.2	$56,026.0	$59,580.0	$3,554.0
Total Workyears	299.9	295.4	298.2	2.8

Program Project Description:

The EPA's Criminal Enforcement program investigates the most serious and complex environmental crimes committed by individual and corporate defendants. EPA criminal investigators ("Special Agents") work closely with forensic scientists, attorneys, technicians, engineers, and other specialists to protect the public and the environment by uncovering and developing cases for prosecution by Federal, state, tribal, and local prosecutors. These cases consist of violations of environmental statutes and associated violations of Title 18 of the United States Code such as fraud, conspiracy, false statements, and obstruction of justice. Successful prosecutions deter other potential violators, eliminate the incentive for companies to "pay to pollute," and help ensure that businesses that follow the rules do not face unfair competition from those that break the rules. Criminal enforcement also sends a strong deterrence message in communities where residents have suffered disproportionate pollution impacts, in part due to criminal actions.

The EPA's Special Agents conduct all aspects of case development. Special Agents provide prosecutorial support, evaluate leads, interview witnesses, serve and support search warrants, review documentary evidence (including data from environmental inspections, other databases, and files), collect field forensic evidence using specialized sampling and monitoring equipment, and testify in court. Agents also assist in plea negotiations and in planning sentencing conditions that will require defendants to undertake projects to improve environmental conditions or develop environmental management systems to enhance performance.

These efforts support environmental crimes prosecutions primarily by the United States Attorneys and the Department of Justice's Environmental Crimes Section, but occasionally by state, tribal, and local prosecutors. Criminal enforcement attorneys provide legal and policy support for all of the program's responsibilities, including forensics and expert witness preparation, to ensure that program activities are carried out in accordance with legal requirements and the policies of the Agency.

The EPA's Special Agents also participate in task forces and specialized training at the Federal Law Enforcement Training Center along with other federal, state, and local law officials. These

joint efforts and training help build state, local, and tribal environmental enforcement expertise, which helps them protect their communities and offer valuable leads to the EPA's program.[39]

FY 2013 Activities and Performance Plan:

In FY 2013, the Criminal Enforcement program will continue to emphasize cases with significant environmental, human health, and deterrence impacts while balancing its overall case load across all pollution statutes. The Criminal Enforcement program continues to "tier" significant cases based upon categories of human health and environmental impacts (e.g., death, serious injury, human exposure, remediation), release and discharge characteristics (e.g., hazardous or toxic pollutants, continuing violations), and subject characteristics (e.g., national corporation, recidivist violators). In FY 2011, criminal charges were brought against 249 defendants, and criminal defendants were assessed a total of $35 million in fines and restitution.

The Criminal Enforcement program will continue to enhance its collaboration and coordination with the Civil Enforcement program to ensure that the EPA enforcement program as a whole responds to violations as effectively as possible. The Criminal Enforcement program will work with the Civil Enforcement program to identify national enforcement initiative cases and violations of national priorities of the EPA that would most effectively be addressed through criminal prosecution. This coordinated approach is accomplished by employing an effective regional case screening process to identify the most appropriate civil or criminal enforcement responses for a particular violation, and by taking criminal enforcement actions against long-term or repeat significant non-compliers where appropriate.

The EPA's Criminal Enforcement program is committed to fair and consistent enforcement of federal laws and regulations, balanced with the flexibility to respond to region-specific environmental problems. In FY 2013, the Criminal Enforcement program will continue to implement management oversight controls and national policies to ensure that violators in similar circumstances receive similar treatment under federal environmental laws. Consistency is promoted by evaluating all investigations from the national perspective, overseeing all investigations to ensure compliance with program priorities, conducting regular "docket reviews" (detailed review of all open investigations in each regional office) to ensure consistency with investigatory discretion guidance and enforcement priorities, and by developing, implementing, and periodically reviewing and revising policies and programs.

In FY 2013, the program will continue to use data from the electronic Criminal Case Reporting System. The program also will seek to deter environmental crime by increasing the volume and quality of leads reported to the EPA by the public through the tips and complaints link on the EPA's website, and will continue to use the fugitive website.[40] The fugitive website enlists the public and law enforcement agencies to help apprehend defendants who have fled the country, are in hiding to avoid prosecution for alleged environmental crimes, or are in hiding to avoid sentencing for crimes for which they have been found guilty. During FY 2011, two fugitives were added to the website and two former fugitives who were captured in prior years were sentenced.

[39] For more information visit: http://www.epa.gov/compliance/criminal/index.html
[40] For more information visit: http://www.epa.gov/fugitives/

Performance Targets:

Measure	(418) Percentage of criminal cases having the most significant health, environmental, and deterrence impacts.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							43	43	Percent
Actual									

Measure	(419) Percentage of criminal cases with individual defendants.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							75	75	Percent
Actual									

Measure	(420) Percentage of criminal cases with charges filed.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							40	40	Percent
Actual									

Measure	(421) Percentage of conviction rate for criminal defendants.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							85	85	Percent
Actual									

Results will become available for these measures at the end of FY 2012, and will be reported in the FY 2012 Annual Performance Report and the FY 2014 Congressional Justification.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$1,030.0) This increase reflects the recalculation of base workforce costs and cost of living adjustment for existing FTE.

- (+$1,142.0 / +3.0 FTE) This increase is provided for Deepwater Horizon litigation support and the continuing criminal investigation against existing and potential additional defendants. The additional resources include $510.0 associated payroll for 3.0 FTE.

- (+$1,465.0 / +2.5 FTE) This change reflects the resources needed to enable the program to continue to support high priority criminal investigations and enforcement cases. The investigations will focus on the most pressing environmental crimes, targeting cases involving death or serious injury, human exposure or other threats to community health, and/or repeat offenders. The additional resources include $425.0 associated payroll for 2.5 FTE.

- (+$140.0 / +1.0 FTE) This increase reflects a transfer from the civil enforcement program. These resources will support the current regional legal workload. The additional resources include $140.0 associated payroll for 1.0 FTE.

Statutory Authority:

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; Residential Lead-Based Paint Hazard Reduction Act (RLBPHRA); FIFRA; Ocean Dumping Act (i.e., MPRSA); Pollution Prosecution Act; Title 18 General Federal Crimes (e.g., false statements, conspiracy); Powers of Environmental Protection Agency (18 U.S.C. 3063).

Environmental Justice
Program Area: Enforcement
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$8,407.0***	***$6,848.0***	***$7,161.0***	***$313.0***
Hazardous Substance Superfund	$1,128.7	$583.0	$613.0	$30.0
Total Budget Authority / Obligations	$9,535.7	$7,431.0	$7,774.0	$343.0
Total Workyears	34.4	32.8	32.9	0.1

Program Project Description:

The EPA is committed to fostering public health in communities disproportionately burdened by pollution through integrating and addressing issues of environmental justice (EJ) in the EPA's programs and policies as part of its day-to-day business. EPA's Environmental Justice program promotes accountability for compliance with Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations". The EPA's programs and Regional Offices implement Plan EJ 2014.[41] The Environmental Justice Program facilitates this integration by: (1) supporting and promoting the Agency's efforts to address environmental justice issues; (2) supporting the EPA's outreach to other federal agencies through the interagency working group on environmental justice; and, (3) promoting opportunities for communities to be heard on environmental justice issues.

The EJ program conducts outreach to overburdened communities and provides financial and technical assistance that empowers low income and minority communities to take action to protect themselves from environmental harm. The EJ program partners with other Agency programs to develop scientific, legal, and public engagement guidance documents that enable the incorporation of environmental justice considerations in the EPA's regulatory and policy decisions. Finally, the EJ program supports Agency efforts to strengthen internal mechanisms to integrate environmental justice into the EPA's programs and activities including communication, training, performance management, and accountability measures.

FY 2013 Activities and Performance Plan:

The EPA will implement environmental justice activities consistent with the vision and commitments outlined in the Agency's FY 2011-2015 Strategic Plan, FY 2013 annual action plan for the Cross-Cutting Fundamental Strategy for EJ and Children's Health, and Plan EJ 2014.

In FY 2013, the EPA's Enforcement and Compliance Assurance, Research and Development, and Policy programs will collaborate with Agency program offices and Regional Offices to

[41] Plan EJ 2014 can be found at http://www.epa.gov/compliance/environmentaljustice/plan-ej/index.html

finalize and implement technical guidance to support the integration of environmental justice considerations in rulemaking and other analyses that inform and support the EPA's decisions and actions. This has been an ongoing challenge for the EPA to develop rules that implement existing statutory authority, while working to reduce disproportionate pollutant burdens and cumulative impacts from multiple sources on low income and minority communities. In addition, the Agency will continue efforts to support and monitor the incorporation of environmental justice considerations in the rulemaking process.

In FY 2013, the Agency will continue to facilitate the integration of environmental justice considerations into planning and performance measurement processes. The EPA's EJ program will continue to work with program and regional offices to maintain an inventory of successful efforts that track and report progress in achieving results in communities disproportionately burdened by environmental pollution.

In FY 2013, the EPA will continue to manage its Environmental Justice Small Grants program, which assists community-based organizations and other groups in developing solutions to local environmental issues. Since its inception in 1994, the EJ program has awarded nearly $23 million through its small grants program to more than 1,253 community-based organizations such as non-profit organizations, local governments, Tribal governments, and Tribal organizations to support their efforts to address local environmental and/or health issues. The EJ program will continue to provide federal assistance to overburdened and vulnerable communities to enhance their capacity to address environmental challenges in their communities.

In FY 2013, the EJ program will continue to support the EJ eco-Ambassadors program that provides an opportunity for graduate students to work collaboratively with the EPA to support community-based programs and increase the capacity of local communities to address environmental concerns. The program also facilitates career development opportunities for participants who have been involved in or have a strong interest in environmental justice.

The National Environmental Justice Advisory Council (NEJAC) is the Agency's Federal Advisory Committee Act (FACA) committee on environmental justice issues. The Council provides advice and recommendations about broad, cross-cutting issues related to environmental justice, from all stakeholders involved in the environmental justice dialogue. In addition, the NEJAC provides a valuable forum for discussions about integrating environmental justice with other priorities and initiatives of the EPA. During FY 2013, the EJ program will convene two face-to-face meetings of the NEJAC. These meetings will be augmented by meetings of issue-specific work groups and public teleconference meetings.

Finally, in FY 2013, the EJ program will continue to work with other federal agencies to continue building strong relationships with historically underrepresented communities. Pursuant to Executive Order 12898, the EPA will continue to convene the Interagency Working Group on Environmental Justice (EJIWG) and will use this mechanism to provide and foster training and technical assistance to other federal agencies on the integration of environmental justice into their programs. The EJ program, through its work with the EJIWG, under the *"Memorandum of Understanding on Environmental Justice and Executive Order 12898 (August 4, 2011)"* will continue to work with federal partners to develop and enhance their EJ strategies as well as

create meaningful opportunities to promote public input in on-going efforts to incorporate environmental justice principles in agency programs. Further, the EJ program will work with other federal agencies to advance consideration of environmental justice through the National Environmental Policy Act. The EJ program also will continue to assist program offices and other environmental organizations and government agencies to deliver customized training to increase the capacity of their personnel to effectively address issues of environmental justice. Moreover, the EJ program will use the EJIWG and the Department of Housing and Urban Development (HUD) – Department of Transportation (DOT) – and the EPA Partnership for Sustainable Communities to identify collaborative opportunities to support the achievement of healthy and sustainable community goals.

Performance Targets:

Work under this program supports multiple strategic objectives that benefit disproportionately burdened minority, low-income, and Tribal populations. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$153.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$160.0 / +0.1 FTE) This increase reflects support for EJ high priority activities such as implementing Plan EJ 2014, integrating EJ considerations in the Agency's rulemakings, and helping other program offices within the EPA, community organizations, and other agencies address EJ issues. The additional resources include $14.0 associated payroll for 0.1 FTE.

Statutory Authority:

Executive Order 12898; RCRA; CWA; SDWA; CAA; TSCA; EPCRA; FIFRA; NEPA; Pollution Prevention Act.

NEPA Implementation
Program Area: Enforcement
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Promote Pollution Prevention

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$17,105.0***	***$17,298.0***	***$17,424.0***	***$126.0***
Total Budget Authority / Obligations	$17,105.0	$17,298.0	$17,424.0	$126.0
Total Workyears	117.7	116.1	113.5	-2.6

Program Project Description:

As required by the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the NEPA Implementation program reviews Environmental Impact Statements (EISs) that evaluate the anticipated environmental impacts of proposed major federal actions. The review includes assessing options for avoiding or mitigating environmental impacts while making the comments available to the public and allowing for public input. The NEPA Implementation program also guides the EPA's own compliance with NEPA and other relevant statutes and Executive Orders. The program also manages the official EIS filing system for all federal EISs, in accordance with a Memorandum of Understanding with the Council on Environmental Quality. Finally, the program manages the review of Environmental Impact Assessments of non-governmental activities in Antarctica, in accordance with the Antarctic Science, Tourism and Conservation Act (ASTCA).

In addition, the program fosters cooperation with other federal agencies to ensure compliance with applicable environmental statutes, promotes better integration of pollution prevention and ecological risk assessment elements into their programs, and provides technical assistance in developing projects that prevent adverse environmental impacts. The program encourages other federal agencies to incorporate environmental justice considerations into their decision making as they perform environmental analyses (both EISs and Environmental Assessments) under NEPA. In its review of EISs associated with major federal actions, the NEPA Implementation program pays particularly close attention to high impact federal program areas such as energy development, and transportation and water resources projects. The program also develops agency policy and technical guidance on issues related to NEPA, the Endangered Species Act, the National Historic Preservation Act and relevant Executive Orders (EOs).[42]

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to work with other federal agencies to streamline, modernize, and improve the NEPA process by encouraging early involvement in the project scoping process and promoting approaches for working collaboratively with federal, state, local and Tribal

[42] For more information, refer to: www.epa.gov/compliance/nepa

partners on project proposals. The program will continue to use and promote the use of its web-based NEPAssist environmental assessment tool, which assists federal, state, local agencies and Tribes with their NEPA responsibilities.

Work also will focus on a number of key areas such as reviewing and commenting on proposals for oil and gas leasing and extraction, coal and hard-rock mining, renewable energy development (e.g., solar and wind projects); nuclear power licensing/re-licensing; highway and airport expansion; flood control, port development and management of national forests and public lands. In FY 2013, the EPA will continue work related to the Appalachian Coal Mining Interagency Action Plan, including the multi-year effort to develop a cumulative impact assessment method for addressing impacts of surface coal mining. In addition, the EPA will continue its successful collaboration efforts with federal land management agencies to ensure the growing number of oil and natural gas development projects do not cause significant adverse air quality impacts. The EPA also will work to develop a web-based system for federal agencies to file EISs with the EPA, and to make comments on EISs accessible to the public on a centralized website.

The EPA will continue with its NEPA Compliance work, ensuring compliance with applicable statues and EOs. The NEPA program will continue to ensure environmental justice concerns are properly addressed in all actions where the EPA must comply with NEPA. In FY 2013, at least 90 percent of the EPA projects subject to NEPA environmental assessment or EIS requirements are expected to result in no significant environmental impact.

Performance Targets:

Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$357.0) This increase is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$479.0 / -3.6 FTE) This reflects a reduction in ongoing efforts to work with other federal agencies to streamline, modernize, and improve the NEPA process through early cooperation and involvement. This change includes a reduction of $479.0 associated payroll for 3.6 FTE.

- (+$248.0 / +1.0 FTE) This increase reflects a transfer from the Compliance Monitoring program to the National Environmental Policy Act Implementation program supporting reviews of energy development projects occurring in the Regional Offices. Resources also reflect an increase in support for the EPA to conduct EIS reviews prepared by other federal agencies, maintain a national filing system for all EISs, and assure the EPA's actions comply with NEPA responsibilities. The additional resources include $133.0 associated payroll for 1.0 FTE.

Statutory Authority:
CAA; NEPA; ASTCA; CWA; ESA; NHPA; AHPA; FCMA; FWCA; EO 12898.

Program Area: Geographic Programs

Great Lakes Restoration
Program Area: Geographic Programs
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$329,215.5***	***$299,520.0***	***$300,000.0***	***$480.0***
Total Budget Authority / Obligations	$329,215.5	$299,520.0	$300,000.0	$480.0
Total Workyears	90.0	83.2	84.1	0.9

Program Project Description:

The Great Lakes are the largest system of surface freshwater on earth, containing 20 percent of the world's surface freshwater and 95 percent of the surface freshwater in the United States. The Great Lakes watershed includes 2 nations, 8 U.S. states, 2 Canadian provinces, and more than 40 tribes.

Through a coordinated interagency process led by the EPA, implementation of the *Great Lakes Restoration Initiative* or Initiative is helping to restore the Great Lakes ecosystem, enhance the economic health of the region, and ultimately improve the public health of the area's 30 million Americans. As outlined in the *Great Lakes Restoration Initiative Action Plan,*[43] the Initiative targets five focus areas:

- eliminating or mitigating toxic substances and restoring designated Areas of Concern;
- preventing and reducing the destructive impacts of invasive species;
- improving nearshore health and reducing nonpoint source pollution;
- improving habitat and reducing species loss; and
- emphasizing and instilling the concepts of accountability, education, monitoring, evaluation, communication, and partnership throughout the implementation of the Initiative.

The *Great Lakes Restoration Initiative* provides the level of investment and the interagency coordination necessary to work efficiently in these five areas.

The goal of the EPA's Great Lakes program is to restore and maintain the environmental integrity of the Great Lakes ecosystem, as mandated by the *Great Lakes Restoration Initiative*, the *Great Lakes Water Quality Agreement*, and the Clean Water Act. As the primary means of accomplishing this goal, the EPA leads the Interagency Task Force in implementation of the FY 2010 to FY 2014 *Great Lakes Restoration Initiative Action Plan* (Action Plan). This interagency collaboration accelerates progress, avoids potential duplication of effort, and saves money.

[43] http://www.epa.gov/greatlakes/glri/
http://greatlakesrestoration.us/pdfs/glri_actionplan.pdf

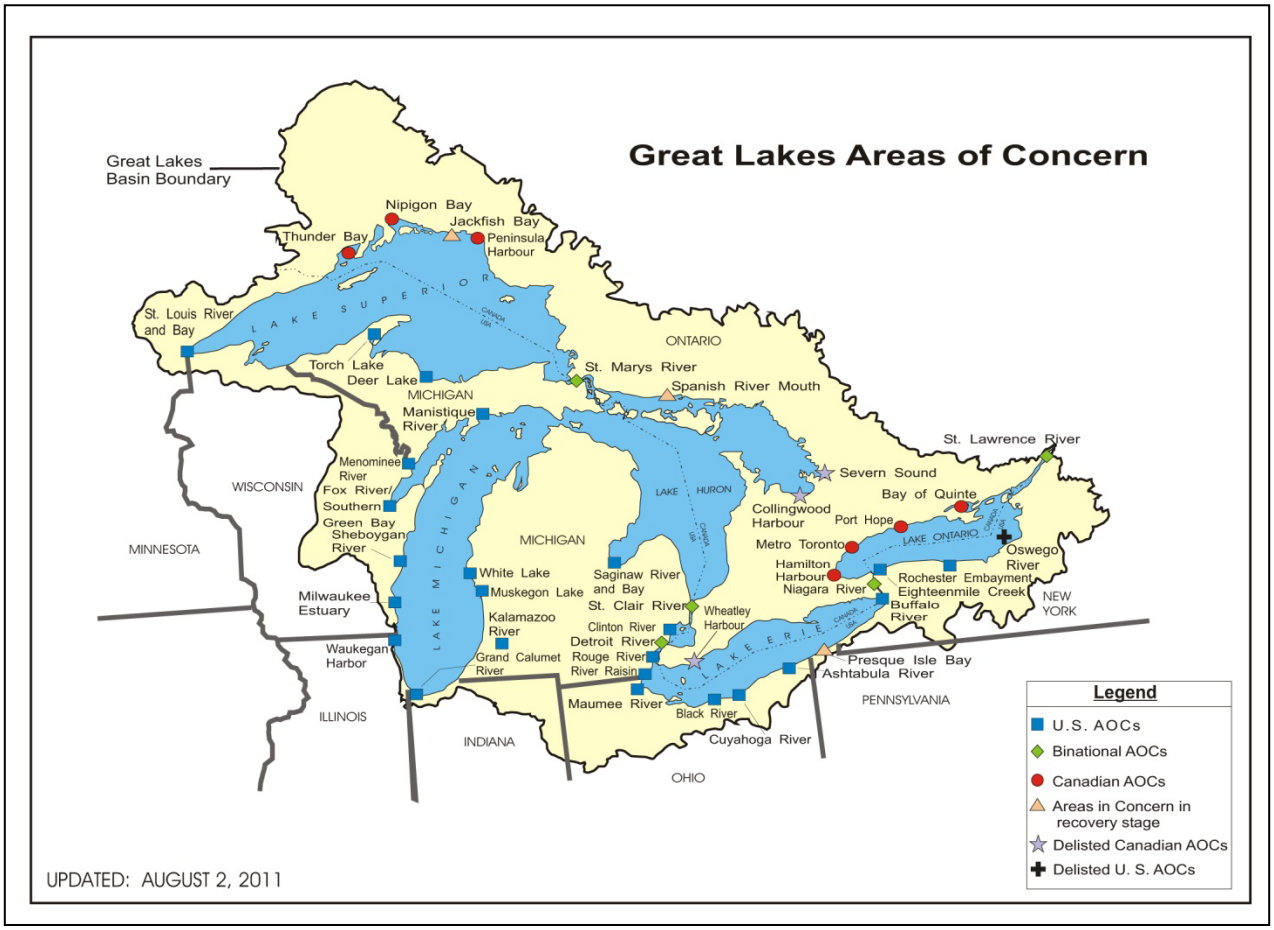
In addition to the EPA, the other principal agencies involved in the *Great Lakes Restoration Initiative* are: White House Council on Environmental Quality, U.S. Department of Agriculture, U.S. Department of Commerce, Department of Health and Human Services, Department of Homeland Security, Department of Housing and Urban Development, Department of State, Department of Defense, Department of Interior, and Department of Transportation. Each has an important role.

The EPA works with its *Great Lakes Restoration Initiative* partners to select the best combination of programs and projects for Great Lakes restoration and protection based on criteria such as impact on public and/or environmental health, as feasibility of prompt implementation and timely achievement of measurable outcomes. *Great Lakes Restoration Initiative* funds are used to implement federal projects and projects done in conjunction with public entities like states, tribes, municipalities, universities and with private entities such as non-governmental organizations. *Great Lakes Restoration Initiative* grants are generally issued competitively. However, the EPA also distributes funds for projects to other federal agencies to supplement (but not supplant) the base funding for these agencies' Great Lakes activities. For example, with the exception of green infrastructure projects, *Great Lakes Restoration Initiative* funds are not used for water infrastructure projects that are funded by the Clean Water or the Drinking Water State Revolving Fund programs.

FY 2013 Activities and Performance Plan:

In its fourth year, the *Great Lakes Restoration Initiative* will support programs and projects which, in accordance with the Action Plan, target the most significant environmental problems in the Great Lakes. Special priority will be placed on cleaning up and de-listing Areas of Concern, reducing phosphorus contributions from agricultural and urban lands that contribute to harmful algal blooms, and other water quality impairments and invasive species prevention. Interagency Task Force members will issue requests for proposals as soon as possible to maximize the number of projects that will be able to be started during the 2013 field season. Key expected activities are described below.

Toxic Substances and Areas of Concern:



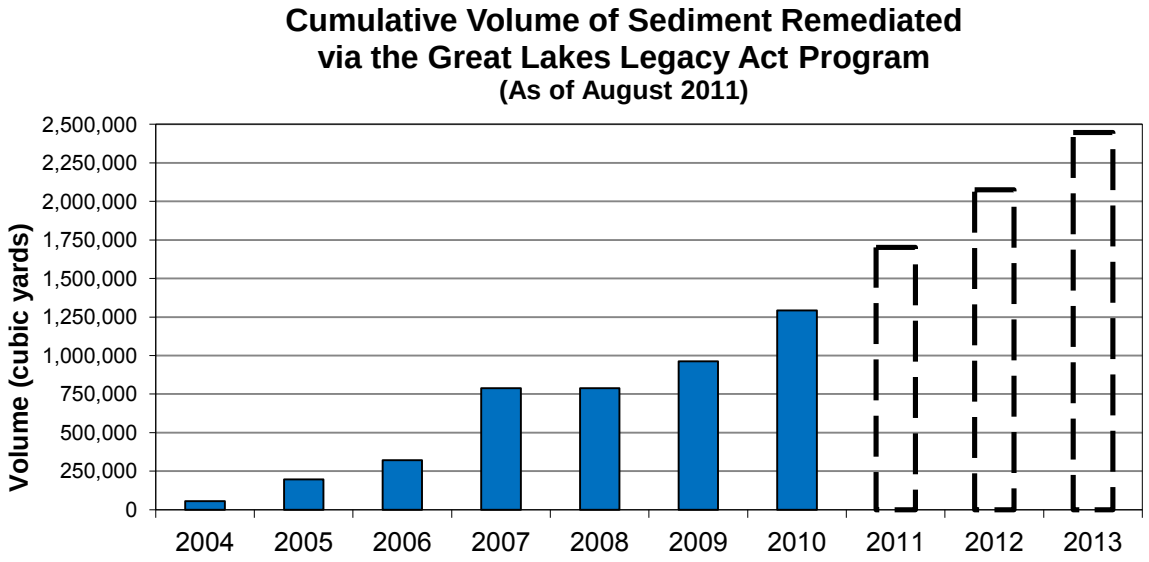
Persistent toxic substances, such as mercury and polychlorinated biphenyls (PCBs), are still present in the Great Lakes at levels that warrant fish consumption advisories in all five lakes. Thirty U.S. and binational Great Lakes Areas of Concern remain degraded with an estimated 38 million cubic yards of contaminated sediments. Ongoing sources of persistent toxic substances include releases from contaminated bottom sediments, industrial and municipal point sources, nonpoint sources including agricultural and urban runoff, atmospheric deposition, and contaminated groundwater.

Principal actions proposed to protect the Great Lakes from toxic substances, clean up contaminated sediments, and restore Areas of Concern include:

- **Prevention and Reduction of Toxics.** The EPA, in conjunction with federal, state, tribal, and local government partners (as well as non-governmental organizations and academia) will take steps to mitigate the use and release of toxic substances into the Great Lakes. The EPA will issue grants to address legacy pollutants, such as PCBs or mercury in products, as well as chemicals of emerging concern.

- **Areas of Concern Restoration.** The EPA and the U.S. Fish and Wildlife Service will issue grants to stakeholders to remove Beneficial Use Impairments in Areas of Concern. Forty-one

of 261 Beneficial Use Impairments are expected to be eliminated by the end of FY 2013. In FY 2011, the EPA removed 14 beneficial use impairments within Areas of Concern, achieving its cumulative target of 26. In addition, in FY 2011, the EPA implemented all management actions necessary for delisting in 2 Areas of Concern, surpassing the target of 1. The EPA, U.S. Fish and Wildlife Service, U.S. Army Corp of Engineers, U.S. Geological Survey, and NOAA are working together to accelerate action at several Areas of Concern where delisting is within reach. Through the Great Lakes Legacy Act, three to five sediment remediation projects will begin and will be supplemented with navigational channel dredging by the U.S. Army Corp of Engineers and habitat enhancements by U.S. Fish and Wildlife Service. FY 2013 Great Lakes Restoration Initiative funding of Great Lakes Legacy Act projects is expected to ultimately result in remediation of over 400 thousand cubic yards of contaminated sediment and the delisting of one or more Areas of Concern.

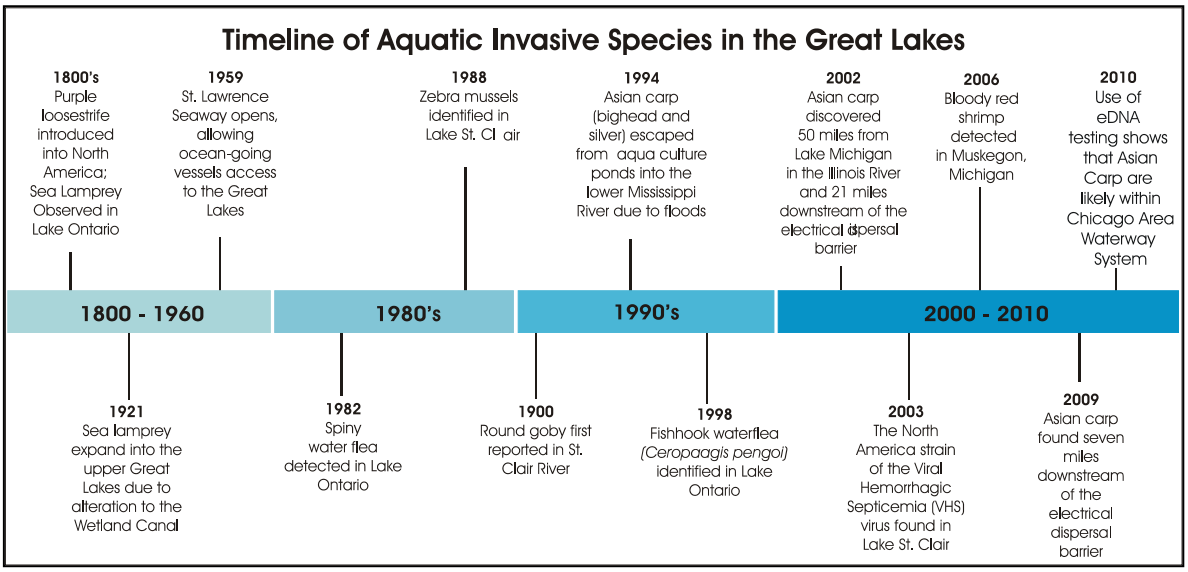


Invasive Species.

The Great Lakes have been significantly affected by non-native invasive species. Over 180 non-native species now exist in the Great Lakes. These species can propagate and spread, ultimately degrading habitat and out-competing native species. New invasive species (such as the Asian carp) can be introduced into the Great Lakes region through various pathways, including: commercial shipping, canals and waterways, trade of live organisms, and activities of recreational and resource users. Further, the Great Lakes are the aquatic "gateway" to most of the interior United States. Once invasive species establish a foothold in the Great Lakes, they are virtually impossible to eradicate and have the potential to spread to the rest of the country. Principal actions proposed to stop the introduction of or stop the further spread of non-native invasive species in the Great Lakes include:

- **Prevention.** The Department of Transportation's Maritime Administration, the U.S. Coast Guard, and the EPA will fund development of up to three ballast water treatment systems for use in freshwater ecosystems. Further, U.S. Forest Service and U.S. Fish and Wildlife

Service will deploy portable boat washing units to limit the spread of invasive species by recreational boaters.



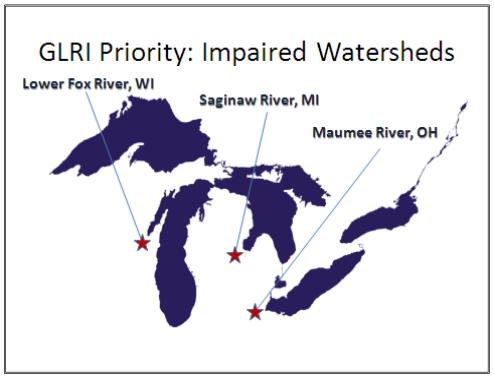
- **Early Detection and Control.** The EPA and U.S. Fish and Wildlife Service will continue to conduct monitoring surveys that will detect new invaders in Great Lakes locations. U.S. Fish and Wildlife Service and the Bureau of Indian Affairs will support on-the-ground implementation of *Aquatic Nuisance Species Management Plans* for Great Lake states and tribes, which includes conducting five rapid response exercises to demonstrate and refine multi-agency response capabilities. The Natural Resources Conservation Service, U.S. Forest Service, and National Park Service will work with agricultural producers and other landowners to implement practices that reduce terrestrial invasive species on over 600 acres. The Great Lakes Fishery Commission will advance sea lamprey control methods using pheromones and telemetry, and the U.S. Army Corp of Engineers will enhance the use of barriers to further reduce sea lamprey populations. The EPA will issue competitive grants to communities and organizations to reduce or control terrestrial invasive species on approximately 1,000 acres. In FY 2011, the EPA significantly surpassed its target for acres managed to control populations of invasive species. The target was set at 1,500 acres and the Agency managed to control 13,045 acres.

Nearshore Health and Nonpoint Source Pollution. Great Lakes nearshore water quality has become degraded, as evidenced by: eutrophication; harmful algal blooms caused by *Microcystis* or other cyanobacteria; the green algae *Cladophora* forming thick odorous mats which can wash onto beaches; outbreaks of avian botulism; and no-swim advisories at swimming beaches. The environmental stressors causing these problems include: excessive nutrient loadings from both point and nonpoint sources, including runoff from agricultural acreage; high concentrations of bacteria and other pathogens; and building and development in shoreline areas, which removes or disrupts habitat and alters nutrient and contaminant runoff patterns.

What is the "Nearshore"?
The aquatic nearshore begins at the shoreline and generally extends offshore to a depth of 20-30 meters deep. Terrestrial nearshore areas range from narrow beaches to inland features influenced by Great Lakes processes.

Nonpoint sources are now the primary contributors of many Great Lakes pollutants, because control strategies implemented thus far have not been sufficient. It is noteworthy that some control strategies, such as implementation of watershed management practices, can have multiple benefits, including simultaneous reductions in runoff of soils, nutrients, and pesticides.

Principal actions proposed to improve the health of Great Lakes nearshore areas include:



- **Identification and Remediation of Sources of Impairments.** To reduce the number and severity of the types of ecosystem disruptions discussed above, Natural Resources Conservation Service, U.S. Forest Service, U.S. Army Corps of Engineers, National Park Service, U.S. Geological Survey, the National Oceanic and Atmospheric Administration (NOAA), and the EPA will collaborate to: understand linkages between nearshore impairments and their causal agents; enhance or implement practices to reduce the causal agents, including the export of nutrients and soils to the nearshore waters; establish and implement total maximum daily loads and Watershed Action Plans for phosphorus and other non-toxic pollutants; and evaluate the effectiveness of such efforts. The agencies will focus primarily on the watersheds highlighted in the Action Plan, with special attention on three (Maumee River, Lower Fox River/Green Bay, and Saginaw River) in order to address excessive phosphorus inputs, the occurrence of Harmful Algal blooms, or the occurrence of nuisance algae (*Cladophora*) in the corresponding nearshore areas.

- **Reduce or Eliminate Sources of Great Lakes Beach Contamination**. To assist local health officials in better protecting beach-goers, the EPA and partner agencies will implement actions to reduce, manage, or eliminate sources of bacteriological, algal or chemical contamination that have been identified through, or are consistent with, sanitary surveys at Great Lakes beaches.

Habitat and Wildlife. Many factors threaten the health of habitat and wildlife in the Great Lakes watershed. They have been impacted by development, competition from invasive species, the alteration of natural lake level fluctuations and flow regimes from dams and other control structures, toxic compounds from urban development, poor land management practices, and non-point sources of pollution. These impacts have led to an altered food web, a loss of biodiversity, and poorly functioning ecosystems. The principal actions proposed to protect and restore Great Lakes habitat and wildlife include:

- **Protection and Restoration of Native Species and Habitats**. Agencies will implement protection and restoration actions to improve habitat and restore wildlife. Federal agencies, including the U.S. Army Corp of Engineers, Bureau of Indian Affairs, the EPA, Federal Highway Administration, U.S. Fish and Wildlife Service, Great Lakes Fishery Commission, NOAA, National Park Service, Natural Resources Conservation Service, U.S. Forest Service, U.S. Geological Survey, and Animal and Plant Health Inspection Service will continue to implement projects to reduce sedimentation and nutrient inputs, restore natural hydrological regimes, improve water quality, and protect and restore habitat including islands, beaches, sand dunes, and upland areas. Long-term results will include restoration and protection of 6,500 acres of wetlands and associated uplands as well as coastal, upland, and island habitats, and restored critical habitat for native species. As of FY 2011, the EPA has protected, restored, and enhanced a total of 9,624 acres of wetlands and wetland-associated uplands and is adjusting its targets for 2012 and beyond, given that it has met the goal already.

- **Improvement of Aquatic Ecosystem Resiliency.** U.S. Forest Service, U.S. Fish and Wildlife Service, U.S. Geological Survey, U.S. Army Corp of Engineers, Federal Highway Administration, Bureau of Indian Affairs, and National Park Service will begin implementation of projects to remove large woody debris in floodplains and streams, replace barrier culverts to restore fish passage and stream/river connectivity, and restore forested edges in riparian areas. Long-term results will include benefits to populations of key species such as lake sturgeon, brook trout and migratory birds; removal of 25 fish passage barriers; and restoration of 250 miles of stream to promote fish passage and stream bank stabilization.

Accountability, Education, Monitoring, Evaluation, Communication, and Partnerships. Oversight, coordination, and communication are critical to *Great Lakes Restoration Initiative* success, as are a comprehensive and efficient accountability system and well-defined metrics to track progress. Measuring ecosystem function and the impact of *Great Lakes Restoration Initiative* projects also is important. Principal efforts related to information gathering and education and outreach include:

- **Evaluation of Program Effectiveness and the Health of the Great Lakes Ecosystem Using the Best Available Science.** The EPA will work with all *Great Lakes Restoration Initiative* agencies to continue implementation of the Great Lakes Accountability System to incorporate transparency and accountability throughout the Initiative. The Great Lakes Accountability System provides easy access to information for planning, budgeting, grant activities, and tracking results.

  Federal agencies will improve existing programs that assess the physical, biological, and chemical integrity of the Great Lakes. The EPA, in coordination with other federal and state agencies, will establish and implement a statistically-valid assessment tool, using a probability-based design, of Great Lakes water resources. The EPA and U.S. Geological Survey will continue to refine and use indicators that better reflect the health of the Great Lakes ecosystem.

  The EPA will continue to implement the *Coordinated Science and Monitoring Initiative* with other federal agencies, state agencies, and Environment Canada to address lake-specific science and monitoring needs in Lake Ontario in 2013 (to be followed by Lakes Erie, Michigan, Superior, and Huron in consecutive years). The EPA and U.S. Geological Survey will continue to develop the necessary infrastructure for uniform data quality management and real-time information access.

- **Enhanced Communication, Partnerships, and Outreach.** The EPA and NOAA will directly engage in education and outreach activities, including the incorporation of Great Lakes protection and stewardship criteria into a variety of educational materials. The EPA and NOAA will foster additional engagement and communication of stewardship principles through the *Bay Watershed Education & Training* program, a program new to the Great Lakes.

  The EPA will lead and support coordination and collaboration among Great Lakes partners to ensure that Initiative actions, projects, and programs are efficient, effective, and consistent with the US-Canada *Great Lakes Water Quality Agreement*. The Department of State will support the *Great Lakes Water Quality Agreement* through cooperative efforts with Canadian partners on issues of binational importance. Partnerships will be advanced and resources and capabilities leveraged through existing collaborative efforts such as the Great Lakes Interagency Task Force and its Regional Working Group, the US-Canada Binational Executive Committee, the State of the Lakes Ecosystem Conference, the US-Canada Great Lakes Binational Toxics Strategy, Lakewide Management Plans, the Coordinated Science Monitoring Initiative and Great Lakes Fisheries management. With and through the Lakewide Management Plans, partner agencies will implement Lakewide Management Plans, programs, and projects, using public fora to assist with the transfer and dissemination of information.

Funding Allocations. The EPA has led the Interagency Task Force process to develop the following funding allocations for member agencies. Final funding allocations will be informed by the results of the first years of the *Great Lakes Restoration Initiative* and the need for

adjustments to Great Lakes priorities. The EPA, following consultation with members of the Interagency Task Force, will determine the programs and projects for funding.

Summary of FY 2010, FY 2011, FY 2012, and FY 2013 Allocations by Focus Area and by Agency
(Dollars in Thousands)

Focus Area	FY 2010 Allocation	FY 2011 Allocation	FY 2012 Allocation	FY 2013 Allocation
Toxic Substances and Areas of Concern	$146,946	$100,400	$106,300	$110,500
Invasive Species	$60,265	$57,500	$57,500	$57,500
Nearshore Health and Nonpoint Source Pollution	$97,331	$49,250	$54,800	$55,000
Habitat and Wildlife Protection and Restoration	$105,262	$63,000	$56,800	$54,000
Accountability, Education, Monitoring, Evaluation, Communication, and Partnerships	$65,196	$29,250	$24,100	$23,000
TOTAL	$475,000	$299,400	$299,500	$300,000

Agency Allocations				
	FY 2010 Allocation (actual)	FY 2011 Allocation	FY 2012 Allocation	FY 2013 Allocation
DHS-USCG	$6,350	$2,725	$2,700	$1,900
DOC-NOAA	$30,537	$18,289	$13,300	$23,600
DOD-USACE	$49,587	$31,425	$44,000	$27,700
DOI-BIA	$3,416	$6,316	$4,200	$4,000
DOI-NPS	$10,505	$4,861	$3,400	$3,200
DOI-FWS	$69,349	$48,690	$44,600	$33,000
DOI-USGS	$23,717	$14,532	$10,700	$7,700
DOT-FHWA	$2,500	$1,218	$1,200	$1,000
DOT-MARAD	$4,000	$2,695	$2,400	$2,300
HHS-ATSDR	$5,500	$2,196	$2,200	$1,800
USDA-APHIS	$1,885	$637	$1,100	$900
USDA-FS	$15,458	$8,890	$6,700	$6,300
USDA-NRCS	$34,092	$16,788	$24,200	$23,400
EPA, GLFC, IJC and Misc. Interagency Agreements	$218,104	$140,138	$138,800	$143,700
Multiple Agencies: Asian Carp*				$19,500
TOTAL	$475,000	$299,400	$299,500	$300,000
*Agency GLRI funding for Asian carp is included in agency totals through FY 2012. Agency GLRI allocations for Asian carp have not yet been determined for FY 2013.				

Performance Targets:

Measure	(626) Number of Areas of Concern in the Great Lakes where all management actions necessary for delisting have been implemented (cumulative).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					1	1	3	4	AOCs
Actual						2			

Measure	(628) Acres managed for populations of invasive species controlled to a target level (cumulative).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					1,000	1,500	15,500	18,000	Acres
Actual						13,045			

Measure	(629) Number of multi-agency rapid response plans established, mock exercises to practice responses carried out under those plans, and/or actual response actions (cumulative).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					4	4	12	15	Number Responses /Plans
Actual						8			

Measure	(632) Acres in Great Lakes watershed with USDA conservation practices implemented to reduce erosion, nutrients, and/or pesticide loading.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					2	2	8	20	Percent Acres
Actual						62			

Measure	(634) Number of acres of wetlands and wetland-associated uplands protected, restored and enhanced (cumulative).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					5,000	5,000	11,000	13,000	Acres
Actual						9,624			

Measure	(635) Number of acres of coastal, upland, and island habitats protected, restored and enhanced (cumulative).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					15,000	15,000	15,000	20,000	Acres
Actual						12,103			

Measure	(636) Number of species delisted due to recovery.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					0	0	1	2	Species
Actual						1			

Measure	(637) Percent of days of the beach season that the Great Lakes beaches monitored by state beach safety programs are open and safe for swimming.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							90	90	Percent Days
Actual									

Measure	(433) Improve the overall ecosystem health of the Great Lakes by preventing water pollution and protecting aquatic systems (using a 40-point scale).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	21	21	21	No Target Established	No Target Established	23.4	21.9	23.4	The 40-point scale has no unit
Actual	21.1	22.7	23.7			21.9			

Measure	(606) Cubic yards of contaminated sediment remediated (cumulative from 1997) in the Great Lakes.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	3.2	4.5	5.0	5.9	6.3	8	9.1	9.6	Cubic Yards (Million)
Actual	4.1	4.5	5.5	6	7.3	8.4			

Measure	(620) Cumulative percentage decline for the long-term trend in concentrations of PCBs in whole lake trout and walleye samples.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	5	5	5	5	10	37	40	43	Percent Decline
Actual	6	6	6	6	43	44			

Measure	(625) Number of Beneficial Use Impairments removed within Areas of Concern (cumulative).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target			16	21	20	26	33	41	BUIs Removed
Actual			11	12	12	26			

Measure	(627) Number of nonnative species newly detected in the Great Lakes ecosystem.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					1.1	1.0	0.8	0.8	Species
Actual						0.83			

Measure	(630) Five-year average annual loadings of soluble reactive phosphorus (metric tons per year) from tributaries draining targeted watersheds.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					0	0	0.5	1.0	Metric Tons/Year
Actual						Data Unavailable			

Measure	(633) Percent of populations of native aquatic non-threatened and non-endangered species self-sustaining in the wild (cumulative).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					33%; 48/147	33%; 48/147	33%; 48/147	34%; 50/147	Species
Actual						31%; 46/147			

Measure	(623) Cost per cubic yard of contaminated sediments remediated (cumulative).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target				200	200	200	200	200	Dollars/ Cubic Yard
Actual				122	125	144			

The EPA will track and report on progress through annual reporting on the 28 measures set forth in the *Great Lakes Restoration Initiative* Action Plan. The EPA also will report on the subset of those measures in the table below**,** including reporting progress on each of the *Great Lakes Restoration Initiative* focus areas of the Initiative, through the federal planning and budget process.

Much has been accomplished under the *Great Lakes Restoration Initiative* since the Initiative began, including the following:

- the Presque Isle, Pennsylvania Area of Concern (AOC) will be delisted this year, now that all necessary management actions are complete;
- 14 Beneficial Use Impairments at 9 different AOCs have been removed;
- 1 million cubic yards of contaminated sediments have been remediated;
- the Lake Erie watersnake has been removed from the Federal List of Endangered and Threatened Wildlife;
- swimming bans and advisories are at a five-year low at Chicago's Lake Michigan beaches;
- hundreds of river-miles have been cleared for fish passage by removing or bypassing barriers;
- over 20,000 acres of wetland, coastal, upland, and island habitat have been protected, restored, or enhanced;
- over 13,000 acres are being managed in order to keep populations of invasive species controlled to a target level; and
- GLRI has been central to the Administration's coordinated efforts keeping self-sustaining Asian carp populations out of the Great Lakes.

There also have been administrative accomplishments which include issuing two sets of Interagency Agreements with all key federal agencies; securing $15.8 million in matching funds and initiating three Great Lakes Legacy Act remediation projects; starting over 20 projects in

anticipation of Great Lakes Legacy Act remediation; and conducting grant competitions through which almost $200 million in grants were awarded by the EPA alone.

The EPA is working to make even greater progress, particularly in restoration of Areas of Concern. To accelerate Areas of Concern remediation under the Great Lakes Legacy Act, the EPA is working in closer partnership with the Great Lakes states and the other federal agencies. The EPA will continue to work to generate match funding from industry and Potentially Responsible Parties (PRPs), to coordinate with Superfund and RCRA corrective action programs, and to seek to "dovetail" regulatory and enforcement actions with Great Lakes Legacy Act projects.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$270.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$118.0 / +0.9 FTE) This increase provides programmatic FTE and associated workforce costs to better manage implementation of the Great Lakes Restoration Initiative. The additional resources include 0.9 FTE and associated payroll of $118.0.

- (+$92.0) This increase supports implementation of priority projects that will help achieve the goals, objectives, and targets of the GLRI Action Plan.

Statutory Authority:

1990 Great Lakes Critical Programs Act; Great Lakes Legacy Reauthorization Act of 2008; *Clean Water Act*; Coastal Wetlands Planning, Protection, and Restoration Act of 1990; Estuaries and Clean Waters Act of 2000; North American Wetlands Conservation Act; US-Canada Agreements; Water Resources Development Act; 1909 The Boundary Waters Treaty; 1978 Great Lakes Water Quality Agreement; 1987 *Great Lakes Water Quality Agreement*; 1987 Montreal Protocol on Ozone Depleting Substances; 1996 Habitat Agenda; 1997 Canada-U.S. Great Lakes Bi-national Toxics Strategy.

The EPA is again proposing the statutory language pertaining to administrative provisions which was first included in the FY 2010 Department of the Interior, Environment, and Related Agencies Appropriations Act. Among other things, the language would give the EPA independent statutory interagency agreement authority and implementation grant authority to support the Initiative and the Great Lakes Water Quality Agreement, and additional sediment remediation authority. Continuation of this authority is important to the success of the Initiative. Agencies are expected to use numerous other statutory authorities, intrinsic to their programs, in support of the Initiative.

Geographic Program: Chesapeake Bay
Program Area: Geographic Programs
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$42,414.3***	***$57,299.0***	***$72,618.0***	***$15,319.0***
Total Budget Authority / Obligations	$42,414.3	$57,299.0	$72,618.0	$15,319.0
Total Workyears	48.5	53.2	53.6	0.4

Program Project Description:

In May 2009, President Obama signed Executive Order 13508 to focus work on restoring the Chesapeake Bay. The purpose of the Executive Order is "to protect and restore the health, heritage, natural resources, and social and economic value of the nation's largest estuarine ecosystem and the natural sustainability of its watershed." The Executive Order declared the Bay a "national treasure" while simultaneously acknowledging that the past 25 years had not seen sufficient progress in restoring the health of the Bay and its watershed. The Executive Order also tasked a team of federal agencies to draft a way forward for protection and restoration of the Chesapeake watershed. This team — the Federal Leadership Committee for the Chesapeake Bay — is chaired by the Administrator of the EPA and includes senior representatives from the Departments of Agriculture, Commerce, Defense, Homeland Security, Interior, and Transportation.

Also, in May 2009, the Chesapeake Executive Council pledged to put in place by 2025 all practices necessary to restore the Bay's water quality standards for dissolved oxygen, water clarity, and chlorophyll. Part of this strategy to accelerate the pace of Bay restoration and become more accountable included the establishment of specific two-year milestones for each jurisdiction to reduce pollution to the Bay and its rivers. These milestones contain "contingencies" and are subject to ongoing EPA oversight and backstopping actions where they fall short. On December 29, 2009, the EPA sent a letter to the Chesapeake Bay jurisdictions that outlined the details of a new accountability framework and potential federal actions for inadequate plans or failure to meet the established performance milestones.

In May 2010, the Federal Leadership Committee released the *Strategy for Protecting and Restoring the Chesapeake Bay Watershed* [EPA-903-R-10-003]. The strategy is organized around four Goal Areas of work: 1) Restore Water Quality; 2) Restore Habitat; 3) Sustain Fish and Wildlife; and 4) Conserve Land and Increase Public Access, as well as four Supporting Strategies: 1) Expand citizen stewardship; 2) Develop environmental markets; 3) Respond to climate change; and 4) Strengthen science. The goals laid out in the strategy represent objectives to be accomplished through 2025 by the federal government in close partnership with state, local, and nongovernmental partners using an adaptive management approach supported by Chesapeake*Stat*, the program's decision-support tool. In July 2011, the Federal Leadership

Committee and the Chesapeake Bay program's Executive Council agreed to a process for coordinating and, where appropriate, integrating the goals, outcomes, and actions of the Chesapeake Bay program with the goals, outcomes, and actions described in the Executive Order strategy. The proposal is to design the path forward to update the commitments in the Chesapeake 2000 Agreement through a four stage process. It is expected that any new agreements would be implemented beginning in 2013 and would be extended through 2025.

Actions for which the EPA is primarily responsible under the Executive Order strategy include, but are not limited to:

- Providing expectations for and directing the development of Phase II watershed implementation plans (final versions of which are expected in March 2012) by the six Bay watershed states (Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia) and the District of Columbia (D.C.);

- Establishing evaluation protocols for the watershed implementation plans for achieving loading reduction targets under the Chesapeake Bay Total Maximum Daily Load (TMDL) to achieve progress toward water quality goals;

- Maintaining and improving a water quality monitoring network that allows the EPA and the Chesapeake Bay jurisdictions to evaluate the effectiveness of planned and implemented actions in reducing pollution in the Bay and its tributaries;

- Implementing a Compliance and Enforcement Strategy for the Bay watershed with a stronger emphasis on compliance with existing laws;

- Undertaking new rulemakings to reduce nutrient and sediment loadings to the Chesapeake Bay from concentrated animal feeding operations (CAFOs), stormwater, new or expanding sources of nutrient and/or sediment, and other pollutant sources, as the EPA deems necessary;

- Establishing an enhanced partnership with the U.S. Department of Agriculture to accelerate the adoption of conservation practices by agricultural interests in the Bay watershed; and

- Working with federal partners to expand the understanding of the toxic contaminant problem in the Bay and its watershed and developing contaminant reduction outcomes and strategies.

On December 29, 2010, the EPA established the Chesapeake Bay TMDL, a historic and comprehensive "pollution diet" with rigorous accountability measures to initiate sweeping actions to restore clean water in the Chesapeake Bay and the region's streams, creeks, and rivers. The TMDL is required under federal law and responds to consent decrees in Virginia and Washington D.C. dating to the late 1990s. It also is a keystone commitment of the Executive Order strategy. The TMDL – the largest ever developed by the EPA – includes pollution limits to meet water quality standards in the Bay and its tidal rivers. The TMDL is designed to ensure that all nitrogen, phosphorus and sediment pollution control efforts needed to fully restore the Bay and its tidal rivers are in place by 2025, with controls, practices and actions in place by 2017 that

would achieve 60 percent of the necessary reductions. The TMDL is supported by rigorous accountability measures to ensure cleanup commitments are met, including short-and long-term benchmarks, a tracking and accounting system for jurisdiction activities, and federal contingency actions that can be employed if necessary to spur progress. In August 2011, the EPA provided the Chesapeake Bay jurisdictions with planning targets for the Phase II Watershed Implementation Plans. These planning targets for nitrogen, phosphorus, and sediment represent the actions, assumptions, and level of effort necessary to meet the final allocations in the TMDL.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA is requesting $72.6 million for the Chesapeake Bay program, which includes work under Executive Order 13508. Work under Executive Order 13508 can be categorized according to the Goal Areas and Supporting Strategies identified in the Executive Order strategy (available at http://executiveorder.chesapeakebay.net/category/Reports-Documents.aspx). Most of the EPA's direct efforts center around the first goal, restore water quality, achieved primarily through implementation of the Chesapeake Bay TMDL and support for the Bay jurisdictions in implementing their Watershed Implementation Plans. Additional Goal Areas supported by EPA and its federal partners include Recover Habitat, Sustain Fish and Wildlife, and Conserve Land and Increase Public Access.

The schedule for this work is established in annual action plans released by the Federal Leadership Committee, the first of which was released in September 2010. The success of this work will be documented in annual progress reports released by the Federal Leadership Committee. The second annual action plan and first annual progress report are planned for release early in calendar year 2012. Executive Order 13508 requires publication of the annual action plans and progress reports by the Federal Leadership Committee. Similar reporting is required by Section 117(h) of the Clean Water Act.

Highlights of the EPA's Actions to Restore Clean Water

The EPA's focus in FY 2013 will be to continue to improve the rate of progress in the Chesapeake Bay watershed by meeting the President's expectations as described in Executive Order 13508, using the Agency's existing statutory authority. The focus will be to continue implementing the Chesapeake Bay TMDL, developing more rigorous regulations, providing states with the tools necessary for effective regulatory implementation, creating better tools for scientific analysis and accountability, and supporting regulatory compliance and enforcement. In FY 2013, over 75 percent of the requested new funding would be used to increase state implementation and accountability grants worth a total of $32.1 million. These grants are key tools for Bay watershed states in implementing their Watershed Implementation Plans and the EPA is working to ensure that the states provide support to local governments as they take the on-the-ground actions necessary to achieve the goals of the Chesapeake Bay TMDL. The requested FY 2013 funding also will allow the EPA to continue to implement key initiatives under Executive Order 13508, including: implementing the TMDL; assisting states in implementing their Phase II watershed implementation plans and conducting evaluations of them for reasonable assurance; maintaining enhanced oversight of state permitting and compliance actions for the various sectors; developing new regulations for animal feeding operations and

stormwater discharges; expanding and improving a publicly accessible TMDL tracking and accountability system; deploying technology to integrate discrete Bay data systems and to present the data in an accessible accountability system called Chesapeake*Stat*; implementing a Bay-specific enforcement and compliance initiative; and moving forward on the Bay's challenges related to toxic contaminants.

The Chesapeake Bay program partnership is using independent program performance evaluation to critically review components of the Chesapeake Bay program and support enhanced adaptive management efforts. The EPA also will join the states in establishing two-year milestones for the outcomes outlined in the Executive Order strategy. The first set of two-year milestones is to be released early in calendar year 2012 and covers calendar years 2012 and 2013.

A centerpiece of the EPA's FY 2013 activities is the implementation of the nation's largest and most complex TMDL for the entire Chesapeake Bay watershed. A TMDL is essentially a plan that defines how much of a particular pollutant may be discharged into a particular waterbody while allowing the waterbody to meet its water quality standards and designated uses. The EPA released the final TMDL in December 2010. Prior to that release, the Bay jurisdictions developed watershed implementation plans that included specific timelines for enhancing programs and implementing actions to reduce pollution, with all measures needed to reach the TMDL pollution load limits in place no later than 2025. In FY 2011 and FY 2012, the Chesapeake Bay jurisdictions developed and will implement second-generation watershed implementation plans that define how the jurisdictions' TMDL allocations will be achieved, in part, through local efforts. In FY 2011, the EPA met or exceeded its goals for implementing nitrogen, phosphorus, and sediment reduction actions to achieve final TMDL allocations. The EPA expects controls, practices and actions in place by 2017 that would achieve 60 percent of the necessary reductions.

In FY 2013, the EPA will use its technical and scientific analyses capabilities to provide implementation support and guidance to the states and thousands of local governments that will be instrumental in meeting the TMDL allocations. The EPA will assist the jurisdictions in making scientifically informed determinations of the most effective ways to meet their TMDL obligations that will provide individually tailored solutions. Also, the EPA will continue to work with the Bay jurisdictions to refine and implement state-developed offset and trading programs to aid in identifying cost-effective solutions for meeting the TMDL waste load and load allocations throughout the watershed.

In FY 2013, the EPA also will continue the development and implementation of new national regulations that include provisions and actions that will help protect and restore the Chesapeake Bay. In addition to many other impacts, these national rulemakings under the Clean Water Act will reduce nitrogen, phosphorus, and sediment pollution from CAFOs and other pollutant discharges.

The EPA will use its resources to develop the scientific underpinnings of the new national regulations, which likely will include enhanced understanding of the loads contributed by various pollution sources in specific geographic areas.

The EPA will continue to support implementation of environmental market mechanisms as a means of achieving the goals of the TMDL. Environmental market approaches show promise for encouraging innovation and investment in conservation, improving accountability, reducing costs of restoration, expanding opportunities for landowners, and creating new private incentives for conservation and restoration. The basic premise of an environmental market is that an entity that needs to reduce its effects on the environment can purchase credits to achieve an equivalent or greater amount of environmental improvement. The Chesapeake Bay TMDL establishes the expectation that the Bay jurisdictions will expand or establish nutrient credit trading and offset programs to allow development while continuing to reduce pollutant loads to the Bay and its tributaries. The EPA also is participating in the federal Environmental Markets Team, which includes more than 12 agencies working together to foster the expansion of water quality trading and other environmental markets.

To ensure that the states are able to meet the EPA's expectations under the TMDL and new rulemakings, the EPA will continue its broad range of grant programs. The EPA will direct investments toward local governments and watershed organizations based on their ability to reduce nutrient and sediment loads via key sectors such as development and agriculture in urban and rural areas. The EPA has continued to improve its guidance for accountability and implementation grants that ensures a high level of accountability for the use of these resources. These grants are an essential part of achieving the goals established for the Chesapeake Bay and its watershed.

The EPA's Chesapeake Bay program has established a high level of accountability and transparency. ChesapeakeStat is a key element in the next generation of tools the EPA is developing to significantly enhance the accountability of program partners. ChesapeakeStat is a web based, geo-enabled tool for performance-based interactive decision-making for all Bay partners. The system allows the public to track progress and become informed and engaged in restoring the Bay. ChesapeakeStat will leverage the parallel effort being undertaken to develop a common Chesapeake data enterprise which will allow for timely access to a wealth of environmental data from across the partnership. The Chesapeake Executive Council recently endorsed the use of ChesapeakeStat as a decision-support tool for the Chesapeake Bay Program. In FY 2013, the Agency will continue refining and improving ChesapeakeStat to serve as the vehicle for organizing information, data, and geography. The Chesapeake Bay Program's Goal Implementation Teams will be responsible for providing and updating content and the Management Board will be using the ChesapeakeStat tool for decision-making.

To support the TMDL, the EPA will improve and expand the Bay Tracking and Accountability System to ensure that the Bay jurisdictions are effectively implementing the TMDL. The EPA will support an expansion of sampling sites in the Chesapeake Bay program's water quality monitoring network to better track TMDL progress. The sampling sites will provide better measurements of nutrient and sediment load changes for major sources of pollution in more localities. The EPA will invest in bringing more non-traditional monitoring partners, including watershed organizations, permittees, and local governments into the monitoring network, increasing the data available to assess stream and Bay health and responses to management actions.

Ensuring that the regulated community complies with the appropriate regulations is an essential responsibility for achieving the goals established for the Chesapeake Bay and its watershed. In FY 2013, the continued implementation of the Compliance and Enforcement Strategy for the Bay Watershed will target sources of pollution impairing the Bay in the watershed and airshed. The EPA's multi-year, multi-state strategy combines the Agency's water, air and waste enforcement authorities to address violations of federal environmental laws resulting in nutrient, sediment, and other pollution in the Bay.

Enforcement resources will support the Agency's priority to restore the Chesapeake Bay by providing information about wet weather sources of pollution. This will result in an increase in knowledge, use, transparency, and public access to data about wet weather sources through: a) building an electronic reporting module for getting non-major permit data into the Integrated Compliance Information System (ICIS)-NPDES to pilot with states in the Chesapeake Bay; b) building and deploying targeted tools to help identify the most significant sources of noncompliance and discharges of pollutants most responsible for the impairment of this important water body; and c) making all non-confidential enforcement data available, with easy-to-use tools to aid in the public's ability to use and understand the data.

In addition, enforcement resources will support the Agency's priority to restore the Chesapeake Bay by providing more information to the public and regulators about wet weather sources of pollution. Following on work planned for FY 2012, the EPA will begin use of a new electronic reporting tool for obtaining non-major permit data from wet weather sources in the Chesapeake Bay. EPA will use this new data to 1) deploy targeting tools to help identify the most significant sources of noncompliance and discharges of pollutants most responsible for the impairment of this important water body and 2) make this new data publicly available, with easy-to-use tools to aid in the public's ability to use and understand the data.

Performance Targets:

Measure	**(cb6) Percent of goal achieved for implementing nitrogen reduction actions to achieve the final TMDL allocations, as measured through the phase 5.3 watershed model.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target						1	15	22.5	Percent Goal Achieved
Actual						8			

Measure	**(cb7) Percent of goal achieved for implementing phosphorus reduction actions to achieve final TMDL allocations, as measured through the phase 5.3 watershed model.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target						1	15	22.5	Percent Goal Achieved
Actual						1			

Measure	(cb8) Percent of goal achieved for implementing sediment reduction actions to achieve final TMDL allocations, as measured through the phase 5.3 watershed model.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target						1	15	22.5	Percent Goal Achieved
Actual						11			

Measure	(234) Reduce per capita nitrogen loads (pounds per person per year) to levels necessary to achieve Chesapeake Bay Total Maximum Daily Load allocations.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target								15.17	Pounds/ Person/ Year
Actual									

For FY 2013, EPA, along with the other agencies involved in responding to the President's Executive Order, will be working toward the 12 outcomes articulated in the Executive Order strategy document. These outcomes relate to the specific actions identified in the strategy. Shorter-term goals are identified in the annual Executive Order action plan and the federal two-year milestones to be released in FY 2012.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$264.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$62.0 / +0.4 FTE) This increase reflects the need for additional staffing on Chesapeake Bay protection and restoration, which is a Presidential and Administrator priority. In FY 2013, continued implementation of the Chesapeake Bay TMDL, including review and implementation of the Phase II Watershed Implementation Plans, will necessitate a significant commitment of human resources. The additional resources include 0.4 FTE and associated payroll of $62.0.

- (+$14,353.0) This increase represents an increase in implementation and accountability grants to the six Chesapeake Bay states and the District of Columbia to facilitate implementation of their Watershed Implementation Plans and integration of state and local efforts as well as an increase in monitoring grants to the states and the District to support measurement of progress and establishment of future milestones. This funding has proven essential to the Bay watershed jurisdictions in supporting the wide range of activities necessary to achieve the pollution reductions required by the Chesapeake Bay TMDL. This increase includes a $3,000.0 transfer from Innovative Nutrient and Sediment Reduction Grants.

- (+$3,640.0) This increase represents additional funding for key efforts in implementing the Chesapeake Bay TMDL, including support for engagement of local authorities and

stakeholders, support for the Chesapeake Bay Program partnership, development of analytical tools to allow jurisdictions to assess their progress in implementation, enforcement and compliance assurance to enhance accountability, and general expenses necessary for program maintenance.

- (-$3,000.0) This decrease represents a transfer from Innovative Nutrient and Sediment Reduction grants, which received historically high levels of funding in FY 2012, to implementation and accountability grants for the Chesapeake Bay watershed jurisdictions.

Statutory Authority:

Clean Water Act (CWA), 33 U.S.C. 26 et seq. – Sections 1267 and 1313; Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6901 et seq; Clean Air Act (CAA), 42 U.S.C. 85 et seq.

Geographic Program: San Francisco Bay

Program Area: Geographic Programs
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$4,357.2***	***$5,838.0***	***$4,857.0***	***($981.0)***
Total Budget Authority / Obligations	$4,357.2	$5,838.0	$4,857.0	($981.0)
Total Workyears	2.1	2.5	2.5	0.0

Program Project Description:

The EPA has a diverse and active history of working with state, federal, and other stakeholders throughout the entire San Francisco Bay-Delta estuary to protect water quality and ecosystem health. Currently, the EPA's highest program priority in the Bay-Delta is working with state water quality agencies to ensure water quality programs in the Delta are sufficiently protective and are consistently implemented. The Interim Federal Action Plan ("Interim Plan") for the California Bay-Delta, issued in December 2009, signaled the federal government's intent to protect and restore this critically important ecosystem – one that provides water to 25 million residents, sustains one of the most productive agricultural sectors in the country, and, until recently, supported a commercial and recreational fishing industry that normally contributed hundreds of millions of dollars annually to the California economy. The Interim Plan contained four cross-cutting federal priorities: 1) work in closer partnership with the State of California and local authorities to ensure smarter water use and restore healthy ecosystems; 2) encourage smarter supply and use of Bay-Delta water; 3) work in a focused and expedited manner to address the degraded Bay-Delta Ecosystem; and 4) help deliver drought relief services and ensure integrated Bay-Delta flood risk management. The Department of the Interior and the Council on Environmental Quality co-chair the Federal Leadership Committee for the Bay-Delta, which oversees implementation of the Interim Plan. Other member agencies are the Departments of Commerce, Agriculture, the Army (Civil Works), and the Environmental Protection Agency. Each of these departments and their agencies are responsible for commitments under the Interim Plan.

Improving water supply reliability and restoration of threatened and listed species remain the priority. The federal government is participating with the State of California and stakeholders in the development of the Bay-Delta Conservation Plan, a long-term plan for ecosystem restoration and water management. In addition, over the past two years, the Obama Administration has recognized that despite the careful planning for the Bay-Delta Conservation Plan, more immediate actions are needed to address the California water crisis. The EPA, for example, in an effort to assess the effectiveness of current water quality programs in the Bay-Delta and its tributaries, issued an advance notice of proposed rulemaking in 2011 focusing on water quality impacts to Bay-Delta aquatic life from pollutants such as ammonia, selenium, pesticides,

emerging contaminants and water quality factors (such as salinity and temperature) that restrict estuarine habitat and fish migration.

FY 2013 Activities and Performance Plan:

In FY 2013, the San Francisco Bay-Delta Estuary program will focus on the following activities, most of which (the first seven) support Goal 3 of the Interim Federal Action Plan — Addressing the Degraded Bay-Delta Ecosystem:

- Participate in a state/federal partnership to balance the competing water needs among agriculture, urban uses and the environment, especially the agency commitments in the Interim Federal Action Plan of December 2009;

- Improve the effectiveness of Clean Water Act programs to restore water quality and protect wetlands and streams in the Bay-Delta watershed, following up on the Advance Notice of Proposed Rulemaking related to Bay-Delta Estuary water quality issued in 2011;

- Support the California Water Boards in implementing their Bay-Delta Strategic Plan, particularly in developing Delta water quality standards and Total Maximum Daily Loads;

- Work with the state-federal partnership to establish a regional water quality monitoring and assessment program for the Delta and its tributaries, integrating the information needs of all agencies in a more efficient and effective system;

- Provide scientific support to further the understanding of the Bay-Delta ecosystem collapse, especially the causes and methods for reversing the decline of pelagic organisms and salmonids in the Delta, focusing on factors related to contaminants and estuarine water quality;

- Provide technical support to the Bureau of Reclamation's program to restore the health of the San Joaquin River (San Joaquin River Restoration Settlement Act), Public Law 111-11;

- Support activities that predict, mitigate, and adapt to the effects of climate change on the Bay-Delta watershed;

- Support restoration of streams and wetlands and the development of measures to minimize the methylation of mercury in wetlands;

- Continue a competitive grant program to implement projects that improve water quality and restore habitat in San Francisco Bay watersheds; and

- Strengthen ongoing implementation of the San Francisco Estuary Partnership's Comprehensive Conservation and Management Plan by supporting a new strategic

plan. Encourage focus on reducing urban runoff impacts on water quality through watershed planning, Low Impact Development, and Total Maximum Daily Load implementation.

Performance Targets:

Work under this program supports the Protect and Restore Watersheds and Aquatic Ecosystems objective. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$9.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$990.0) This eliminates the congressionally directed increase in FY 2012.

Statutory Authority:

Clean Water Act.

Geographic Program: Puget Sound
Program Area: Geographic Programs
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$38,113.8***	***$29,952.0***	***$19,289.0***	***($10,663.0)***
Total Budget Authority / Obligations	$38,113.8	$29,952.0	$19,289.0	($10,663.0)
Total Workyears	8.9	7.9	8.0	0.1

Program Project Description:

The Puget Sound Program works to protect and restore Puget Sound, which has been designated as an estuary of national significance under the Clean Water Act National Estuary Program. The Environmental Protection Agency's efforts are focused on the following high-priority environmental activities consistent with the State of Washington's 2020 Puget Sound Action Agenda:

- Improving water quality and upgrading shellfish bed classifications;
- Managing stormwater and protecting habitat by implementing effective local watershed protection plans;
- Reducing sources of toxics and nutrients;
- Restoring and protecting nearshore habitat; and
- Improving monitoring, performance management, and the science needed to understand and address the issues facing Puget Sound.

FY 2013 Activities and Performance Plan:

In FY 2013, the Puget Sound Program will strengthen partnerships with state agencies, tribes, and local governments to effectively implement actions to protect and restore Puget Sound ecological functions. The goal of the Puget Sound National Estuary Program's Comprehensive Conservation and Management Plan (CCMP), approved in calendar year 2009, is to restore and maintain the Puget Sound Estuary's environment by 2020, so that it will support balanced, indigenous populations of shellfish, fish and wildlife, and support the extensive list of recognized uses of Puget Sound. The program competitively provides federal funds to state, tribal, and local partners to implement the CCMP with special focus on the following areas:

- Restoring and protecting nearshore habitat - especially habitat needed to restore endangered Pacific Salmon stocks - by implementing projects identified as priorities in

consultation with federal, tribal, state, and local partners. The EPA's target is to restore and protect approximately five thousand acres of tidally and seasonally-influenced estuarine wetlands in FY 2013;

- Addressing growth management and land-use issues that impact habitat recovery efforts, by working with federal, tribal, state, and local partners;

- Improving water quality by supporting local efforts to identify sources of pathogen pollution and implementing improved practices to reduce those sources. The universe of potentially recoverable shellfish areas in Puget Sound closed due to nonpoint source pollution is approximately 10,000 acres. The goal is to protect human health by upgrading harvest classifications of 3,880 acres (7,758 cumulative acres) of commercial shellfish beds in FY 2013. In 2011, a downgrading of approximately 4,000 acres in Samish Bay occurred due to nonpoint pollution exacerbated by La Nina weather conditions. The Puget Sound Program is strategically directing resources in FY 2012, and beyond, to address the pathogen pollution problem impacting shellfish harvest in Puget Sound. By facilitating increased cooperation among local jurisdictions through pollution identification correction (PIC) programs, sources of potential fecal contamination are being tracked down and corrected. Health districts in the Puget Sound basin are systematically identifying failing on-site septic systems and providing assistance for repair and maintenance. Conservation district and county land use departments are conducting parcel to parcel inspections of unregulated small farms, aka "hobby farms" where farm animals or pets might be contributing to bacterial fecal coliform loading in small streams, and tributaries and where land application of manure fertilizer may be contributing to nonpoint source runoff pollution. As potential sources are identified, land owners are connected to local and regional sources of technical and financial assistance for implementing best management practices to control these sources of fecal water pollution. If pollution sources are identified and land owners are contacted but remain out of compliance with applicable ordinances, the landowners are referred to local enforcement jurisdictions if correcting actions are not implemented. The program is addressing this both in the near-term - focusing on specific geographical locations (e.g. Samish Bay), and in the long-term for the universe of potentially recoverable shellfish acres basin-wide in Puget Sound;

- Providing technical and financial support to local governments through the Puget Sound program's lead organization state agency for watersheds to reduce the adverse impacts of stormwater on the health of watersheds. Stormwater is a leading stressor on watershed health as identified in the 2020 Action Agenda;

- Reducing discharges of toxics and nutrient pollution by identifying emerging contaminants of concern, controlling sources of persistent, bioaccumulative pollutants, and preventing nutrient inputs from on-site septic systems and agricultural sources. Toxics and nutrient pollution control efforts are strategically directed through the Puget Sound program's lead organization state agency with projects implemented at the local level and across the basin; and

- Strengthening monitoring, performance management, and science. Continuing support will allow monitoring of indicators for accountability purposes; database support; refinement of pathogen, nutrient and toxics loading, circulation and fate models; and watershed assessment work to support more effective implementation activities related to water quality and salmon recovery.

Performance Targets:

Measure	(ps1) Improve water quality and enable the lifting of harvest restrictions in acres of shellfish bed growing areas impacted by degrading or declining water quality.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target			450	600	1,800	4,953	3,878	7,758	Acres
Actual			1,566	1,730	4,453	1,525			

Measure	(ps3) Number of nearshore, riparian, and wetland habitat acres protected or restored.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target			2,310	3,000	6,500	12,363	19,063	24,063	Acres
Actual			4,413	5,751	10,062	14,629			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$15.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$12.0 / +0.1 FTE) This increase in FTE and associated payroll provides additional staffing support for Puget Sound activities. These resources include 0.1 FTE and associated payroll of $12.0.

- (-$10,690.0) This eliminates the congressionally directed increase in FY 2012.

Statutory Authority:

Clean Water Act; Water Resources Development Act of 1996; Water Resources Development Act of 2000; Resource Conservation and Recovery Act of 1976; Comprehensive Environmental Response Compensation and Liability Act; Economy Act of 1932; Intergovernmental Cooperation Act; Clean Air Act; Safe Drinking Water Act; Toxic Substances Control Act; Federal Insecticide, Fungicide and Rodenticide Act; Pollution Prevention Act; Marine Protection, Research, and Sanctuaries Act; National Environmental Education Act.

Geographic Program: South Florida
Program Area: Geographic Programs
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$1,643.8***	***$2,058.0***	***$1,700.0***	***($358.0)***
Total Budget Authority / Obligations	$1,643.8	$2,058.0	$1,700.0	($358.0)
Total Workyears	2.8	3.9	3.9	0.0

Program Project Description:

The federal government has made substantial progress in Everglades restoration over the past 18 months. Several key projects have commenced which, when complete, will help to restore critical flows to Everglades National Park and protect the Everglades ecosystem. The U.S. Army Corps of Engineers began construction of one mile of bridging on the Tamiami Trail under the Modified Waters Delivery authority, the C-111 spreader canal, the C-44 Indian River Lagoon South project, and the Biscayne Bay Coastal Wetlands project. The U.S. Fish and Wildlife Service and the U.S. National Park Service are involved in efforts to eradicate a wide variety of invasive species throughout the region. In calendar year 2010, the U.S. Department of Agriculture acquired easements on 26,000 acres under the Wetlands Reserve Program in the Fisheating Creek watershed, preserving working agricultural lands that also provide critical water storage and filtration. These are important successes and key milestones in the restoration of the Everglades ecosystem.

The Administration also has studied the need for additional water flow to Everglades National Park with additional bridging along the Tamiami Trail. A final Environmental Impact Statement was released in late calendar year 2010. Additionally, the U.S. Department of Agriculture and the U.S. Department of Interior are partnering with farmers and ranchers north of Lake Okeechobee to protect the agrarian landscape and implement conservation measures that benefit the entire Everglades ecosystem.

The Environmental Protection Agency's South Florida program coordinates activities in the Florida Keys, where water quality and habitat are directly affected by the pollution from, and restoration efforts in, the Everglades. The EPA implements, coordinates, and facilitates activities, including the Clean Water Act Section 404 Wetlands Protection Program, the Comprehensive Everglades Restoration Program, the Water Quality Protection Program for the Florida Keys National Marine Sanctuary, the Florida Keys National Marine Sanctuary Water Quality Monitoring Program, the Coral Reef Environmental Monitoring Program, the Benthic Habitat Monitoring Program, the Southeast Florida Coral Reef Initiative as directed by the U.S. Coral Reef Task Force, the Brownfields Program, and other programs. For more information, please visit: http://www.epa.gov/Region4/water/southflorida/.

FY 2013 Activities and Performance Plan:

The EPA South Florida program targets efforts to protect and restore various communities and ecosystems impacted by environmental problems. In FY 2013, the EPA will focus on the following activities:

- Finalize numeric nutrient water quality criteria for Florida's estuarine and coastal waters by November 15, 2012. The EPA is presently scheduled to propose numeric nutrient water quality criteria by March 15, 2012;

- Continue coordinating and facilitating the ongoing implementation of the Water Quality Protection Program for the Florida Keys National Marine Sanctuary, including management of long-term status and trends monitoring projects (water quality, coral reef, and seagrass) and the associated data management program;

- Continue to implement the Keys Wastewater and Stormwater Master Plan; provide public education through the Keys Waterways Outreach Program; and implement the water quality, coral reef and seagrass monitoring programs within the Florida Keys National Marine Sanctuary;

- Continue post-implementation monitoring of the Little Venice area in Marathon, Florida. In calendar year 2004, the 540 residents of Little Venice serviced by antiquated septic systems or cesspit disposal were connected to an advanced centralized wastewater system. Along with reduced bacterial loads, data are showing decreased nutrients within seagrass tissue and evidence of improved water quality near canals;

- Provide monetary and/or technical/managerial support for priority environmental projects and programs in South Florida, including:

    - Southeast Florida Coral Reef Initiative;
    - Florida Keys National Marine Sanctuary Water Quality Monitoring Program;
    - Benthic Habitat (seagrass) Monitoring Program;
    - Florida Keys National Marine Sanctuary Coral Reef Evaluation and Monitoring Program; and
    - Water Quality Protection Strategy for the South Florida Ecosystem

- Implement the Wetlands Conservation, Permitting, and Mitigation Strategy;

- Support collaborative efforts through interagency workgroups/committees/task forces, including: South Florida Ecosystem Restoration Task Force; Florida Bay program Management Committee; U.S. Army Corps of Engineers; and Florida Keys National Marine Sanctuary Water Quality Protection Program Steering Committee;

- Under a consent decree, continue assistance with the development of Total Maximum Daily Loads for South Florida; and

- Assist with the development of and tracking of National Pollutant Discharge Elimination System and other permits, including discharge limits that are consistent with state and federal law and federal court consent decrees.

Performance Targets:

Measure	(sf3) At least seventy-five percent of the monitored stations in the near shore and coastal waters of the Florida Keys National Marine Sanctuary will maintain Chlorophyll a(CHLA) levels at less than or equal to 0.35 ug l-1 and light clarity (Kd) levels at less than or equal to 0.20 m-1.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target						75	75	75	Percent Stations
Actual						85.4			

Measure	(sf4) At least seventy-five percent of the monitored stations in the near shore and coastal waters of the Florida Keys National Marine Sanctuary will maintain dissolved inorganic nitrogen (DIN) levels at less than or equal to 0.75 uM and total phosphorus (TP) levels at less than or equal to 0.25 uM.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target						75	75	75	Percent Stations
Actual						73.6			

Measure	(sf5) Improve the water quality of the Everglades ecosystem as measured by total phosphorus, including meeting the 10 ppb total phosphorus criterion throughout the Everglades Protection Area marsh.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target			Maintain	Maintain	Maintain	Maintain	Maintain	Maintain	Parts/Billion
Actual			Not Maintained	Not Maintained	Not Maintained	Not Maintained			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$14.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$372.0) This decrease reduces water quality monitoring stations from 155 to 105 sites; reduces the frequency of seagrass monitoring from quarterly to twice a year; and coral monitoring in Dry Tortugas will be eliminated. The reduction will also eliminate funding for the centralized database for coral, water quality, and seagrass data.

Statutory Authority:

Florida Keys National Marine Sanctuary and Protection Act of 1990; National Marine Sanctuaries Program Amendments Act of 1992; Clean Water Act; Water Resources Development Act of 1996; Water Resources Development Act of 2000.

Geographic Program: Long Island Sound
Program Area: Geographic Programs
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$6,154.3***	***$3,956.0***	***$2,962.0***	***($994.0)***
Total Budget Authority / Obligations	$6,154.3	$3,956.0	$2,962.0	($994.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Environmental Protection Agency supports the protection and restoration of Long Island Sound through its Long Island Sound Office, established under Section 119 of the Clean Water Act, as amended. The EPA assists the states in implementing the Sound's 1994 Comprehensive Conservation and Management Plan, developed under Section 320 of the Clean Water Act. The EPA and States of Connecticut and New York work in partnership with regional water pollution control agencies, scientific researchers, user groups, environmental organizations, industry, and other interested organizations and individuals to restore and protect the Sound and its critical ecosystems.

The Comprehensive Conservation and Management Plan (CCMP) identified six critical environmental problem areas that require sustained and coordinated action to address: the effects of hypoxia on the ecosystem, including living marine resources and commercially valuable species, such as the American lobster; the impacts of toxic contamination in the food web and on living resources; pathogen contamination and pollution; floatable debris; the impacts of habitat degradation and loss on the health of living resources; and the effects of land use and development on the Sound, its human population, and public access to its resources. The CCMP also identifies public education, information, and participation as priority action items in protecting and restoring the Sound.

The Long Island Sound Study has developed agreements to guide and prioritize implementation of the Comprehensive Conservation and Management Plan – such agreements were developed in 1996, 2003, and 2006. Most recently, the Long Island Sound Study developed an Action Agenda that identifies priority actions from 2011 to 2013 and sets the stage for a more comprehensive update to the Comprehensive Conservation and Management Plan that is planned for 2014.[44]

The States of New York and Connecticut are actively reducing nitrogen through their innovative and nationally-recognized pollution trading programs. In calendar year 2010, 106 sewage treatment plants in New York and Connecticut discharged 33,705 trade-equalized pounds per day of nitrogen to Long Island Sound, a significant decrease in loads. In calendar year 2011, with

[44] The Action Agenda is available at http://longislandsoundstudy.net/about/our-mission/sound-agreements/action-agenda-2011-2013/

EPA financial assistance, the states restored or protected 361 acres of critical coastal habitat, and reopened 0.2 miles of river corridors to diadromous fish passage through construction of fishways or removal of barriers to fish passage. The EPA will work with the states, through the Long Island Sound Futures Fund Grant Program, to continue to assist in restoring and protecting critical habitat and reopening rivers to fish passage. Please see http://www.longislandsoundstudy.net for further information.[45]

FY 2013 Activities and Performance Plan:

The EPA will continue to oversee implementation of the Long Island Sound Study Comprehensive Conservation and Management Plan in FY 2013 by coordinating the cleanup and restoration actions of the Long Island Sound Study Management Conference as authorized under Sections 119 and 320 of the Clean Water Act.

In FY 2013, the EPA will focus on the following:

- Reducing the area of the seasonally impaired fish and shellfish habitats through continued emphasis on lowering Long Island Sound nitrogen loads to alleviate low oxygen levels (a condition called hypoxia). Specifically, the Long Island Sound Office will work with the States of New York and Connecticut to revise and implement the nitrogen Total Maximum Daily Load first approved by the EPA in April 2001; the EPA will continue its efforts to include the upland States of Massachusetts, New Hampshire, and Vermont in this regulatory framework;

- Coordinating priority watershed protection programs through the Long Island Sound Management Conference partners to ensure that efforts are directed toward priority river and stream reaches that affect Long Island Sound. The EPA will use the principles of its Healthy Watershed Initiative in working with partners to ensure that watershed protection and nonpoint source pollution controls will help reduce the effects of runoff pollution on rivers and streams discharging to the Sound. Restoration and protection efforts will increase streamside buffer zones as natural filters of pollutants and runoff and development of local ordinances to create and protect stream buffers;

- Supporting state and local monitoring (year-round and seasonal) for water quality indicators including: biological indicators, such as chlorophyll *a*, and environmental indicators such as dissolved oxygen levels, temperature, salinity, and water clarity. This monitoring will assist Management Conference partners in assessing environmental conditions that may contribute to impaired water quality and in developing strategies to address impairments;

- Assisting state and local partners in protecting and restoring critical coastal habitats to improve the productivity of tidal wetlands, inter-tidal zones, and other key habitats that

[45] For more information:
https://www.cfda.gov/index?s=program&mode=form&tab=step1&id=6504cc92476f05523fc836b5dc099c2f

have been adversely affected by unplanned development, overuse, or land use-related pollution effects;

- Promoting stewardship of the thirty-three ecologically and recreationally significant stewardship areas to support compatible public access and uses of the Sound's key land resources;

- Coordinating with the Long Island Sound Citizens Advisory Committee to develop an educated population that is aware of significant environmental problems and that understands the management approach to, and their role in, correcting problems;

- Coordinating with the Long Island Sound Science and Technical Advisory Committee in conducting focused scientific research into the causes and effects of pollution on the Sound's living marine resources, ecosystems, water quality, and human uses to assist managers and public decision-makers in developing policies and strategies to address environmental, social, and human health impacts; and

- Continuing to work with all stakeholders to update the 1994 Comprehensive Conservation and Management Plan for Long Island Sound by 2014, incorporating the latest science and including recommendations on coastal and marine spatial management and coastal resiliency.

Performance Targets:

Measure	**(li5) Percent of goal achieved in reducing trade-equalized (TE) point source nitrogen discharges to Long Island Sound from the 1999 baseline of 59,146 TE lbs/day.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target					52	72	74	76	Percent Goal Achieved
Actual					70	Data Avail 3/2012			

Measure	**(li8) Restore, protect or enhance acres of coastal habitat from the 2010 baseline of 2,975 acres.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target							218	480	Acres
Actual									

Measure	**(li9) Reopen miles of river and stream corridors to diadromous fish passage from the 2010 baseline of 17.7 river miles by removal of dams and barriers or by installation of bypass structures.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target							28	51	Miles
Actual									

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$994.0) This eliminates a congressionally directed increase in FY 2012.

Statutory Authority:

Long Island Sound Restoration Act, P.L. 106-457 as amended by P.L. 109-137; 33 U.S.C. 1269.
Long Island Sound Stewardship Act, P.L. 109-353; 33 U.S.C.

Geographic Program: Gulf of Mexico
Program Area: Geographic Programs
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$4,881.6***	***$5,455.0***	***$4,436.0***	***($1,019.0)***
Total Budget Authority / Obligations	$4,881.6	$5,455.0	$4,436.0	($1,019.0)
Total Workyears	13.2	12.9	13.0	0.1

Program Project Description:

Over the past three years, the federal government has renewed its commitment to the Gulf Coast region. A series of Administration efforts have sought to better coordinate agencies' activities, strengthen the working relationship with Gulf Coast states and foster collaboration among governments, the public, and diverse stakeholders to build on existing plans designed to address Gulf restoration.

The Deepwater Horizon oil spill expanded the scope and visibility of restoration needs in a region that had long experienced ecological impacts and highlighted the connection between ecological health and the human environment. Secretary of the Navy Ray Mabus recognized this critical fact in his restoration recommendation to the President, outlining clearly the linkages between economic, human, and environmental health and the importance of ending long-term environmental decline in this region. The President incorporated many of the Secretary's ecosystem restoration recommendations when he signed Executive Order 13554, establishing the Gulf Coast Ecosystem Restoration Task Force (GCERTF) on October 5, 2010, giving the Task Force a mission to restore and protect the Gulf ecosystem for future generations.

The Task Force, chaired by the Environmental Protection Agency, includes the five Gulf states and 11 federal agencies in unprecedented collaboration. Included within its scope are efforts to address the myriad of unique environmental challenges facing this ecologically rich, culturally diverse, and economically important region. These challenges include: significant coastal land and wetlands loss, degraded water quality, depletion of marine resources, coastal erosion and the adverse effects of climate change. The Task Force, charged with developing a strategy for the long-term restoration and conservation of the diverse ecosystems of the Gulf Coast that will ensure its long-term environmental, economic, and health benefits, presented the *Gulf of Mexico Regional Ecosystem Restoration Strategy* to the President on December 2, 2011. This Restoration Strategy builds upon existing research, planning and program efforts throughout the Gulf that have generated wide interest and participation by Gulf-based citizens, businesses, scientists, industries, and governments.

The EPA's Administrator chairs the Gulf Coast Ecosystem Restoration Task Force. In 2013, the EPA will lead the interagency (federal and state) and tribal governments' coordination and

technical support required to continue implementation of the Task Force's *Gulf of Mexico Regional Ecosystem Restoration Strategy*. In addition, in 2013, the EPA will coordinate the development and delivery of the Task Force's first biennial report to the President on progress achieved toward the goals outlined in the Restoration Strategy as specified by the Executive Order. The Administration also supports the need for ongoing efforts and legislative language to allow the use of fines and penalties obtained from parties responsible for the oil spill to the Gulf Coast region. These funds will be an important resource for critical ecosystem activities by the Task Force.

The EPA's efforts in the Gulf of Mexico also directly support collaborative, multi-organizational Gulf states-led partnerships that share important goals for the future of the Gulf Coast. The partnerships include the Gulf of Mexico Alliance, a regional ocean governance partnership of the five Gulf States, the Mississippi River/Gulf of Mexico Watershed Nutrient (Hypoxia) Task Force, and the National Ocean Council. In FY 2011, EPA surpassed its target of restoring 202 impaired segments by restoring 286 segments.

FY 2013 Activities and Performance Plan:

The *Gulf of Mexico Regional Ecosystem Restoration Strategy* included four priority long-term restoration goals: restore and conserve habitat; restore water quality; replenish and protect living coastal and marine resources; and enhance community resilience. FY 2013 activities of the Gulf of Mexico partnerships will include:

Restore and Conserve Habitat

Reversing ongoing habitat degradation and preserving the remaining healthy habitats is necessary to protect the communities, cultures, and economy of the Gulf Coast. For decades, the Gulf Coast has endured extensive damage to key habitats such as coastal wetlands, estuaries, barrier islands, upland habitats, seagrass beds, oyster reefs, corals, and offshore habitats. The overall wetland loss in the Gulf area is on the order of fifty percent and protection of the critical habitat that remains is essential to restoring the health of the Gulf aquatic system. The EPA has a goal of restoring, enhancing, or protecting 30,600 cumulative acres of important coastal and marine habitats by FY 2013. In FY 2011, the EPA surpassed its target of 30,000 cumulative acres. Success relies on joint efforts by the National Oceanic and Atmospheric Administration, environmental organizations, the Gulf of Mexico Foundation, and area universities to identify and restore critical habitat. The EPA will enhance cooperative planning and programs across the Gulf states and federal agencies to protect wetland and estuarine habitat.

The wise management of sediments for wetland creation, enhancement, and sustainability is of critical importance to the Gulf Coast region, especially given locally high rates of subsidence, or settling, and the regionwide threat from potential future impacts of climate change, including rising water levels. To successfully sustain and enhance coastal ecosystems, a broad sediment management effort is needed that incorporates beneficial use of dredge material, and other means of capturing all available sediment resources. The GCERTF agencies, including the EPA, and the Gulf of Mexico Alliance, Habitat Conservation and Restoration Team, have worked extensively with the five Gulf States to develop and implement a Gulf Regional Sediment Management

Master Plan that endorses best practices for sediment management, outlines technical considerations, and recommends solutions for the most beneficial use of this resource (i.e. dredged material). The Master Plan technical framework document is posted for review and supplemental state plans are being developed.[46]

Healthy estuaries and coastal wetlands depend on a balanced level of nutrients. Excessive nutrient levels can have negative impacts such as reducing the abundance of recreationally and commercially important fishery species. An excess amount of nutrients is identified as one of the primary problems facing Gulf estuaries and coastal waters. Over the next several years, the Gulf states will establish criteria for nutrients in coastal ecosystems that will guide regulatory, land use, and water quality protection decisions. The challenge is to prevent or reduce the man-made sources of nutrients to levels that maintain ecosystem productivity and restore beneficial uses. In FY 2013, the EPA will support Gulf state nutrient criteria pilots and will develop science and management tools for the characterization of nutrients in coastal ecosystems. Because the five Gulf states face similar nutrient management challenges at both the estuary level and as the receiving water for the entire Mississippi River watershed, the Gulf of Mexico Alliance Partnership is an important venue to build and test management tools to reduce nutrients in Gulf waters and achieve healthy and resilient coastal ecosystems.

Any strategy to improve the overall health of the entire Gulf of Mexico must include a focused effort to reduce the size of the hypoxic zone in the northern Gulf. Actions to address this problem must focus on reducing both localized pollutant addition throughout the Basin and on nutrient loadings from the Mississippi River. The EPA, in cooperation with states and other federal agencies, supports the long-term target to reduce the size of the hypoxic zone from approximately 17,350 square kilometers to less than 5,000 square kilometers, measured as a five-year running average. In working to accomplish this goal, the EPA, states, and other federal agencies, such as U.S. Department of Agriculture, will continue implementation of core clean water programs and partnerships and efforts to coordinate allocation of technical assistance and funding to priority areas around the Gulf.

Specifically, in FY 2013, the EPA will address excessive nutrient loadings that contribute to water quality impairments in the basin and, ultimately, to hypoxic conditions in the Gulf of Mexico. Working with the Gulf Hypoxia Task Force, Gulf of Mexico Alliance and other states within the Mississippi/Atchafalaya River Basins, other federal agencies, and the Gulf Coast Ecosystem Restoration Task Force, the EPA will help develop and implement nutrient reduction strategies that include an accountability framework for point and nonpoint sources contributing nitrogen and phosphorus loading to the Gulf as well as watershed plans that provide a road map for addressing nonpoint sources. The EPA will continue to coordinate with the U.S. Department of Agriculture and with federal and state partners to support monitoring best management practices and water quality improvement through work with the partner organizations and states and to leverage resources to focus wetland restoration and development and habitat restoration efforts towards projects within the Mississippi River Basin that will sequester nutrients, as appropriate, from targeted watersheds and tributaries.

[46] http://www.gulfofmexicoalliance.org/pdfs/GRSMMP_Technical_Framework_Dec_09.pdf

Education and outreach are essential to accomplish the EPA's goal of healthy and resilient coastal habitats. Gulf residents and decision-makers need to understand and appreciate the connection between the ecological health of the Gulf of Mexico and its watersheds and coasts, their own health, the economic vitality of their communities, and their overall quality of life. There also is a nationwide need for a better understanding of the link between the health of the Gulf of Mexico and the U.S. economy. The EPA's long-term goal is to increase awareness and stewardship of Gulf coastal resources and promote action among Gulf citizens. In 2013, the Gulf of Mexico Program will foster regional stewardship and awareness of Gulf coastal resources through annual Gulf Guardian Awards and will support initiatives that include direct involvement from underserved and underrepresented populations and enhance local capacity to reach these populations.

Restore Water Quality

The Clean Water Act provides authority and resources that are essential to protecting water quality in the Gulf of Mexico and in the larger Mississippi River Basin, which contributes pollution, especially oxygen demanding nutrients, to the Gulf. Enhanced monitoring and research is needed in the Gulf Coast region to make data more readily available. The EPA regional offices and the Gulf of Mexico Program Office will work with states to continue to maximize the efficiency and utility of water quality monitoring efforts for local managers by coordinating and standardizing state and federal water quality data collection activities in the Gulf region. These efforts will assure the continued effective implementation of core clean water programs, ranging from discharge permits, to nonpoint pollution controls, to wastewater treatment, to protection of wetlands. The Gulf of Mexico Program is working with the National Oceanic and Atmospheric Administration, U.S. Army Corps of Engineers, and U.S. Geological Survey in support of this goal.

A central pillar of the strategy to restore the health of the Gulf is restoration of water quality and habitat in priority coastal watersheds. These watersheds, which include impaired segments identified by states around the Gulf, will receive targeted technical and financial assistance to restore impaired waters. The FY 2013 goal is to fully attain water quality standards in at least 360 of these segments. In FY 2011, EPA surpassed its target of restoring 202 impaired segments by restoring 286 segments.

Enhance Community Resilience

The Gulf Coastal communities continuously face and adapt to various challenges of living along the Gulf of Mexico such as storm risk, sea-level rise, land and habitat loss, depletion of natural resources, and compromised water quality. The economic, ecological, and social losses from coastal hazard events have grown as population growth places people in harm's way and as the ecosystems' natural resilience is compromised by development and pollution. In order to sustain and grow the Gulf region's economic prosperity, individuals, businesses, communities, and ecosystems all need to be more adaptable to change. In FY 2013, the GCERTF agencies will assist with the development of information, tools, technologies, products, policies, or public decision processes that can be used by coastal communities to increase resilience to coastal natural hazards and sea level rise. The EPA is working collaboratively with multiple agencies

that share responsibility in this area including the National Oceanic and Atmospheric Administration's Sea Grant Programs and the U.S. Geological Survey.

Replenish and Protect Living Coastal and Marine Resources

Living coastal and marine resources are showing visible signs of distress, such as depleted species population and degraded habitats. Decision-makers must protect these resources and allow them to survive and thrive in a changing environment, while supporting the needs of communities who depend on them for their livelihoods. A primary focus should be to strengthen and build programs to promote resource management that focuses on the needs and functions of the ecosystem as a whole, facilitating improved fisheries management and species protection efforts and restoring depleted populations of living coastal and marine resources. Successful restoration of living coastal and marine resources will entail a robust monitoring effort, implementation of species restoration plans, and targeted reintroduction and re-stocking of depleted resources.

Performance Targets:

Measure	**(22b) Improve the overall health of coastal waters of the Gulf of Mexico on the Good/Fair/Poor scale of the National Coastal Condition Report.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	2.4	2.4	2.5	2.5	2.5	2.5	2.4	2.4	Scale
Actual	2.4	2.4	2.2	2.2	2.4	2.4			

Measure	**(xg1) Restore water and habitat quality to meet water quality standards in impaired segments in 13 priority coastal areas (cumulative starting in FY 2007).**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target			64	96	96	202	320	360	Impaired Segments
Actual			131	131	170	286			

Measure	**(xg2) Restore, enhance, or protect a cumulative number of acres of important coastal and marine habitats.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target			18,200	26,000	27,500	30,000	30,600	30,600	Acres
Actual			25,215	29,344	29,552	30,052			

For FY 2013, the Gulf of Mexico Program will continue to support specific challenges designed to restore and enhance the environmental and economic health of the Gulf of Mexico through cooperative partnerships and in support of the goals of the Strategy developed by the Gulf Coast Ecosystem Restoration Task Force.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$160.0) This decrease is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$14.0 / +0.1 FTE) This increase provides additional staffing support for Gulf Coast activities. The additional resources include 0.1 FTE and associated payroll of $14.0.

- (-$873.0) This reduces congressionally directed funding.

Statutory Authority:

Clean Water Act (CWA).

Geographic Program: Lake Champlain
Program Area: Geographic Programs
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$6,732.1***	***$2,395.0***	***$1,399.0***	***($996.0)***
Total Budget Authority / Obligations	$6,732.1	$2,395.0	$1,399.0	($996.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Lake Champlain was designated as a resource of national significance by the Lake Champlain Special Designation Act (Public Law 101-596) that was signed into law on November 5, 1990, and amended in 2002. A management plan for the watershed, "Opportunities for Action," (revised in 2010) was developed to achieve the goal of the Act: to bring together people with diverse interests in the lake to create a comprehensive pollution prevention, control, and restoration plan for protecting the future of the Lake Champlain Basin. The Environmental Protection Agency's efforts to protect Lake Champlain support the successful interstate, interagency, and international partnerships undertaking the implementation of the Plan. "Opportunities for Action" is designed to address various threats to Lake Champlain's water quality, including phosphorus loadings, invasive species, and toxic substances.[47]

FY 2013 Activities and Performance Plan:

Through a collaborative and transparent process, the EPA works with state and local partners to protect and improve the Lake Champlain Basin's water quality, fisheries, wetlands, wildlife, recreation, and cultural resources. FY 2013 activities include:

- Working with federal, state, provincial, and local partners to address high levels of phosphorous by implementing priority actions to reduce phosphorus loads from all categories of sources (point, urban, and agricultural nonpoint);[48]

- Working with federal, state, and provincial partners to implement actions included in the revised "Opportunities for Action" management plan, developing a system to track implementation of those actions, and tying these actions to an adaptive management framework for evaluating results;

[47] For additional information see: http://www.epa.gov/NE/eco/lakechamplain/index.html
http://www.lcbp.org
http://nh.water.usgs.gov/champlain_feds
http://www.cfda.gov

[48] The Phosphorus Total Maximum Daily Load for the Vermont portion of Lake Champlain is currently being revised. Additional information will be available in FY 2012.

- Implementing an adaptive management framework for evaluating the results of management efforts in the Lake Champlain Basin on water quality and other ecosystem indicators. This adaptive management plan will integrate and complement the ongoing critical source area studies with sub-watershed management practices. This plan will evaluate phosphorus Total Maximum Daily Load allocations through quantitative methods and will be an extension of the current monitoring regime for Lake Champlain and tributaries. The adaptive management plan will include current and future Total Maximum Daily Load implementation scenarios and identify cost-effective alternatives to attain Total Maximum Daily Load allocations;

- Developing and implementing a tracking system for investments in Lake Champlain Basin restoration;

- Preventing the introduction of an invasive form of *Didymosphenia geminata* into the Lake Champlain Basin from the neighboring Connecticut River watershed by expanding education and outreach on detection and spread prevention methods;

- Monitoring the Lake Champlain Basin for possible introduction of invasive species, including Asian carp and spiny waterflea;

- Combating the recent introduction of Asian clam in the Lake Champlain Basin (Lake George) to help prevent its spread to other waterbodies in the basin;

- Monitoring the population of alewives, a recent invasive species affecting Lake Champlain, and expanding efforts to educate the public on the perils of transporting baitfish. Efforts also include harmonizing baitfish regulations in Vermont and New York, as well as working to remove and/or prevent the entry or dispersal of this and other fish, invasive plants, and invertebrates in the Lake Champlain Basin;

- Working with partners, such as the Army Corps of Engineers and the New York State Canal Corporation, to devise means to reduce the likelihood that new invasive species can enter Lake Champlain from the Great Lakes through the Champlain Canal;

- Continuing work to understand the high seasonal concentrations of toxic cyanobacteria, particularly microcystin, in the northern reaches of Lake Champlain by monitoring the dynamics of its species composition, concentration, and toxicity levels; reporting on its potential health impacts; and providing necessary information to the health departments of New York and Vermont to close beaches, drinking water intakes, or take other actions as necessary;

- Implementing recommendations resulting from the climate change studies (water quality, precipitation, and flow) to reduce the impacts of climate change on water quality in the Lake Champlain Basin;

- Developing new approaches to stormwater control from urban areas in conjunction with state partners;

- Supporting the Lake Champlain Basin Program as it evaluates the 2011 Lake Champlain Basin flooding impacts and investigates the development of flood mitigation plans for future events; and

- Continuing water quality and biological sampling for the Lake Champlain Long-Term Water Quality and Biological Monitoring Program. Water quality sampling (temperature, chlorophyll a, water chemistry, etc) and quantitative biological sampling (phytoplankton, zooplankton, and mysids, etc) is conducted throughout a network of stations that includes 15 lake stations and 22 tributary stations.

Performance Targets:

Work under this program supports the Protect and Restore Watersheds and Aquatic Ecosystems objective. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$996.0) This eliminates a congressionally directed increase from FY 2012.

Statutory Authority:

1909 The Boundary Waters Treaty; 1990 Great Lakes Critical Programs Act; 2002 Great Lakes and Lake Champlain Act; Clean Water Act; North American Wetlands Conservation Act; U.S.-Canada Agreements; National Heritage Areas Act of 2006; Water Resources Development Act of 2000 and 2007.

Geographic Program: Other
Program Area: Geographic Programs
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$40,507.3***	***$3,246.0***	***$4,441.0***	***$1,195.0***
Total Budget Authority / Obligations	$40,507.3	$3,246.0	$4,441.0	$1,195.0
Total Workyears	9.9	8.4	8.5	0.1

Program Project Description:

The Environmental Protection Agency targets efforts to protect and restore various communities and ecosystems impacted by environmental problems. This program is in line with the Administrator's emphasis on maintaining a place-based focus. Under this program, the Agency develops and implements community-based approaches to mitigate diffuse sources of pollution and cumulative risk for geographic areas. The Agency also fosters community efforts to build consensus and mobilize local resources to target highest risks.

Community Action for a Renewed Environment

Through the Community Action for a Renewed Environment (CARE) program, the EPA provides funding, tools, and technical support that enable communities to create collaborative partnerships to take effective actions to address local environmental problems. The Community Action for a Renewed Environment program delivers funding through two types of cooperative agreements. In the smaller Level I agreements, the community, working with the EPA, creates a collaborative problem-solving group of community stakeholders that includes business, local organizations, and government. That group assesses the community's toxic exposure, environmental problems and priorities, and begins to identify potential solutions. In the larger Level II agreements, the community, working with the EPA, selects and funds projects that reduce risk and improve the environment in the community. For each of the Community Action for a Renewed Environment communities, the EPA works together with the community to see their problems holistically, the way they see them, and forms cross-media teams to manage and implement the cooperative agreements.

Since its launch in 2005, the CARE program has awarded over $16 million in grants to 101 communities in 39 states with over 1,700 partners engaged. CARE communities have visited over 4,000 homes providing information and/or environmental testing; worked to reduce risks in almost 300 schools and provided environmental information to over 2,800 businesses and 50,000 individuals.

Since its launch in calendar year 2005, the Community Action for a Renewed Environment program has awarded over $16 million in grants to 101 communities in 40 states with over 1,700 partners engaged. These communities are working to address one or more of the EPA's priorities: air pollution (92%); climate change (54%); safety of chemicals (76%); cleanup of communities (73%); and water issues (87%). Between 2005 and 2009, 68 CARE communities leveraged an additional $15 million in funding – with local partners providing an additional $2 million in in-kind services; visited over 4,000 homes providing information and/or environmental testing; worked to reduce risks in almost 300 schools; and provided environmental information to over 2,800 businesses and 50,000 individuals.

The Community Action for a Renewed Environment program ended its successful demonstration period in FY 2010. In FY 2013, the EPA is requesting statutory authority to award CARE Level II "implementation" grants in order to continue funding activities such as environmental restoration projects and ongoing community program operations that were previously allowable as part of the demonstration phase of the program. Without the statutory authority, EPA can continue to award CARE Level I cooperative agreements under statutes (e.g. section 103 of the Clean Air Act, section 104 of the Clean Water Act, section 8001 of the Solid Waste Disposal Act, and section 10 of the Toxic Substances Control Act) which authorizes the Agency to provide financial assistance for research, studies, training and demonstration projects. The demonstration authorities may not be used to support implementation activities of communities who had not demonstrated the CARE process under Level I. Thus, in FY 2013, CARE Level II cooperative agreements that cover implementation activities using the demonstration authorities of seven environmental statutes are only available to applicants that received a CARE Level I cooperative agreement by FY 2009.

The Northwest Forest Program

The Northwest Forest Program supports interagency coordination, watershed assessment, conservation, and restoration efforts across seven states in the Pacific Northwest. In addition to supporting protection of drinking water and Total Maximum Daily Load implementation, the Northwest Forest Program includes two collaborative, watershed-scale monitoring programs that help characterize watershed conditions across 70 million acres of Forest Service and Bureau of Land Management administered lands in the Northwest. This monitoring provides status and trend information for aquatic and riparian habitats, and supports adaptive management and state water quality/watershed health programs.

The Lake Pontchartrain Basin Restoration Program

Through a collaborative and voluntary effort, the Lake Pontchartrain Basin Restoration Program strives to restore the ecological health of the Basin by developing and funding restoration projects within the sixteen parishes in the basin. The program continues to support the efforts of the Lake Pontchartrain Basin Foundation to restore and preserve the water quality, coast, and habitats of the entire Lake Pontchartrain Basin. The Lake Pontchartrain Basin Foundation conducts sampling of the lake and tributary water quality to support related scientific and public education projects.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA and partner agencies will protect and restore various communities and ecosystems impacted by various sources of pollution. These collaborative and transparent community-based approaches will decrease the cumulative risk for geographic areas. The EPA's FY 2013 efforts will focus on the following:

Community Action for a Renewed Environment

Total FY 2013 funding of $2.1 million in the Community Action for a Renewed Environment program will address pollution problems in underserved communities (90 percent of Community Action for a Renewed Environment projects are in Environmental Justice communities of concern). The EPA will help communities use collaborative processes to select and implement local actions and will award federal funding for projects to reduce exposure to toxic pollutants and local environmental problems. In FY 2013, the EPA is requesting new grant authority to implement the Community Action for a Renewed Environment program to continue serving communities across the nation.

In FY 2013, the Community Action for a Renewed Environment program will provide support to communities to help them understand and improve their local environments and health by:

- Selecting and awarding up to 20 assistance agreements to create and strengthen local partnerships, local capacity, and civic engagement to improve local environments and health, and to ensure sustainability of environmental health efforts over time;

- Providing technical support and training to help Community Action for a Renewed Environment communities build partnerships, improve their understanding of environmental risks from all sources, set priorities, and take actions to reduce risks;

- Improving community access to EPA programs and helping communities utilize these programs to reduce risks; and

- Conducting outreach to share lessons learned by Community Action for a Renewed Environment communities and encouraging other communities to build partnerships and take actions to reduce risks.

Northwest Forest

Federal and state partners implement shared responsibilities for aquatic monitoring and watershed assessment. Efforts include refinement and utilization of monitoring approaches and modeling tools and increased integration of monitoring framework designs, monitoring protocols, and watershed health indicators. In FY 2013, the EPA will request $1.4 million in the Northwest Forest Program for the following activities:

- Continue stream reach sampling on 643 stream reaches and watershed condition/trend monitoring in 510 sub-watersheds in California, Oregon, Idaho, Montana, and Washington;

- Use remote sensed data and Geographic Information Systems data layers and field data to support a ten- and fifteen-year trend assessment on 5,679 6th field watersheds[49] in Oregon, Washington, Northern California, Montana, Idaho, Nevada, and Utah;

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- Utilize upslope analysis, in-channel assessments, emerging research, and decision support models to inform management decisions and refine future monitoring efforts;

- Compile temperature and macroinvertebrate data and establish approximately 530 year-round temperature monitoring stations to support state water quality and aquatic habitat reporting, including 303(d) listings;

- Complete/utilize field reviews of grazing activities and evaluate stream and riparian conditions to tie back to monitoring trends and inform necessary management changes;

- Refine shade models to assist managers in prioritizing restoration opportunities to address stream temperature and sediment issues;

- Utilize aquatic monitoring to detect invasive species in streams and riparian areas; and

- Assist in development of implementation-ready Total Maximum Daily Loads and Best Management Practices for forestry practices in five Oregon coastal basins.

Lake Pontchartrain

The program will work to restore the ecological health of the Lake Pontchartrain Basin. In FY 2013, the EPA will request $955 thousand in the Lake Pontchartrain Basin Program for the following activities:

- Continuing implementation of the Lake Pontchartrain Basin Program Comprehensive Management Plan[50] and Comprehensive Habitat Management Plan to support:

    - Planning and design of consolidated wastewater treatment systems to support sustainable infrastructure;
    - Repair and replacement studies to improve existing wastewater systems; and
    - Investigation and design of stormwater management systems.

[49] A 6th field watershed is a hydrological unit. Watersheds in the United States were delineated by the U.S. Geological Survey using a national standard hierarchical system based on surface hydrologic features and are classified into the following types of hydrologic units: First-field (region); Second-field (sub-region); Third-field (accounting unit); Fourth-field (cataloguing unit); Fifth-field (watershed); and Sixth-field (sub-watershed). For more information visit: http://water.usgs.gov/GIS/huc.html.
[50] http://www.saveourlake.org/management-plan.php

- Conducting water quality monitoring outreach and public education projects that address the goals of the Lake Pontchartrain Basin Program Comprehensive Management Plan to:

    - Improve the management of animal waste lagoons by educating and assisting the agricultural community on lagoon maintenance techniques;
    - Protect and restore critical habitats and encourage sustainable growth by providing information and guidance on habitat protection and green development techniques; and
    - Reduce pollution at its source and mitigate any impacts to Lake Pontchartrain from the past major oil spill.

Performance Targets:

Work under these programs supports the Protect and Restore Watersheds and Aquatic Ecosystems objective. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$20.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$2,069.0) This increase provides funding for the Community Action for a Renewed Environment (CARE) program. This funding will support awarding up to 20 CARE assistance agreements to communities to improve local environment and health.

- (-$997.0) This eliminates the congressionally directed funding increase for Lake Pontchartrain in FY 2012. This reduction will reduce EPA support for the implementation of the Lake Pontchartrain Basin Program Comprehensive Management Plan, including water quality and infrastructure improvements and coastal restoration.

- (+$89.0) This increase will support enhanced monitoring activities in the Northwest Forest program.

- (+$14.0 / +0.1 FTE) This reflects an increase for additional staffing support for the Northwest Forest program that supports interagency coordination, watershed assessment, conservation, and restoration efforts across seven states in the Pacific Northwest. The additional resources include 0.1 FTE and associated payroll of $14.0.

Statutory Authority:

The Lake Pontchartrain Basin Restoration Act of 2000, codified as Clean Water Act §121, 33 U.S.C. §1273, directed the EPA to establish a Lake Pontchartrain Basin Restoration Program "to restore the ecological health of the Basin by developing and funding restoration projects and related scientific and public education projects." Clean Water Act §121(b); Clean Water Act, Section 104(b)(3); Water Resources Development Act of 1996; Water Resources Development Act of 2000; Economy Act of 1932; Intergovernmental Cooperation Act; Clean Air Act, Section

103(b)(3); Solid Waste Disposal Act, Section 8001(a); Toxic Substances Control Act, Section 10(a) as supplemented by P.L. 106-74 (1999); Federal Insecticide, Fungicide and Rodenticide Act Section 20(a) as supplemented by P.L. 106-74 (1999); Pollution Prevention Act; Marine Protection, Research, and Sanctuaries Act, Section 203; and National Environmental Education Act, Section 102(2)(F).

Program Area: Homeland Security

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$4,215.9***	***$4,249.0***	***$4,217.0***	***($32.0)***
Total Budget Authority / Obligations	$4,215.9	$4,249.0	$4,217.0	($32.0)
Total Workyears	16.4	15.9	16.0	0.1

Program Project Description:

The White House, Congress, and the Department of Homeland Security (DHS) have defined their expectations of EPA during a homeland security incident through a series of statutes, presidential directives, and national plans. EPA uses the Homeland Security Collaborative Network (HSCN), a cross-agency leadership group, to support its ability to effectively implement this broad range of homeland security responsibilities, ensure consistent development and implementation of homeland security policies and procedures, avoid duplication, and build a network of partnerships. EPA’s homeland security program also capitalizes on the concept of “dual-benefits” so that its homeland security efforts enhance and integrate with EPA’s core environmental programs that serve to protect human health and the environment.

Timely and effective environmental information also is a key component to the protection of human health and the environment during an emergency. Homeland security information technology efforts are closely coordinated with the agencywide information security and infrastructure activities, which are managed in the Information Security and Information Technology (IT)/Data Management programs. These IT support programs also enable video contact among localities, headquarters, Regional offices, and laboratories in emergency situations.

FY 2013 Activities and Performance Plan:

In FY 2013, EPA’s Homeland Security Program will:

- Support federal, state, and local efforts to prevent, protect, mitigate, respond, and recover from natural disasters, acts of terrorism, and other emergencies.

- Update and maintain a homeland security strategy and workplan for planning, preparedness, response, and recovery for nationally significant incidents to ensure a coordinated approach

to EPA's activities and resources that are in unison with government-wide, homeland security priorities and requirements.

- Focus on maintaining the Agency's level of preparedness to respond and recover from a significant event through maintenance of personnel and equipment capabilities and capacities.

- Fill critical knowledge and technology gaps that may be essential for an effective EPA response, including working with our interagency partners to define collective capabilities and resources that may contribute to closing common homeland security gaps.

- Ensure that interagency intelligence-related planning and operational requirements are met. This will be achieved through coordination with the U.S. Intelligence Community, including the Office of the Director for National Intelligence, the Department of Homeland Security, the Central Intelligence Agency, the National Security Agency, the Federal Bureau of Investigation, the Department of Defense, and the White House National Security Staff.

- Track emerging national/homeland security issues, through close coordination with the U.S. Intelligence Community, in order to anticipate and avoid crisis situations and target the Agency's efforts proactively against threats to the United States.

The EPA's FY 2013 resources also will support national cybersecurity efforts through monitoring across the Agency's IT infrastructure to detect, remediate, and eradicate malicious software or Advanced Persistent Threats (APT) from the EPA's computer and data networks and through improved detection capabilities. The EPA will enhance internal Computer Security Incident Response Capability (CSIRC) to ensure rapid identification and reporting of suspicious activity and will increase training and awareness of cybersecurity threats. The EPA personnel are active participants in Government Forum of Incident Response Teams (GFIRST), a DHS-led group of experts from incident response and security response teams. Indicators and warnings are shared between the EPA incident responders and their cleared counterparts in other agencies and with the Intelligence Community.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$60.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$16.0/+0.1 FTE) This increase reflects additional program support funding. The additional resources include 0.1 FTE and associated payroll of $16.0.

- (-$108.0) This represents a decrease in resources that support homeland security efforts.

Statutory Authority:

Homeland Security Presidential Directives, 5 U.S.C. 101 et seq. – Sections HSPD 1 – 25 and National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 42 U.S.C. 3231 et seq. – Sections 300, 300.1, 300.2, 300.3, 300.4, 300.5, 300.6 and 300.7 and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9606 et seq. – Sections 101-128, 301-312 and 401-405 and Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6962 et seq. – Sections 1001, 2001, 3001 and 3005 and Safe Drinking Water Act (SDWA) Amendments, 42 U.S.C. 300 et seq. – Sections 1400, 1401, 1411, 1421, 1431, 1441, 1454 and 1461 and Clean Water Act (CWA), 33 U.S.C. 1314 et seq. – Sections 101, 102, 103, 104, 105, 107, and Clean Air Act (CAA) Amendments, 42 U.S.C. 7401 et seq. – Sections 102, 103, 104 and 108 and Toxic Substances Control Act (TSCA), 15 U.S.C. 2611 et seq. – Sections 201, 301 and 401 and Federal Insecticide Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. 36 et seq. – Sections 136a – 136y and Bio Terrorism Act of 2002, 42. U.S.C. 201 et seq. – Sections 303, 305, 306 and 307 and Homeland Security Act of 2002, 116 U.S.C. 2135 et seq. – Sections 101, 102, 103, 201, 202, 211-215, 221-225, 231-235 and 237 and Post-Katrina Emergency Management Reform Act, 6 U.S.C. 772 et seq. – Sections 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512 and 513 and Defense Against Weapons of Mass Destruction Act, 50 U.S.C. 2302 et seq. - (Title XIV of Public Law 104-201).

Homeland Security: Critical Infrastructure Protection

Program Area: Homeland Security
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

Goal: Protecting America's Waters
Objective(s): Protect Human Health

Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$2,411.5***	***$1,063.0***	***$2,087.0***	***$1,024.0***
Science & Technology	$18,498.7	$11,361.0	$9,779.0	($1,582.0)
Hazardous Substance Superfund	$9.1	$0.0	$0.0	$0.0
Total Budget Authority / Obligations	$20,919.3	$12,424.0	$11,866.0	($558.0)
Total Workyears	28.7	24.8	24.4	-0.4

Program Project Description:

This program includes a number of the EPA activities that coordinate and support the protection of the nation's critical public infrastructure from terrorist threats. The EPA activities support effective information sharing and dissemination to help protect critical water infrastructure.

FY 2013 Activities and Performance Plan:

Information Sharing Networks & Water Security

In FY 2013, the EPA will continue to build its capacity to identify and respond to threats to critical national water infrastructure. The EPA's wastewater and drinking water security efforts will continue to support the water sector by providing access to information sharing tools and mechanisms that provide timely information on contaminant properties, water treatment effectiveness, detection technologies, analytical protocols, and laboratory capabilities for use in responding to a water contamination event. The EPA will continue to support effective communication conduits to disseminate threat and incident information and to serve as a clearinghouse for sensitive information. The EPA promotes information sharing between the water sector and such groups as environmental professionals and scientists, emergency services personnel, law enforcement, public health agencies, the intelligence community, and technical assistance providers. Through this exchange, water systems can obtain up-to-date information on current technologies in water security, accurately assess their vulnerabilities to terror acts, and work cooperatively with public health officials, first responders, and law enforcement officials to respond effectively in the event of an emergency.

The EPA continues to engage with available information-sharing networks to promote drinking water and wastewater utilities' access to up-to-date security information. This effort ensures that these utilities have access to a comprehensive range of important materials, including tools, training, and protocols, some of which may be sensitive and therefore not generally available through other means. In addition to collaborating with information sharing networks, the EPA will continue to develop materials to ensure that utilities will have the most updated information. This work will enable participating water utilities of all sizes to gain access to a rapid notification system. Participating utilities receive alerts about changes in the homeland security advisory level or about regional and national trends in certain types of water-related incidents. For example, should there be types of specific water related incidents that are re-occurring, the alerts distributed to the utilities will make note of the increasing multiple occurrences or "trends" of these incidents. Information sharing networks allow the water sector not only to improve their understanding of the latest water security and resiliency protocols and threats, but also to reduce their risk by enhancing their ability to prepare for an emergency. The FY 2013 request level for the information sharing networks is $1.1 million.

In FY 2013, the EPA is requesting $1.0 million for planning and implementing Regional Centers of Expertise for Water Security Teams. Currently, all ten regions have water emergency response teams that are available to assist in responses to large-scale or multiple environmental impact events. The Agency will use these resources to enhance regional response capabilities in two Regional Centers of Expertise. These Regional Centers will provide desk and field staff in instances where an incident may overwhelm other regions' more modest emergency response capabilities. Each region will retain a core emergency response capability, but these Regional Centers will ensure that EPA has a robust ability to fulfill its Emergency Support Function-3 (Public Work and Engineering) responsibilities under the National Response Framework.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$5.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$1,000.0) This reflects an increase for planning and implementing Regional Centers of Expertise for Water Security Teams. This increase reflects funds needed to implement the selected approaches resulting from the review of options and requirements for Regional Centers of Expertise for Water Security Teams. EPA will implement the Regional Center approach in FY 2013 and reduce long-term costs.

- (+$19.0) This reflects an increase to provide additional smaller systems with resources to access water information sharing networks.

Statutory Authority:

SDWA, 42 U.S.C. §300f–300j–9 as added by Public Law 93–523 and the amendments made by subsequent enactments, Sections – 1431, 1432, 1433, 1434, 1435; CWA, 33 U.S.C. §1251 et seq.; Public Health Security and Bioterrorism Emergency and Response Act of 2002.

Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$6,497.0***	***$5,966.0***	***$5,999.0***	***$33.0***
Science & Technology	$592.0	$578.0	$579.0	$1.0
Building and Facilities	$8,269.1	$7,044.0	$8,038.0	$994.0
Hazardous Substance Superfund	$669.1	$1,170.0	$1,172.0	$2.0
Total Budget Authority / Obligations	$16,027.2	$14,758.0	$15,788.0	$1,030.0
Total Workyears	7.3	3.0	3.0	0.0

Program Project Description:

This portion of EPA's Homeland Security Program is composed of the following elements: (1) Physical Security – assessing the physical security of Agency facilities, overseeing the mitigation of physical security vulnerabilities, and providing related subject matter expertise; (2) Personnel Security - initiating and adjudicating personnel security investigations; and (3) National Security Information - classifying and safeguarding National Security Information.

FY 2013 Activities and Performance Plan:

With respect to the nationwide protection of EPA Buildings and Critical Infrastructure, in FY 2013, the Agency will continue performing onsite vulnerability assessments; identifying and recommending security risk mitigations; overseeing access control measures; determining physical security measures for new construction and leases; identifying and protecting Agency critical infrastructure; and managing security equipment lifecycle.

As part of the Investigative and Related Personnel Security Functions, the Agency will continue designating position risk levels; initiating background investigations; adjudicating investigative results; determining employee suitability and contractor fitness to work for or on behalf of the Agency; determining eligibility to access classified National Security Information (NSI); and maintaining personnel security records.

Finally, with respect to the Protection of Classified National Security Information (NSI) at EPA, the Agency will continue classifying and declassifying NSI; identifying, marking, safeguarding, and transmitting NSI; providing mandatory NSI security education and training; conducting on-

site NSI inspections and vulnerability assessments; overseeing EPA's Sensitive Compartmented Information Program and Industrial Security Program; and developing and managing databases.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$13.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$20.0) This increase provides support to the EPA's Personnel Access Security System (EPASS) as part of the Investigative and Related Personnel Security Functions.

Statutory Authority:

The National Security Strategy; Intelligence Reform and Terrorism Prevention Act of 2004; Executive Orders 10450, 13526, 13467, 13488, 12829, 12333, and 12968; Title 5 CFR Parts 731 and 732; 32 CFR Part 2001; Privacy Act; Interagency Security Committee (ISC) Physical Security Criteria for Federal Facilities; ISC Facility Security Level Determinations for Federal Facilities; Homeland Security Presidential Directive 7 (HSPD-7).

Program Area: Information Exchange / Outreach

Children and Other Sensitive Populations: Agency Coordination

Program Area: Information Exchange / Outreach

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Goal: Ensuring the Safety of Chemicals and Preventing Pollution

Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$8,790.8***	***$7,481.0***	***$10,923.0***	***$3,442.0***
Total Budget Authority / Obligations	$8,790.8	$7,481.0	$10,923.0	$3,442.0
Total Workyears	17.3	18.2	30.9	12.7

Program Project Description:

The Agency coordinates and advances protection of children's environmental health through regulatory development, science policy, program implementation, communication and effective results measurement as an explicit part of the its mission to protect human health. The children's health protection effort is directed by the 1997 Executive Order 13045, *Protection of Children's Health from Environmental Health Risks and Safety Risks* and the 2010 memorandum from the Administrator, *EPA's Leadership in Children's Environmental Health.* Legislative mandates such as the Energy Independence and Security Act of 2007 (EISA), the Safe Drinking Water Amendments of 1996, and the Food Quality Protection Act of 1996 also direct the Agency to protect children and other vulnerable life stages.[51]

FY 2013 Activities and Performance Plan:

In FY 2013, EPA will use a variety of approaches to protect children from environmental health hazards, for example, children's health concerns are addressed during the regulatory development process, the implementation of community-based programs, research, and outreach. At the same time, the program will evaluate quarterly EPA's performance to ensure that it is meeting its Office's Strategic Plan goals and objectives and making steady progress. The Children's Health program will take the lead in ensuring that EPA's programs and regional

[51] The Energy Independence and Security Act of 2007 directs EPA to produce guidelines on the safe siting of schools and guidelines to states on school environmental health programs in order to protect children from environmental hazards where they learn.
The 1996 amendments to the Safe Drinking Water Act require EPA to strengthen protection of children by considering the risk to the most vulnerable populations and life stages when setting standards.
The Food Quality Protection Act (FQPA) of 1996 amended the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food Drug, and Cosmetic Act (FFDCA) to include stricter safety standards for pesticides, especially for infants and children, and a complete reassessment of all existing pesticide tolerances.

offices are successful in their efforts to protect children's environmental health. The Office of Children's Health Protection (OCHP) was reorganized during FY 2010 and the increased resources in FY 2013 will support the capacity of the two primary divisions in OCHP – the Program Implementation and Coordination Division and the Regulatory Support and Science Division. The resources will allow the program to actively participate in approximately 25 regulatory workgroups to ensure that EPA implements the nation's environmental laws using the best science to address the potential for adverse health effects from environmental factors in vulnerable age groups; to work with national organizations to incorporate children's environmental health into existing programs and use indicators to measure improvements in health in vulnerable age groups; and to fund projects that help to align multiple community-based programs to build capacity to address critical issues affecting children's health in underserved communities.

The following are planned activities in FY 2013:

- As part of the Agency's emphasis on healthy communities, the program will work internally and with other agencies, states and tribes to expand coordinated implementation of successful community-based programs to improve children's health outcomes. Internally, EPA will continue improving coordination across the Agency to ensure that policies and programs explicitly consider and use the most up-to-date data and methods for protecting children from heightened public health risks.

- Serve as a co-lead of the interagency effort with the Department of Health and Human Services and participation from other related agencies to improve federal government-wide support in implementing legislative mandates under the EISA and coordinating outreach and technical assistance.

- Address the potential for unique exposures, health effects, and health risks in children during the development of Agency regulations and policies.

- Coordinate with internal and external research partners to fill critical knowledge gaps on children's unique vulnerabilities.

- Improve EPA's risk assessment and science policies and their implementation tools to ensure they address unique, early-life health susceptibilities including those for multiple environmental hazards and stressors.

- Share scientific data for the development of standards, policies, and guidance that protect children domestically and internationally (i.e., coordination with the World Health Organization) by eliminating potentially harmful prenatal and childhood exposures to pesticides and other toxic chemicals.

- Increase environmental health knowledge (i.e., working the Pediatric Environmental Health Specialty Units (PEHSU)) of health care providers related to prenatal and childhood exposures and health outcomes with a focus on vulnerable groups through outreach activities.

- Create new targets and update current targets for office goals and objectives established in the Agency's Office of Children's Health Protection Strategic Plan.

- Increase transparency and coordination with states, local communities, schools and the general public by supporting a strong communications and outreach effort to share information and provide technical assistance, tools and materials to schools and stakeholder groups.

(In FY 2013, the Children and other Sensitive Populations: Agency Coordination program will be funded at $10.9 million and 30.9 FTE.)

Performance Targets:

Work under this program supports EPA's Goal 4: Ensuring the Safety of Chemicals and Preventing Pollution, Objective 1: Ensure Chemical Safety. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$214.0) This decrease reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$1,604.0/ +7.5 FTE) This increase supports the coordination and implementation of EISA, providing technical assistance to states and communities on implementation of voluntary school siting and environmental health guidelines. The resources will also support the Agency's emphasis on Healthy Communities. These resources include $1,125.0 in associated payroll and 7.5 FTE.

- (+$465.0) This reflects an increase in grants for the Agency's emphasis on Healthy Communities. Funding is for coordinating expertise and efforts across programs to provide technical assistance, develop and implement tools and models, and support communication and outreach. In particular, the program will continue improving coordination across the Agency to ensure that policies and programs explicitly consider and use the most up-to-date data and methods for protecting children from heightened public health risks. Funding is also for grants to enhance state and tribal efforts to improve conditions in schools to enhance student health and performance. These grants will help communities protect children's health where children learn.

- (+$1,587.0/ +5.2 FTE) This increase reflects the commitment in the Agency's Strategic Plan to ensure protection of children's health in our decisions across all EPA programs. The Children's Health Protection program will work across the Agency to use a variety of approaches, including regulation, enforcement, research, outreach, community-based

programs, and partnerships to protect children from environmental hazards. These resources include $780.0 in associated payroll and 5.2 FTE.

Statutory Authority:

Executive Order 13045; Energy Independence and Security Act of 2007; Food Quality Protection Act of 1996; Safe Drinking Water Act Amendments of 1996.

Environmental Education
Program Area: Information Exchange / Outreach
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$6,962.2***	***$9,699.0***	***$0.0***	***($9,699.0)***
Total Budget Authority / Obligations	$6,962.2	$9,699.0	$0.0	($9,699.0)
Total Workyears	15.0	19.5	0.0	-19.5

Program Project Description:

This program has ensured that Environmental Education, using a science-based approach and effective education practices, has been used as a tool to promote the protection of human health and the environment, and has encouraged student academic achievement. Environmental Education has taught the public about choices and environmental stewardship to produce the next generation of environmentally literate citizens and stewards, and has generated support for environmental policy. The National Environmental Education Act has provided a foundation for the activities that the Agency has conducted under this program project.

FY 2013 Activities and Performance Plan:

No new activities or funding is planned for this program in FY 2013. The Agency is eliminating its Environmental Education program in order to focus our limited resources on further integrating environmental education activities into existing environmental programs under a streamlined approach. In FY 2012, EPA established the Intra-Agency Environmental Education Workgroup to incorporate environmental literacy and stewardship activities across all EPA programs. By aligning environmental education and outreach activities with the appropriate national programs, EPA is improving the accountability and outcomes of these activities. Elimination of the Environmental Education program will allow EPA to better leverage its resources for environmental outreach activities which will be carried out under a streamlined and coordinated approach, thus better serving the public while promoting environmental literacy. The Agency also will enhance efforts to develop additional public-private partnership to help support environmental education stakeholders.

Performance Targets:

There are no current performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$9,699.0/-19.5 FTE) This eliminates the Environmental Education program. These resources include $2,414.0 in associated payroll for 19.5 FTE.

Statutory Authority:

National Environmental Education Act (PL 101-619); Section 103 of the Clean Air Act; Section 104 of the Clean Water Act; Section 8001 of the Solid Waste Disposal Act; Section 1442 of the Safe Drinking Water Act; Section 10 of the Toxic Substances Control Act; Section 20 of the Federal Insecticide, Fungicide, and Rodenticide Act.

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$53,544.3***	***$47,638.0***	***$52,896.0***	***$5,258.0***
Hazardous Substance Superfund	$2.1	$0.0	$0.0	$0.0
Total Budget Authority / Obligations	$53,546.4	$47,638.0	$52,896.0	$5,258.0
Total Workyears	374.5	356.6	360.6	4.0

Program/Project Description:

The Congressional, Intergovernmental and External Relations program provides vital executive and logistical support for EPA's Administrator. In addition to the Administrator's Immediate Office (IO), resources in this program support five additional headquarters offices that contribute to the Agency's ability to meet its commitments and to protect human health and the environment, including the Office of Congressional and Intergovernmental Relations (OCIR), a portion of the Office of External Affairs and Environmental Education (OEAEE), the Office of Federal Advisory Committee Management and Outreach (OFACMO), the Office of Executive Services (OES), and the Office of the Executive Secretariat (OEX). Funding in this program also supports vital needs in EPA's 10 Regional Administrator's offices across the country. The activities conducted by these headquarters and regional offices are the critical link to the Agency's engagement with outside entities including Congress, state and local governments, nongovernmental organizations, national and community associations, and the public. Within this program, functions include but are not limited to: responding to Congressional requests for information; providing written and oral testimony briefings, and briefing materials; as well as outreach and coordination to state and local governments; maintaining public relations and communication with the press; and the management of EPA's Federal Advisory Committee Act (FACA) process. This program also includes functions that support the administrative management services involving correspondence control and records management systems; human resource management, budget formulation and execution and information technology services.

FY 2013 Activities and Performance Plan:

The Immediate Office of the Administrator (IO) provides management, leadership and direction for EPA's programs and activities and develops the guidance necessary to ensure the achievement of the Agency's strategic goals and priorities. To ensure that regional views and

priorities are considered in the formulation of its policies and during major phases of decision making, each regional Office of the Regional Administrator works closely with the IO and the Office of Regional Operations to address national, regional and local environmental concerns. These three units work in unison with government policy makers, states, tribes, and the public by communicating Agency proposals, actions, policies, research, and data through mass media, print publications, and the web. In FY 2013, resources in IO will support mandatory IT and telecommunications costs. In addition, the Immediate Office will be undertaking a review of the functions housed within the Office of the Administrator organization, with a goal of reducing overall size by 10%. The Agency believes that some efficiencies can be implemented that will allow the Office of the Administrator to continue to manage, lead and direct EPA's programs and activities while ensuring achievement of the Agency's strategic goals and priorities. (In FY 2013, the headquarters Office of the Administrator and Deputy Administrator will be funded at a level of $3.5 million and 21.8 FTE)

The Office of Congressional and Intergovernmental Relations (OCIR) along with their regional counterparts lead EPA's interactions with Congress, governors, and other state and local officials. In FY 2013, OCIR will prepare EPA's officials for hearings and meetings with members of Congress, oversee responses to written inquiries and oversight requests from members of Congress, and coordinate and provide technical assistance and briefings to members of Congress and staff on legislative areas of interest. OCIR will work with program offices to prepare nominees for confirmation hearings. In addition, OCIR will coordinate with the White House's Office of Legislative and Intergovernmental Affairs and the Council for Environmental Quality on issues related to achieving the goals and priorities of the Agency.

OCIR's Intergovernmental Office will serve as the Agency's liaison to state and local government officials and will manage the Administrator's Local Government Advisory Committee and the Small Community Advisory Subcommittee. These activities will help to ensure that EPA's policies and regulations consider specific impacts on state and local governments. The office will also monitor regulations to ensure that proper consultation with state and local governments takes place in accordance with Federalism guidelines. The office will continue to work closely with program offices to more fully integrate the National Environmental Performance Partnerships System (NEPPS) framework and principles into the Agency's core business practices. NEPPS is a performance-based system of environmental protection designed to improve the efficiency and effectiveness of state-EPA partnerships. By focusing EPA and state resources on the most pressing environmental problems and taking advantage of the unique capacities of each partner, performance partnerships may help achieve the greatest environmental and human health protection. OCIR's efforts will support EPA's strategic plan and the Administrator's priority for building on state partnerships. (In FY 2013, the headquarters Office of Congressional and Intergovernmental Relations will be funded at a level of $8.2 million and 58.8 FTE)

The Office of Federal Advisory Committee Management and Outreach (OFACMO) creates uniform policy and guidance and has oversight responsibility for the Agency's FACA committee management process. It surveys committee members and stakeholders, identifies and shares best practices, and provides training to Agency Designated Federal Officers (DFOs), committee chairpersons, and committee members. This work will ensure that EPA's 50 federal advisory

committees (FACs) and sub-committees are in compliance with FACA requirements and administrative guidelines provided by the General Services Administration's Committee Management Secretariat. In FY 2013, OFACMO will conduct comprehensive "oversight/assist" visits to ensure that EPA's federal advisory committees comply with notice, open meeting, public document, and record keeping requirements. These visits will help reduce practices that expose the committees to legal challenges and vulnerability. In addition, this office is responsible for managing five FACs: the Good Neighbor Environmental Board, the National Advisory Committee, the Governmental Advisory Committee, the National Advisory Council for Environmental Policy and Technology, and the Farm, Ranch and Rural Communities Committee.

In FY 2013, OFACMO will also implement a strategic outreach initiative to environmental justice and science-based groups, schools and organizations to increase the number of underrepresented and underserved communities on EPA's federal advisory committees. An enhanced pool will allow DFOs and program offices to have participation on existing committees from individuals, communities and groups that have traditionally been underserved and/or underutilized on EPA's committees. Such an approach will allow the Agency to have balanced, diverse points of views, a key component of the FACA process. OFACMO will create and maintain a pool of diverse candidates in a central "diversity" database that will be a key resource for the Agency's advisory committees. Further, the program will visit Regional offices to brief managers and staff on the benefits that advisory committees bring to their programs.

To strengthen its public participation function, OFACMO will implement a plan to expand the conversation on environmentalism. This will include integrating new technologies, including videoconferencing, webcasting, and other forms of social media, with other communication and outreach efforts. By using these tools, OFACMO can ensure links between EPA's federal advisory committees. Moreover, it will allow the office to hold public meetings, attend conferences, and form partnerships with Minority Academic Institutions, the National Science Foundation, and other science/policy based organizations. (In FY 2013, the headquarters Office of Federal Advisory Committee Management and Outreach will be funded at a level of $2.2 million and 12.1 FTE)

The Office of External Affairs and Environmental Education (OEAEE) leads EPA in providing a consistent, transparent flow of information from the Agency's headquarters and regional offices to the public, the media, federal, state and local government entities and stakeholders. In FY 2013, EPA's headquarters and regional offices of External Affairs will increase their responsiveness to the media by streamlining internal processes to meet reporters' deadlines. The office will research and evaluate new multimedia and web application tools to determine if they are more effective than current tools in providing stakeholders, including citizens and local, state, and Tribal governments, transparent, accurate and comprehensive information on EPA's activities and policies. In FY 2013, resources in OEAEE will support mandatory IT/telecommunications costs. Additionally, the offices will strengthen their customer service by reaching out to stakeholders, including faith-based, neighborhood, multilingual, educational, and health groups, so that citizens have a better understanding of the actions that EPA is taking to protect people's health and the environment. External affairs will use traditional and social media, the website, and other innovative channels such as webinars, virtual town halls, public

service announcements, photo projects, and videos to reach students, communities, and multilingual populations to inform them of health and environmental issues and receive feedback. Finally, the Agency will retool the overall education effort by integrating environmental outreach and training activities within core EPA environmental programs, thus better serving the public. OEAEE will lead and coordinate the Agency's revamped and streamlined environmental outreach and literacy effort. (In FY 2013, the headquarters Office of External Affairs and Environmental Education will be funded at a level of $7.3 million and 51.2 FTE)

As the central administrative management component of the Office of the Administrator (AO), the Office of Executive Services (OES) provides advice, tools, and assistance for the organization's programmatic operations including human resources management, budget and financial management, information technology management and security. In FY 2013, Executive Services will manage the utilization of AO's resources, track and develop projections associated with payroll utilization to ensure sound fiscal management, and achieve cost savings wherever possible. OES also will assist other organizations by creating cost-effective information technology solutions (i.e., database tools and systems), assess resource needs, prepare organizational materials, oversee the office's IT and telecommunications resources, and process and report on personnel actions. (In FY 2013, the headquarters Office of Executive Services will be funded at a level of $3.8 million and 22.0 FTE)

The Office of the Executive Secretariat (OEX) serves as the correspondence, records management and Freedom of Information Act (FOIA) hub of the Office of the Administrator. OEX manages executive correspondence, oversees the FOIA process, maintains the Administrator's and Deputy Administrator's records, ensures that OA meets its records management responsibilities and manages the Correspondence Management System, a major agency information technology application. In FY 2013, resources in OEX will support mandatory IT/telecommunications costs. In FY 2013, OEX will assist staff, national-program offices and regional offices in implementing paperless technologies for correspondence, records management and FOIA processing, ensuring greater efficiency, improved accountability and reduced cost, such as physical records storage at the Federal Records Center. OEX anticipates results consistent with those detailed in its FY 2011 Federal Managers' Financial Integrity Act letter, including significant reductions in initial correspondence processing times, lower costs to requesters accessing records through the FOIA and lower storage costs for paper records stored offsite. (In FY 2013, the headquarters Office of Executive Secretariat will be funded at a level of $2.1 million and 14.6 FTE)

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$735.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$540.0/+4.0 FTE) This reflects an increase in FTE to better reflect current utilization rates, while taking into consideration FY 2013 programmatic priorities. Minor FTE increases (less than +0.5 FTE per office) will be proportionally allocated across all six headquarters and 10 regional offices and will support the capacity of all 16 offices to engage with outside entities including Congress, state and local governments, non-governmental organizations, national and community associations, and the public. The change includes 4.0 FTE, and $540.0 in associated payroll.

- (+$1,403.0) This redirects resources to cover basic and mandatory IT and telecommunications support costs for on board workforce. Examples of support areas include desktop services, telephone and Local Area Network (LAN). These resources are needed to enable employees to carry out their day-to-day operations supporting the Agency's mission. This also redirects resources for non-pay base contract and general expenses to support the outreach and coordination efforts for six EPA headquarters offices and ten Regional Administrator's offices.

- (+$2,590.0) These additional resources provide minimal level of basic support for the Agency to respond to the public and essential stakeholders in a timely and effective manner. These resources also will be used for print publications, web and records management and executive correspondences. These resources also enable the Agency to respond to more than 1,800 congressional requests and letters in a timelier manner.

- (-$10.0) This reflects a reduction for the Administrator's Representational Fund as the Agency will not be hosting the Commission for Environmental Cooperation meeting in FY 2013.

Statutory Authority:

As provided in Appropriations Act funding; Federal Advisory Committee Act; Environmental Impact Assessment Act; North American Free Trade Agreement Implementation Act; Residential Lead Based Paint Hazard Reduction Act; North American Anti-Epileptic Drug Pregnancy Registry; La Paz Agreement U.S./Mexico Border; Comprehensive Environmental Response, Compensation and Liability Act

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$17,816.6***	***$17,724.0***	***$23,008.0***	***$5,284.0***
Hazardous Substance Superfund	$1,431.0	$1,431.0	$1,433.0	$2.0
Total Budget Authority / Obligations	$19,247.6	$19,155.0	$24,441.0	$5,286.0
Total Workyears	37.3	29.6	31.0	1.4

Program Project Description:

The Exchange Network (EN) is a standards-based, secure approach for the EPA and its state, Tribal, and territorial partners to exchange and share environmental data. The EN facilitates and streamlines electronic reporting, sharing, integration, analysis and use of environmental data from many different sources. Through its use of technology and data standards, open source software, shared services and reusable tools and applications, the EN offers its partners tremendous potential for environmental data management and analysis.

The Central Data Exchange[52] (CDX) is the largest component within the EN program. CDX is the electronic gateway through which environmental data enters the Agency. It enables fast, efficient and more accurate environmental data submissions from state and local governments, industry and tribes to the EPA. It also provides a set of core services for the entire Agency, rather than each agency program building its own duplicative services. The reuse of existing core Agency services like CDX promotes a leaner and more cost-effective approach to an organization's information technology infrastructure. In addition, use of CDX as a core set of services provides a common way to promote data integration and sharing with states, since CDX serves as the EPA's connection to the EN and supports some network-wide services as well, such as EN authentication and authorization. CDX resources support infrastructure for development, testing and production of sophisticated hardware and software; data exchange and Web form programs; built-in data quality checks; standards-setting projects with states, Tribes and territories for electronic reporting; and significant security and quality assurance activities. By reducing the data management burden on EPA programs, CDX helps environmental programs focus their resources on enforcement and programmatic work, rather than data collection and handling.

[52] For more information on the Central Data Exchange, please visit: http://www.epa.gov/cdx/

The CDX program also supports the Automated Commercial Environment (ACE), a data system being developed by U.S. Customs and Border Protection (CBP) for importers and exporters to use to submit reports to over 40 agencies and for CBP to make admissibility decisions about products and shipments at US ports of entry. The Integrated Trade Data System (ITDS) is the governance group that coordinates participating governmental agencies in decisions about ACE. The EPA will use ACE to assist in making decisions about the admissibility of imports that are regulated by the EPA under six national programs that need to exchange data with the ACE system. The Agency is building CDX and EN services to assist EPA program offices in this effort, which is mandated by the Security and Accountability for Every (SAFE) Port Act and Executive Order 13439. The six EPA programs are: Engines; Fuels; Toxic Substances; Pesticides; Ozone Depleting Substances; and Hazardous Waste.

Other tools and services in the EN program include the Facility Registry System (FRS) and the other registries within the System of Registries (SoR). The FRS is a widely used source of mapping and environmental data about facilities. It supports a multimedia display and integration of a wide variety of environmental information keyed to single or multiple facilities. Among other applications of FRS, users can apply the data in understanding homeland security threats, prioritizing enforcement, and integrating data across disparate datasets. FRS also serves a key point of entry for the public interested in the EPA's data stores. The registries provide a platform to link data across data systems, environmental programs and even other agencies' data, enabling the EPA to bring data together for greater understanding of environmental issues. The registries are key integrators that promote discovery, access, sharing and understanding of the EPA's information and assets.

FY 2013 Activities and Performance Plan:

In FY 2013 the Exchange Network program will fundamentally shift in emphasis from partners reporting data to the EPA, to an EPA-led effort to use Exchange Network resources for data sharing and integration and expansion of geospatial data capabilities. Development in these areas will enable the EPA and its partners to perform robust analysis of multimedia environmental problems and environmental conditions that cross jurisdictional boundaries. Through migrating shared EN services to the cloud, the program anticipates freeing up additional resources for EPA and its partners to apply to these data integration and analysis capabilities.

In FY 2013, the EN program will develop services that encourage innovative data sharing and analysis while reducing the cost and burden of reporting. The program will pilot projects that transform the EN from a closed partnership of states and Tribes to a more open platform of services that the public or third parties can use to develop tools and applications to make environmental data reporting, sharing and analysis faster, simpler and cheaper, which includes an expansion of CDX and EN data publishing capabilities. The EN program also will increase the amount of critical environmental data flowing, expand the program's role in sharing data among partners, and provide increased business value through reduced burden. It will provide better data quality, timeliness and accessibility while making the EN simpler and less costly to implement. Finally, pending the results of research from calendar years 2011 and 2012, CDX and some EN services will transition wholly or in part to a cloud-based infrastructure to save money and gain efficiencies in FY 2013.

The EPA continues to leverage the EN to achieve Agency information goals and priorities while increasing efficiency. In collaboration with the EPA, the Environmental Council of the States (ECOS) accepts the EN as the standard approach for EPA, state, tribe and territory data sharing. At the end of calendar year 2011, 60 percent of states reporting to the EPA's ten priority national systems use the EN, representing a doubling of EN use within 18 months. Tribal use of the EN grew by 20 percent during calendar year 2011.

In FY 2013, CDX will continue to support the Transportation of Air Quality (TAQ) program in implementing the Renewable Fuel Standard through several interconnected systems. The systems include the TAQ Registration system, TAQ Fuels Reporting System and the EPA Moderated Transaction System (EMTS). EMTS provides an electronic marketplace for transactions of Renewable Fuel Information as well as traditional electronic reporting to the EPA. CDX will also increase electronic reporting to the EPA by meeting several new reporting requirements under the Toxic Substances Control Act, Greenhouse Gas Reporting Program and other priority data collections across EPA program offices

Several new enhancements to CDX are underway and will continue to be rolled out in FY 2013. Major activities include a complete redesign of the CDX interface to comply with new usability standards, improving the quality of user registration data and raising the efficiency of the EPA's user identity management. The program also will complete the automated process for validating identities of individuals registering with CDX, resulting in a reduction in cost to the Agency from $30 to $0.60 per user and additional resource and time savings for the regulated community. CDX also is conducting a complete review of its existing architecture and preparing a three-year plan to obtain additional efficiencies through consolidation and standardization of services, and leveraging new technology like cloud computing. Finally, CDX will launch a suite of collection and publishing services, providing the transport of data from the EPA to trusted partners and the public. This role and expansion of CDX will be pursued now through FY 2013 as part of system architecture redesign.

In FY 2013 the program will reduce its ACE/ITDS expenditures by $1.5M. Most of the major system component build-outs are expected to be completed by early FY 2013. If the current schedule for CBP continues as planned, this funding reduction will not impact EPA's ability to continue participating in the partnership with CBP.

Planned activities in FY 2013 for the System of Registries will continue efforts to allow greater sharing and better understanding of the EPA's data. This includes metadata providing services at the system, dataset, and data element levels:

- At the information system level, The Registry of EPA Applications and Databases (READ) inventories EPA data systems;
- At the dataset level, the Environmental Dataset Gateway (EDG) inventories EPA datasets and non-EPA datasets used across the EPA;
- At the data element level, the Data Element Registry Services (DERS) is a central repository for data dictionaries and code sets. DERS will enable the EPA to meet Office of Management and Budget requirements for conforming to a federal-wide standardization effort (National Information Exchange Model - NIEM).

The EPA also is implementing a new approach to connecting data from disparate sources that has the potential to transform the public's access to information and improve their ability to create innovative software applications, develop integrated portraits of Agency data and connect it to data across the Internet that may offer useful comparisons or provide additional insight. This new technology, which is called "Linked Open Data," models the data from each EPA program and installs it onto a specific platform that then can be linked with similarly modeled data on the Internet. This creates a virtual searchable database (although not in a database) on the Web. The EPA will continue to expand on its pilots of this approach in FY 2013 with additional data sets to demonstrate how this technology might begin to replace existing ways of searching, discovering, connecting and linking data together over the Internet, instead of storing it in large database silos where data cannot be compared to each other.

The EPA will continue to improve Information Technology (IT) management by working with program offices and states and tribes to develop complete data dictionaries. In addition to basic IT information management, this work will make it possible to cross-walk data elements to data standards and to data flows through CDX. It will help states and tribes determine how their systems map to EPA program systems and will enable programmers, such as those for Data.gov, to better understand the meaning of a data element in a dataset.

Planned activities in FY 2013 for the Facility Registry Service include:

- Continuing to improve FRS data quality and its utilization across the EPA and states by building on initiatives in FY 2011 and FY 2012 to build a strong FRS data stewards network and community of interest;
- Improving data access by providing better tools for data stewards to correct data, and making FRS data available through multiple Web services;
- Enhancing FRS data with value-added attributes and capabilities to support improved analysis and access and adding additional spatial geographies and attributes as well as emerging semantic Web technologies;
- Improving synchronization with EPA program information systems to support the EPA's enforcement programs and to offer near-real-time data feeds that will assist emergency responders; and,
- Moving FRS to a public or private "cloud" to save money and gain added efficiencies, building on initiatives in FY 2011 and FY 2012 to make the FRS architecture more agile.

In FY 2013, the EN program will expand upon the Agency's efforts to transition to twenty-first century technology and increase e-reporting by expanding the use of the EN with an additional investment of $6.4 million. The EPA will create an open platform "electronic reporting file" data exchange standard, modeled after that used by the IRS to collect tax data. The intent is to take advantage of the expertise of the private sector to create new electronic reporting tools for three National Pollution Discharge Elimination System data flows. These private sector electronic reporting tools would be based on EPA and Exchange Network data standards and protocols and would replace the largely paper-based reporting systems that evolved over the past 30 years. Further, in those programs where the EPA has already built electronic reporting tools, the private sector may enhance these tools to support industry needs and, over the longer term, enable the

EPA largely to eliminate the need to continue to fund the operation and maintenance of these tools.

By employing twenty-first century technology, the Agency will increase the number of electronic submissions to the EPA across all media, such as air, water and soil, resulting in faster and easier compliance in submitting data to the EPA. To support this effort, the Exchange Network program will provide technical assistance and guidance to the vendor community and, internally, enhancements to the EN and CDX technologies. Among other examples, the program will provide technical assistance with standards, guidelines and procedures, data delivery protocols and internal enhancements to EN services such as user registration. An Agency help desk also will support the vendor community to ensure compliance and interoperability with Agency requirements. EN technologies also will support large industry partners interested in submitting data directly from their enterprise resource systems to the EPA.

This $6.4 million investment promotes the use of 21st century technology to increase the EPA's monitoring and reporting capabilities to better detect violations that impact public health, reduce transaction costs for the regulated community, and better engage the public to drive behavioral changes in compliance.

Performance Targets:

Measure	**(052) Number of major EPA environmental systems that use the CDX electronic requirements enabling faster receipt, processing, and quality checking of data.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	29	36	45	50	60	60	67	72	Systems
Actual	32	37	48	55	60	64			

Measure	**(053) States, tribes and territories will be able to exchange data with CDX through nodes in real time, using standards and automated data-quality checking.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	50	55	55	60	65	65	80	85	Users
Actual	42	57	59	59	69	72			

Measure	**(999) Total number of active unique users from states, tribes, laboratories, regulated facilities and other entities that electronically report environmental data to EPA through CDX.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target						Baseline Year	58,000	60,000	Users
Actual						56,200			

EPA has revised an existing Performance Measure for the Exchange Network program. The revised Performance Measure allows the Agency to track the number of active, individual users of the Central Data Exchange, rather than all user accounts. By focusing on active, individual users, EPA can build a more accurate portrayal of current CDX usage.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$80.0) This increase is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+0.4 FTE) This increase reflects current utilization rates while taking into consideration FY 2013 programmatic priorities in supporting new enhancements to CDX.

- (+$332.0) This increase reflects a redirection of resources from IT/Data Management to the Exchange Network for the data standards program. This enables the sharing and exchange of data by standardizing data, ensuring that different organizations can use a term, a system name, or a chemical substance name and have it mean the same thing to each of them.

- (-$1,500.0) This change reduces the Automated Commercial Environment (ACE) resources for development, expected to be completed in FY 2013. Remaining funds for this activity support nationwide testing and maintains the partnership with CBP.

- (+$6,403.0/+1.0 FTE) This increase in funding enables the Central Data Exchange to expand e-reporting and employ twenty-first century technology by designing, developing, and implementing for EPA programs a suite of robust data collection and publishing services for the public. These services will enable the public to report data to or request data directly from EPA systems, expediting the transfer and sharing of data. All EN stakeholders will benefit from increased efficiencies in data reporting and greater availability of environmental data. This funding will also support the prototyping of these same services for the entire Exchange Network. This expands the EN's platform of services to facilitate the public's interaction with environmental information at the EPA and on the EN. The additional resources include $153.0 associated payroll for 1.0 FTE.

- (-$31.0) This change reflects a decrease in funding for contracts for the Central Data Exchange.

Statutory Authority:

Federal Advisory Committee Act (FACA), 42 United States Code 553 et seq. and Government Information Security Act (GISRA), 40 U.S.C. 1401 et seq. – Sections 3531, 3532, 3533, 3534, 3535 and 3536 and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9606 et seq. – Sections 101-128, 301-312 and 401-405 and Clean Air Act (CAA) Amendments, 42 U.S.C. 7401 et seq. – Sections 102, 103, 104 and 108 and Clean Water Act (CWA), 33 U.S.C. 1314 et seq. – Sections 101, 102, 103, 104, 105, 107, and 109 and Toxic Substances Control Act (TSCA), 15 U.S.C. 2611 et seq. – Sections 201, 301 and 401 and Federal Insecticide Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. 36 et seq. – Sections 136a – 136y and Food Quality Protection Act (FQPA), 7 U.S.C. 136 et seq. – Sections 102, 210, 301 and 501 and Safe Drinking Water Act (SDWA) Amendments, 42 U.S.C. 300 et seq. – Sections 1400, 1401, 1411, 1421, 1431, 1441, 1454 and 1461 and Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346 et seq. and Emergency Planning and Community Right-to-Know Act

(EPCRA), 42 U.S.C. 11001 et seq. – Sections 322, 324, 325 and 328 and Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6962 et seq. – Sections 1001, 2001, 3001 and 3005 and Government Performance and Results Act (GPRA), 39 U.S.C. 2803 et seq. – Sections 1115, 1116, 1117, 1118 and 1119 and Government Management Reform Act (GMRA), 31 U.S.C. 501 et seq. – Sections 101, 201, 301, 401, 402, 403, 404 and 405 and Clinger-Cohen Act (CCA), 40 U.S.C. 1401 et seq. – Sections 5001, 5201, 5301, 5401, 5502, 5601 and 5701and Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq. – Sections 104, 105, 106, 107, 108, 109, 110, 111, 112 and 113 and Freedom of Information Act (FOIA), 5 U.S.C. 552 et seq and Controlled Substances Act (CSA), 21 U.S.C. 802 et seq. – Sections 801, 811, 821, 841, 871, 955 and 961; Privacy Act; Electronic Freedom of Information Act, Security and Accountability of Every (SAFE) Port Act, Executive Order 13439. Exchange Network Program funding has been provided by the annual appropriations for EPA: FY 2002 (Public Law 107-73), FY 2003 (Public Law 108-7), FY 2004 (Public Law 108-199) FY 2005 (Public Law 108-447) and FY 2006 (Public Law 109-54), FY 2007 (Public Law 110-5), FY 2008 (Public Law 110-161), and FY 2009 (Public Law 111-8)

Small Business Ombudsman
Program Area: Information Exchange / Outreach
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Promote Pollution Prevention

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$3,106.9***	***$2,693.0***	***$3,018.0***	***$325.0***
Total Budget Authority / Obligations	$3,106.9	$2,693.0	$3,018.0	$325.0
Total Workyears	9.2	9.9	10.0	0.1

Program Project Description:

The Asbestos and Small Business Ombudsman (ASBO), a component of the Office of Small Business Programs, and the small business activities located in the Office of Policy's (OP) Office of Regulatory Policy and Management (ORPM) serve as the Agency's leading advocate for small business regulatory issues. The ASBO reaches out to the small business community by partnering with state Small Business Environmental Assistance Programs (SBEAPs) nationwide and hundreds of small business trade associations. These partnerships provide the information and perspective EPA needs to help small businesses achieve their environmental goals. This is a comprehensive program that provides networks, resources, tools, and forums for education and advocacy on behalf of small businesses.[53] ORPM advises program offices in analyzing and considering the impacts of its regulatory actions on small entities (i.e., small business, small government and small non-governmental organizations), identifying less burdensome alternatives, and leading EPA's implementation of the Regulatory Flexibility Act (RFA).

The core ASBO functions include participating in the regulatory development process, operating and supporting the program's hotline and homepage, participating in EPA's program and regional offices' small business related meetings, and supporting internal and external small business activities. The ASBO helps small businesses learn about new actions and developments within EPA, and helps EPA learn about the concerns and needs of small businesses. The ASBO partners with state SBEAPs in order to reach an ever increasing number of small businesses, and to assist them with updated and new approaches for improving their environmental performance. The ASBO provides technical assistance in the form of workshops, conferences, hotlines, and training forums designed to help small businesses become better environmental performers and helps our partners provide the assistance that small businesses need.

ORPM guides analysis and consideration of the potential impact of its regulatory actions on small entities and supports development of less burdensome alternatives. This includes advising program offices on analytic approaches, including consistent guidance, and technical assistance in estimating the potential economic impact of EPA's actions on small business. ORPM leads EPA's implementation of the RFA, as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA), to address potential burdens from EPA's regulations on small entities.

[53] Please refer to: http://www.epa.gov/sbo

Under the RFA, EPA evaluates the impact of its regulations on small businesses and engages with small entity representatives, the Office of Management and Budget (OMB) and the Small Business Administration (SBA) to understand the impacts of and identify less burdensome alternatives for rulemakings that could significantly impact these entities. Specifically, unless the Agency certifies that a rule does not have a significant economic impact on a substantial number of small entities, the RFA requires a formal analysis of the potential adverse economic impacts on small entities, completion of a Small Business Advocacy Review Panel (proposed rule stage), preparation of a Small Entity Compliance Guide (final rule stage), and Agency review of the rule within 10 years of promulgation.

FY 2013 Activities and Performance Plan:

In FY 2013, the Asbestos and Small Business Ombudsman program will:

- Lead EPA's efforts to limit potential adverse impacts on small entities by assisting program offices in characterizing the possible impacts of its regulations and considering alternative requirements.

- Guide EPA's implementation of the RFA including Small Business Advocacy Panels for regulations that might have a significant adverse economic impact on a substantial number of small entities by soliciting input from Small Entity Representatives (SERs) and collaborating with the Office of Management and Budget and the Small Business Administration.

- Expand quality and efficiency of technical and regulatory assistance to small businesses by providing enhanced information to small business owners, communities, trade associations and other audiences on recent regulatory actions and media program offices through a toll free hotline. Support and promote EPA's Small Business Strategy by encouraging small businesses, states, and trade associations to comment on EPA's proposed regulatory actions, as well as providing updates on the Agency's rulemaking activities in the quarterly Smallbiz@EPA electronic bulletin.

- Serve as the Agency's point of contact for the Small Business Paperwork Relief Act by coordinating efforts with the Agency's program offices to further reduce the information collection burden for small businesses with fewer than 25 employees.

- Participate with the Small Business Administration and other federal agencies in Business.gov. Business.gov is an official site of the U.S. Government that helps small businesses understand their legal requirements, and locate government services supporting the nation's small business community. This work helps to improve services and reduces the burden on small businesses by guiding them through government rules and regulations. EPA also will support and promote a state-led multi-media small business initiative and coordinate efforts within the Agency.

- Strengthen and support partnerships with state Small Business SBEAP's and trade associations, and recognize state SBEAPs, small businesses, and trade associations that have directly impacted the improved environmental performance of small businesses. Develop a

compendium of small business environmental assistance success stories that demonstrate what really works.

Under this program, resources of $1.7 million and 5.0 FTE support the Office of Small Business Programs. The remaining $1.3 million and 5.0 FTE in this program support the Office of Policy, Office of Regulatory Policy and Management's activities related to the Small Business Regulatory Enforcement Fairness Act.

Performance Targets:

Work under this program supports EPA's Goal 4: Ensuring the Safety of Chemicals and Preventing Pollution, Objective 2: Promote Pollution Prevention. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$33.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$292.0/ +0.1 FTE) This represents an increase in funding to improve the quality and efficiency of technical and regulatory assistance to small businesses by providing enhanced information to small business owners, communities, trade associations and other audiences on recent regulatory actions and media program offices through a toll free hotline.

Statutory Authority:

Clean Air Act (CAA), section 507.

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$2,277.5***	***$2,079.0***	***$2,291.0***	***$212.0***
Total Budget Authority / Obligations	$2,277.5	$2,079.0	$2,291.0	$212.0
Total Workyears	8.1	9.7	9.8	0.1

Program Project Description:

The Agency's Small Minority Business Assistance Program encompasses the Agency's Office of Small Business Programs' (OSBP) Direct Procurement, Disadvantaged Business Enterprise (DBE), and Minority Academic Institutions (MAI) programs. This program provides technical assistance to small businesses, headquarters, and regional office employees to ensure that small, disadvantaged, women-owned, Historically Underutilized Business Zone (HUBZone), service-disabled veteran-owned small businesses (SDVOSBs), and MAIs receive a fair share of EPA's procurement dollars and grants, where applicable. This program enhances the ability of these businesses to participate in the protection of human health and the environment. The functions involve accountability for evaluating and monitoring contracts, grants, and cooperative agreements entered into, and on behalf of EPA's headquarters and regional offices. This will ensure that the Agency's contract and procurement practices comply with federal laws and regulations regarding the utilization of small and disadvantaged businesses, direct procurement acquisitions, indirect procurement assistance, and further the policies and mandates of Executive Orders associated with the MAI program.

FY 2013 Activities and Performance Plan:

In FY 2013, under the Agency's OSBP Direct Procurement program, small and disadvantaged business procurement experts will provide training, technical assistance, and consultation to headquarters and regional program office personnel and small business owners to ensure that Small Disadvantaged Businesses (SDBs), Women-Owned Small Businesses (WOSBs), HUBZone firms, and SDVOSBs receive a fair share of EPA's procurement dollars. EPA negotiates a number of national goals with the Small Business Administration (SBA) every two years, which are targeted at increasing opportunities for the above mentioned categories of small businesses. (In FY 2013, the funding for the Small Minority Business Assistance Program is $2.29 million and 9.8 FTE).

In FY 2013, EPA's Small Minority Business Direct Procurement Program will continue the implementation of applicable provisions of the 2010 Small Business Jobs and Credit Act, and the Women-Owned Small Business (WOSB) regulation[54] enacted in 2011. EPA works to eliminate unnecessary contract bundling to help ensure opportunities for America's small business community. Contract bundling requires certain conditions to obtain contracts that small businesses cannot provide because of their size. Strong emphasis will be placed on implementing the WOSB Rule, authorizing contracting officers to restrict competition to eligible WOSBs for certain federal contracts in industries in which the SBA has determined that WOSBs are underrepresented or substantially underrepresented in federal procurement. The Agency also will emphasize contracting with SDVOSBs, as mandated by Executive Order 13360, which requires increased federal contracting opportunities for this group of entrepreneurs. For both the WOSB and SDVOSB programs "strong emphasis" will include targeted training of EPA acquisition professionals on the utilization of the programs; targeted outreach and counseling to the SDVOSB and WOSB communities on how to successfully navigate EPA procurement process; specific review of EPA procurements to ensure the utilization of both programs; and providing technical assistance to EPA program offices to assist in the identification of SDVOSBs and WOSBs for their procurement needs.

As a result of the Supreme Court's decision in *Adarand v. Pena*, 115 S. Ct. 2097 (1995), EPA promulgated the Disadvantaged Business Enterprise (DBE) Rule (40 CFR Part 33). EPA's implementation of the DBE Rule requires that EPA's grant recipients perform good faith efforts to ensure that DBEs have an opportunity to compete for contracts funded by EPA's assistance agreements. Under its DBE Program, EPA has a statutory goal of ten percent utilization of Minority Business Enterprises/Women-Owned Business Enterprises for research conducted under the Clean Air Act Amendments of 1990, as well as a statutory eight percent goal for all other programs. The DBE program encourages the Agency and its financial assistance recipients to meet these indirect procurement goals. This includes training EPA grant personnel on the scope and utilization of the DBE Program; providing technical assistance and training to EPA grant recipients on the requirements of the DBE Program; targeted outreach efforts to encourage minority and women owned businesses to seek contract opportunities funded by EPA grants; and monitoring the program through the compilation and analysis of required grantee DBE program reports. These efforts will enhance the ability of America's small and disadvantaged businesses to help the Agency protect human health and the environment while creating more jobs.

Under its MAI program, the Agency develops strategies, collects data, provides technical assistance, and produces reports on its efforts to meet the initiatives of Executive Order 13216, Increase Participation of Asian Americans and Pacific Islanders in Federal Programs; Executive Order 13230, President's Advisory Commission on Educational Excellence for Hispanic Americans; Executive Order 13256, President's Board of Advisors on Historically Black Colleges and Universities (HBCUs); and Executive Order 13270, Tribal Colleges and Universities (TCUs). Specific activities under this program for FY 2013 include, preparing Agency-wide reports on MAI accomplishments, as required by all four Executive Orders; preparing Agency-wide plans to support MAIs, as required by all four executive orders; redirecting resources to maintain core mission support contracts as well as support programs;

[54] Please see: http://frwebgate1.access.gpo.gov/cgi-bin/PDFgate.cgi?WAISdocID=DHurqp/0/2/0&WAISaction=retrieve for further information.

providing internal and external technical assistance and training on the MAI Program; and managing an Agency-wide contract to provide the Agency with a diverse pool of interns.

Performance Targets:

Work under this program supports multiple goals and strategic objectives. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$37.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$175.0/ +0.1 FTE) These resources allow the program to maintain core mission support contracts as well as support programs such as EPA's Minority Academic Institution (MAI) internship program.

Statutory Authority:

Small Business Act, sections 8 and 15, as amended; Executive Orders 12073, 12432, 12138, 13256, 13270, 13230, 13360 and 13216; P.L. 106-50; Clean Air Act.

State and Local Prevention and Preparedness
Program Area: Information Exchange / Outreach
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$13,063.2***	***$13,320.0***	***$14,852.0***	***$1,532.0***
Total Budget Authority / Obligations	$13,063.2	$13,320.0	$14,852.0	$1,532.0
Total Workyears	51.2	57.5	62.9	5.4

Program Project Description:

EPA's Chemical Emergency Preparedness and Prevention Program is the national regulatory framework to prevent, prepare for and respond to catastrophic accidental chemical releases at industrial facilities throughout the United States. This program includes the Clean Air Act Section 112(r) Risk Management program and the Emergency Planning and Community Right-to-Know Act (EPCRA) program. The purpose of these programs is to prevent devastating accidents such as the 1984 accident at Union Carbide in Bhopal India, which resulted in thousands of deaths and at least 200,000 injuries, and the domestic chemical accidents in Pasadena and Texas City, Texas which resulted in hundreds of injuries and dozens of deaths.

Accidents at chemical facilities have resulted in injury and death, severe environmental damage, and great financial loss. Accidents reported to EPA since 2005 by the current universe of Risk Management Program facilities have resulted in approximately 60 worker and public deaths, over 1,300 injuries, nearly 200,000 people sheltered in place, and more than $1.6 billion in on-site and off-site damages. States and communities often lack the strong infrastructure needed to address these emergencies or to prevent them from happening in the first place.

The Risk Management Program provides the foundation for community and hazard response planning by requiring facilities to take preventative measures, as well as collecting and sharing data to assist other stakeholders in preventing and responding to releases of all types. Taken together, the Risk Management Program and EPCRA establish a structure, within which federal, state, local, and Tribal partners can work together to protect the public, the economy, and the environment from chemical risks.

Under Section 112(r) of the Clean Air Act, EPA's regulations require that facilities handling more than a threshold quantity of certain extremely hazardous substances must implement a Risk Management Program. The Risk Management Program requires regulated chemical facilities to conduct the following:

- Perform a hazard assessment that estimates the harmful effects of serious chemical releases from the facility and describes the facility's history of serious accidents;

- Implement accident prevention measures such as using written safe operating procedures, maintaining the mechanical integrity of chemical process equipment, safely managing process and equipment changes, investigating process incidents, and other measures that aim to prevent serious accidents;

- Implement an emergency response program that minimizes the harmful effects of any chemical release that may occur; and

- Prepare and submit a risk management plan (RMP) to EPA. RMPs are collated within a single national database that contains current and historical chemical hazard information for approximately 13,000 U.S. chemical facilities.

The RMP describes the approach the facility is taking to prevent and mitigate chemical accidents. The plan addresses the hazards of the chemicals used by the facility, the potential consequences of worst case and other accidental chemical release scenarios, the facility's five year accident history, the chemical accident prevention program in place at the site, and the emergency response program used by the site to minimize the impacts on the public and environment should a chemical release occur.

Every dollar spent on basic chemical accident prevention measures and preparedness for prompt response by businesses and by EPA's compliance assistance efforts potentially saves from hundreds to tens of thousands of dollars that would be spent to clean up community resources, food supplies, sensitive environmental areas, recover the use of key assets, restore economic vitality, and to protect human health from the harm associated with chemical accidents.

Facilities are required to update their RMP at least once every five years, or sooner if major changes are made at the facility. EPA provides RMP data to state and local emergency planning entities, and to other federal agencies, such as the Department of Homeland Security (DHS) and the U.S. Chemical Safety Board. In the case of DHS, that agency's Chemical Facility Anti-Terrorism Standards (CFATS) rule is similar to Risk Management Program regulation, except that CFATS addresses acts of malfeasance, in contrast to the Risk Management Program's focus on accidental events. RMPs are also made available to the public at federal reading rooms, in redacted form.

Under EPCRA, State Emergency Response Commissions (SERCs) and Local Emergency Planning Committees (LEPCs) were formed to serve as the infrastructure for local emergency planning and to inform the public about chemicals in their community. In order to accomplish this goal, the requirements of EPCRA stipulate that facilities provide information to the SERCs and LEPCs about the chemical they produce, use, and store. LEPCs use this information to develop local emergency response plans and work with facilities to reduce chemical risks and improve chemical safety, as well as make available to the public information on the chemicals risks in their community. EPCRA covers several hundred thousand facilities; significantly more than the number of facilities that are required to submit an RMP.

FY 2013 Activities and Performance Plan:

The Clean Air Act requires EPA to conduct audits and inspections at RMP facilities to ensure their compliance with the regulations. EPA has identified approximately 13,000 RMP facilities nationwide. These facilities represent the largest identified stockpiles of highly toxic and flammable industrial chemicals in the United States. Of these, approximately 1,900 facilities have been designated as "high-risk" based upon their accident history, extremely large quantity of chemicals on site, or proximity to large residential populations. While EPA is responsible for oversight of all RMP facilities, the Agency places special focus on high-risk RMP facilities because of their potential for causing great damage to the public and environment in the event of an accident. However, oversight and inspections at high-risk facilities require more resources, including technical experts and time, due to their complex processes, larger scale, and potential risk. Therefore, less high-risk facilities can be inspected with current resources.

As part of its ongoing RMP efforts, EPA will continue to work with state and local governments to provide grants, technical support, outreach, and training. EPA also will work with communities to provide chemical risk information about local facilities, as well as helping them understand how the chemical risks may affect their citizens through the issuance of appropriate guidance.

EPA will continue to support ongoing development of emergency planning and response tools such as the Computer-Aided Management of Emergency Operations (CAMEO) software suite. With this information and these tools, communities are better prepared to reduce and mitigate hazardous chemical releases that may occur. EPA will also conduct inspections at facilities subject to EPCRA, both to support State and local implementation of the program and to ensure that facilities comply with the statute's chemical inventory reporting and emergency release notification provisions.

EPA will continue to maintain the RMP database, which is the nation's premier source for information on chemical process risks, and will share data with other federal, state, Tribal and local partners that need the best and latest information on U.S. hazardous chemical facility risks. In addition, EPA will continue to conduct analyses of RMP data to identify regulated facilities, chemical accident trends, and industrial sectors that may be more accident-prone. These analyses will help the Agency focus efforts on compliance inspections, regulatory enforcement actions and outreach toward those facilities that potentially pose the most risk to communities and gain knowledge on the effectiveness of risk management measures.

In FY 2013, EPA will continue to focus attention on identifying where the most significant vulnerabilities exist, in terms of scale and potential risk, which includes the following activities:

- Provide national coordination for chemical accident prevention and emergency response planning program policy, inspections, compliance, and enforcement;

- Conduct program oversight, monitoring, and support for the CAMEO system;

- Conduct training for EPA and state implementing agency RMP and EPCRA inspectors;

- Continue efforts to identify facilities that did not file RMPs by comparing the list of current RMP facilities against other available data sources; and

- Conduct EPCRA compliance inspections at regulated facilities.

In FY 2013, EPA is requesting an increase to its chemical accident prevention and emergency planning programs in order to increase inspections and reduce risks at high risk chemical facilities. These additional resources will be devoted to inspections conducted at high-risk facilities in order to find and address problems before they become disasters.

Performance Targets:

Measure	(CH2) Number of risk management plan audits and inspections conducted.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	400	400	400	400	400	560	530	500	Audits
Actual	550	628	628	654	618	630			

The funding requested will enable EPA to conduct 500 RMP inspections in FY 2013. Without the requested increase in funding, the target will decrease to 460 annual inspections. EPA will conduct 30 percent of its RMP inspections at high-risk facilities during FY 2013.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$681.0 / +5.4 FTE) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE. It also includes 5.4 FTE and associated payroll for inspectors dedicated to high risk facilities.

- (+$851.0) This increase reflects additional resources devoted to more high-risk facility inspections. The resources will support an additional 40 RMP inspections, including at least 12 high-risk facility inspections in densely populated areas.

Statutory Authority:

Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. 11001 et seq. – Sections 11001-11023 and the Clean Air Act, as amended by the Chemical Safety Information, Site Security, and Fuels Regulatory Relief Act, 42 U.S.C. 7401 et seq. – Section 112(r).

TRI / Right to Know
Program Area: Information Exchange / Outreach
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$16,634.5***	***$16,322.0***	***$17,354.0***	***$1,032.0***
Total Budget Authority / Obligations	$16,634.5	$16,322.0	$17,354.0	$1,032.0
Total Workyears	49.1	50.5	57.2	6.7

Program Project Description:

The EPA's success in carrying out its mission of protecting human health and the environment depends on having timely, high-quality, meaningful information. The Toxics Release Inventory (TRI) program[55] supports the EPA's mission, while also reflecting the Administration's Open Government principles of transparency, participation and collaboration. Each year, the TRI program receives data on over 650 toxic chemicals from approximately 20,000 industrial and federal facilities and makes the data readily available to the public.

TRI data helps inform communities about toxic chemical releases and other waste management issues in their surrounding area and can be used to help ensure facility compliance with environmental laws and regulations, as well as to encourage pollution prevention and source reduction activities. Due to the broad scope and timeliness of the data, TRI has become a premier source of toxic chemical information for communities, non-governmental organizations, industrial facilities and government agencies. It also fulfills the Agency's statutory responsibilities under Section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and Section 6607 of the Pollution Prevention Act of 1990 (PPA).

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to take steps to enhance the regulatory foundation of TRI to help ensure that communities have access to timely and meaningful data on toxic chemical releases. As part of this effort, the TRI program will clarify certain TRI reporting requirements (e.g., reporting requirements for metal mining facilities) and explore other TRI opportunities.

The TRI program provides facilities with an online reporting application, known as TRI-MEweb, which includes a number of data validation features and facilitates the electronic preparation and submission of TRI reports through the EPA's Central Data Exchange (CDX). To better leverage efficiencies gained by using TRI-MEweb, the EPA is considering mechanisms to improve reporting under TRI. In addition, the EPA will continue to encourage greater participation in the TRI Data Exchange (TDX), thereby helping to reduce reporting burdens on TRI facilities. Facilities located in TDX-participating states can submit their federal and state TRI reports

[55] http://www.epa.gov/tri/

simultaneously through the EPA's CDX, rather than submitting separate reports to the EPA and the state.

TRI will continue to conduct data quality analyses on reported data and provide related compliance assistance and enforcement support to the EPA's Enforcement and Compliance Assurance program. This will help ensure the accuracy and completeness of the TRI data. Also in FY 2013, the TRI program will continue to make the data available to the public soon after the July 1 reporting deadline through downloadable data files, which are available through the TRI website and Data.gov, and online analytical tools, such as Envirofacts and TRI Explorer. In addition, the program will continue to develop the annual TRI National Analysis, which includes national trends in toxic chemical releases and other waste management, industry sector profiles, and parent company analyses, as well as TRI information for certain urban communities, large aquatic ecosystems, and Indian country and Alaska Native Villages.

The TRI program will continue to work with outside organizations, such as the Environmental Council of the States, to foster stakeholder discussions and collaboration in analyzing and using the TRI data. In FY 2013, the EPA will continue to engage a wide range of TRI stakeholders (industry, government, academia, non-governmental organizations, and the public) in discussion, analysis, and use of TRI data across the country.

Performance Targets:

Measure	**(998) EPA's TRI program will work with partners to conduct data quality checks to enhance accuracy and reliability of environmental data.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target								500	Quality Checks
Actual									

In the FY 2013 President's Budget, EPA will begin to use a new Performance Measure for the TRI program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$198.0) This increase is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+0.7 FTE) This increase reflects current utilization rates while taking into consideration FY 2013 programmatic priorities in supporting the expansion of electronic TRI reporting capabilities.

- (+$834.0 / +6.0 FTE) This change is a realignment of resources, including shifting 6.0 FTE and $834.0 associated payroll from the IT/Data Management program to the TRI program to reflect current efforts being performed for TRI.

Statutory Authority:

Section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and Section 6607 of the Pollution Prevention Act of 1990 (PPA).

Tribal - Capacity Building
Program Area: Information Exchange / Outreach
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Strengthen Human Health and Environmental Protection in Indian Country

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$13,892.7***	***$13,736.0***	***$15,062.0***	***$1,326.0***
Total Budget Authority / Obligations	$13,892.7	$13,736.0	$15,062.0	$1,326.0
Total Workyears	82.2	87.3	88.1	0.8

Program Project Description:

Under federal environmental statutes, the EPA has responsibility for protecting human health and the environment in Indian country. Since adopting the EPA Indian Policy in 1984, the EPA has worked with tribes on a government-to-government basis in recognition of the federal government's trust responsibility to federally-recognized tribes.

The EPA's American Indian Environmental program leads the Agency-wide effort to ensure environmental protection in Indian country. Please see http://www.epa.gov/indian/ and http://www.epa.gov/indian/policyintitvs.htm for more information.

The EPA's strategy for this program has two major components:

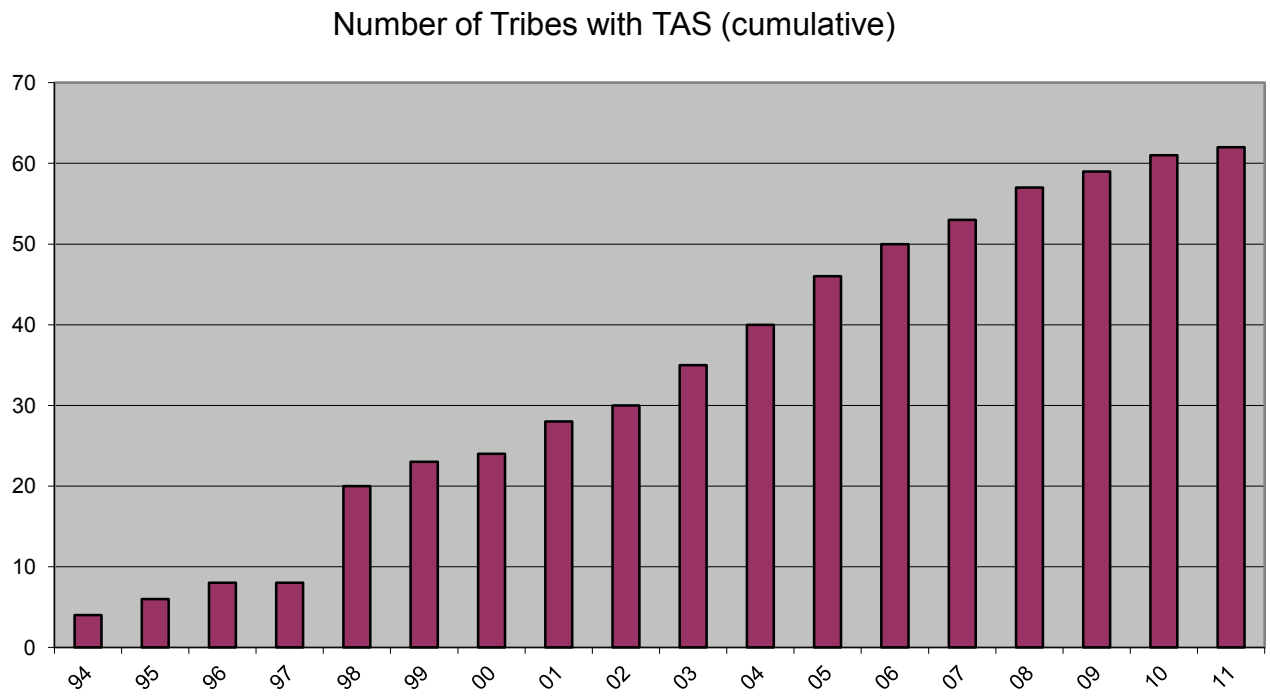
- Work with federally-recognized tribes who want to create an environmental program through: direct technical assistance; implementation of the Indian General Assistance Program (GAP); development of joint strategic plans; and development of measures for tracking progress made toward achieving environmental program goals.
- Gather, track, analyze and provide the information and data necessary to access, review, and prioritize tribal environmental conditions for joint planning uses and to determine the effectiveness of the EPA and tribal programs in improving environmental conditions.

FY 2013 Activities and Performance Plan:

The EPA's Indian Policy affirms the principle that the Agency has a government-to-government relationship with tribes and that the "EPA recognizes tribes as the primary parties for setting standards, making environmental policy decisions, and managing programs for reservations, consistent with agency standards and regulations." To that end, the EPA "encourage[s] and assist[s] tribes in assuming regulatory and program management responsibilities," primarily through the "treatment in a manner similar to a state" (TAS) processes available under several environmental statutes.

Capacity Building: The EPA continues to encourage development of tribal capacity to implement federal environmental programs through the use of the EPA technical assistance and

the GAP program, including the use of Direct Implementation Tribal Cooperative Agreement (DITCA) authority. In FY 2013, the Agency plans to target technical assistance and support to tribal governments' requests in order to help them build capacity to acquire TAS status for environmental programs.



The EPA historically has relied on the development of individual Tribal Environmental Agreements (TEAs) or similar tribal environmental plans that address and support priority environmental multi-media concerns in Indian Country as another tool in building tribal capacity. In FY 2013, the EPA plans to direct resources to support the development of TEAs.

In FY 2011, the Agency supported environmental research projects with eight Tribal Colleges and Universities to help address issues of concern in tribal communities. In FY 2012, the Agency was only able to support two such projects. The value of the information developed through these projects is high and they have demonstrated direct links to developing both the capacity within these communities to address the environmental issues, as well as the ability to focus resources and leverage support on issues of high environmental and health concern in tribal communities that were otherwise not being addressed. In FY 2013, the Agency will fund an additional four research projects with Tribal Colleges and Universities.

Indian General Assistance Program Capacity Building Support: In FY 2013, the EPA will be working with tribal governments to develop and implement strategic plans under the Indian General Assistance Program (GAP) framework to assist them in identifying key procedures and milestones leading to building capacity for specific programs. These planning tools are resource intensive and will be a top priority for the program in FY 2013.

In 2005, the EPA instituted an annual review process for the national GAP grant program to ensure effective management of grant resources. This effort included targeted and intensive review of Regional GAP programs and individual GAP grant files. Regional reviews of the GAP program by the Agency will resume in FY 2013; they were not conducted in FY 2011 or FY 2012. All GAP grantees must submit a standardized work plan which includes milestones, deliverables, and links to the Agency's strategic plan. Standardized workplans improve the quality and consistency of environmental and public health benefit characterization associated with the capacity building activities.

GAP Online Database: GAP Online is an internet-based database used by tribes and the EPA to develop, review, and archive GAP work plans and progress reports. The EPA will continue to support, enhance, and use the GAP Online database to centralize and integrate program data and assign accountability for data quality related to GAP performance. The system serves as the primary tool to collect national information on the activities and progress made by GAP grant recipients. The system also is used to respond to the needs of multiple program stakeholders, including Congress, other government agencies, and tribes. The EPA and tribes use the database to both negotiate and track progress with individual grantees, and as an easily accessible record to help mitigate the negative impacts from relatively high rates of staff turnover in many tribal environmental departments. In addition, GAP Online is one of the key tools the EPA uses to evaluate overall program effectiveness by describing specific activities rather than broad descriptions of overall program performance. Beginning in FY 2010, all approved work plans were required to be entered into GAP Online. In FY 2013, the EPA will implement significant enhancements to GAP Online to allow for improved capabilities to assess progress achieved through individual grant projects and collect data for the development of outcome and performance measures for environmental improvements in Indian Country. The enhanced GAP Online, in conjunction with FY 2012 updated grant program guidance, significantly advances the Agency's efforts to quantify outcome-based results in Indian country and demonstrate the progress made in environmental program capacity building through GAP resources, consistent with recommendations from the EPA's Office of Inspector General. (http://www.epa.gov/oig/reports/2008/20080219-08-P-0083.pdf).

Tribal Program Management System: The EPA's American Indian Environmental Office (AIEO) has a suite of applications that track environmental conditions and program implementation in Indian country. One application, the Tribal Program Management System (TPMS), tracks progress in achieving the performance targets under Goal 3, Objective 4 of the EPA's 2011-2015 Strategic Plan – "Strengthen Public Health and Environmental Protection in Indian Country" and other EPA metrics. EPA staff use TPMS to establish program performance commitments for future fiscal years and to record actual program performance for overall national program management. TPMS serves as the performance database for the strategic targets, annual performance measures, and program assessment measures that are associated with Goal 3, Objective 4. FY 2013 resources will be used to support this database.

National Tribal Operations Committee: Nineteen tribal government leaders and the Agency's Senior Leadership Team serve on the EPA's National Tribal Operations Committee (NTOC). The tribal leaders, known as the National Tribal Council (NTC), as a subset of the NTOC, provide recommendations and feedback to the Agency on environmental issues of national

significance affecting tribes. In FY 2013, the EPA will continue to implement recommendations of the NTC including strengthening the cross-agency and interagency partnerships, developing an updated policy reflecting current important progress in the area of Indian law, and other core program activities that guide and support the work of the Agency with tribes in Indian Country.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$143.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$1,183.0 / +0.8 FTE) This increase supports tribal capacity efforts through developing and implementing individual environmental strategic plans between each tribe and EPA, implementing required IT data modifications to strengthen management on the over 500 annually awarded GAP grants, and capturing improved indicators for assessing tribes' and EPA's progress on environmental program capacity development. The additional resources include 0.8 FTE and associated payroll of $105.0.

Statutory Authority:

Annual Appropriation Acts; Indian Environmental General Assistance Program Act; PPA; FIFRA; CAA; TSCA; NEPA; CWA; SDWA; RCRA; CERCLA; NAFTA; MPRSA; Indoor Radon Abatement Act; OPA; and additional authorities.

Work within this Tribal Capacity Building Program supports the above authorities as well as additional statutory authorities that influence environmental protection and affect human health and environmental protection in Indian country.

Program Area: International Programs

US Mexico Border
Program Area: International Programs
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$4,872.0***	***$4,313.0***	***$4,490.0***	***$177.0***
Total Budget Authority / Obligations	$4,872.0	$4,313.0	$4,490.0	$177.0
Total Workyears	21.3	20.9	19.2	-1.7

Program Project Description:

The 2,000 mile border between the United States and Mexico is one of the most complex and dynamic regions in the world. This region accounts for three of the ten poorest counties in the U.S., with an unemployment rate 250-300 percent higher than the rest of the United States.[56] In addition, over 430,000 of the 14 million people in the region live in 1,200 colonias[57] which are unincorporated communities characterized by substandard housing and unsafe drinking water.

Rapid population growth in the border region has resulted in: unplanned development; increased demand for land and energy; traffic congestion; increased generation of waste; inadequate waste treatment; and insufficient disposal facilities. This has resulted in increased contamination of water bodies; increased air pollution and transboundary transport of contaminates; and increased frequency of chemical emergencies. As a result of the degradation of the environment in the region, border residents, including U.S. citizens, suffer from health problems that may be closely linked to the contamination of air, the inappropriate treatment of the water and wastewater, improper management of pesticides, and the illegal or inadequate disposal of solid and hazardous waste.

The maturation of the U.S.-Mexico Environmental Border Program continues to be a binational strategic effort designed "to protect the environment and public health" in the U.S. Mexico Border region, consistent with the "principles of sustainable development." Border 2020 is the latest cooperative partnership implemented under the 1983 La Paz Agreement.[58] It builds on previous binational efforts which emphasized a regional bottom-up approach to decision making, priority setting, and project implementation.

Border 2020 has identified six long-term strategic goals to address the serious environmental and environmentally-related public health challenges including the impact of transboundary transport of pollutants in the border region. The six goals are: reduce conventional air pollutant and emissions; improve water quality and water infrastructure sustainability and reduce exposure to contaminated water; materials management and clean sites; improve environmental and public

[56] http://www.nmsu.edu/~bec/BEC/Readings/10.USMBHC-TheBorderAtAGlance.pdf
[57] http://www.borderhealth.org/border_region.php
[58] http://www.epa.gov/border2012/

health through chemical safety; enhance joint preparedness for environmental response; and compliance assurance and environmental stewardship.

The U.S. EPA and the Mexican Environment Secretariat (SEMARNAT) will continue to closely collaborate with the ten border states (four U.S. / six Mexican), 26 U.S. federally recognized Indian tribes, and local communities in prioritizing and implementing projects that address their particular needs.

Note: The Border water and wastewater infrastructure programs are described in the State and Tribal Assistance Grants (STAG) appropriation, Infrastructure Assistance: Mexico Border Program.

FY 2013 Activities and Performance Plan:

The EPA and SEMARNAT will build on the successful air quality work conducted thus far, which has resulted in a significant decrease in pollutants and improved public health. In FY 2013, the EPA will focus on reducing criteria pollutant emissions and work toward attainment of respective national ambient air quality standards, through information sharing, capacity-building, and public outreach and education within the border region.

Watersheds in the U.S.-Mexico border region are shared bilaterally, with rivers flowing from one country to the other or forming the international boundary (usually flowing north from Mexico into the U.S.). The border region faces significant challenges associated with the shared watersheds that are exacerbated by high population growth rates and potential impacts of climate change. Under the water goal, Mexico and the U.S. will work bilaterally to identify and reduce surface water contamination in specific high priority waterbodies or watersheds to ensure availability of adequate water supply for the citizens in the border region.

Annex II of the 1983 La Paz agreement establishes cooperative measures for preparing and responding to oil and hazardous substance incidents along the U.S.-Mexico inland border. Based on the La Paz Agreement, the U.S. and Mexico support each other during incidents that may occur along shared international borders. U.S. and Mexican personnel and equipment may cross the borders to respond to environmental emergencies. The EPA and local responders also work with Mexican counterparts to perform joint exercises of contingency plans and discuss preparedness and response issues. These preparedness activities as well as responses to real world incidents necessitate conducting binational emergency preparedness training and exercises at sister cities in FY 2013 to protect citizens from chemical incidents and other emergencies along the border region.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$193.0 / -1.7 FTE) This decrease is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE. This reduction reflects slowing of programmatic bi-national outreach efforts on providing safe drinking water and reducing the risk of exposure to hazardous waste. The reduced resources include 1.7 FTE and associated payroll of $193.0.

- (+$370.0) This increase provides for funds to improve the environment and protect the health of the nearly 12 million people living along the US/Mexico border. It augments bi-national outreach efforts towards addressing environmental and human health issues by cleaning the air, strengthening watershed protection efforts on streams entering the US, and ensuring emergency preparedness along the U.S.-Mexico border. Projects are identified with input from the citizens and implemented at the local level.

Statutory Authority:

In conjunction with NEPA section 102(2)(F)[59]: CAA 103(a), 42 USC 7403(a); CWA 104(a)(1) and (2), 33 USC 1254(a)(1) and (2); SDWA 1442(a)(1), 42 USC 300j-1(a)(1); SWDA 8001(a)(1), 42 USC 6981(a)(1); FIFRA §17(d) and 20(a) , 7 U.S.C. §136o(d) and 136r(a); TSCA§10(a) of the Toxic Substances Control Act (TSCA), 15 U.S.C. §2609(a) (in consultation and cooperation with the Department of Health and Human Services and with other appropriate departments and agencies); MPRSA 203(a)(1), 33 USC 1443(a)(1), 42 USC 4332; Annual Appropriation Acts.

[59]Section 102(2)(F) of the National Environmental Policy Act (NEPA), 42 U.S.C. §4332(2)(F), directs all Federal agencies, where consistent with the foreign policy of the United States, to lend appropriate support to initiatives, resolutions and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of the world environment. EPA construes the explicit authority to conduct education and training and to render technical assistance contained in the statutes cited above, as supplemented by §102(2)(F) of NEPA, as implicitly supporting activities which will benefit foreign governments and foreign, international, and domestic organizations in the international arena to protect the quality of the environment.

International Sources of Pollution
Program Area: International Programs
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$8,731.0***	***$7,659.0***	***$8,466.0***	***$807.0***
Total Budget Authority / Obligations	$8,731.0	$7,659.0	$8,466.0	$807.0
Total Workyears	43.5	44.0	44.2	0.2

Program Project Description:

To achieve our domestic environmental objectives, it is important to keep abreast of emerging environmental issues and to collaborate with domestic and foreign partners to address foreign sources of pollution that impact the United States (U.S.) and the global commons, such as the open ocean and the atmosphere. It also is important for the U.S. to work with international partners to address the impacts of pollution from the U.S. on other countries and the global environment. Key countries such as Canada, Mexico, Brazil, China, and vital regions including Asia, Africa, Latin America, and the Middle East, are necessary partners in addressing these issues. The EPA has identified six priority areas for international action: Build Strong Environmental and Legal Structures; Improve Access to Clean Water; Improve Air Quality; Limit Global Greenhouse Gas (GHG) Emissions and Other Climate Forcing Pollutants; Reduce Exposure to Toxic Chemicals; and Reduce Hazardous Waste and Improve Waste Management.

Air quality in the U.S. is affected by other countries' emissions of criteria pollutants (e.g., PM, NOx, SOx, lead, ozone, carbon monoxide) and air toxics (e.g., mercury, persistent organic pollutants). These emissions can have a detrimental impact on the U.S. environment and public health directly through land borders, shared natural resources, and transport of pollutants in the atmosphere, food chains, or other vectors. Harmful air pollutants can be transported across oceans and continents and can have a negative impact on air quality and health far from their original sources.[60] Foreign sources of pollution may include emissions of air pollutants, mercury, toxics, greenhouse gases, and improperly managed waste streams (including marine debris, hazardous wastes, and used electronics). As we better understand the interdependencies of global ecosystems and the transport of pollutants, it becomes clear that the actions of other countries affect the U.S. environment and vice versa.

The EPA engages bilaterally, regionally, and multilaterally (e.g., United Nations Environment Program, International Maritime Organization, the Arctic Council, and multilateral agreements such as the International Convention for the Prevention of Pollution from Ships) to address sources of pollution and address domestic and global environmental challenges. An important EPA focus is building the capacity of international partners to establish environmental

[60] National Academies of Science, September, 2009, Global Sources of Local Pollution: An Assessment of Long-Range Transport of Key Air Pollutants to and From the United States, National Academies Press; http://www.nap.edu.

institutions, enact and enforce effective laws and regulations, and have the technical abilities and tools to assess and measure environmental conditions, policies, and programs.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to engage sovereign governments to meet and discuss issues of mutual interest with the objective of improving international cooperation and enhancing opportunities through effective consultation and collaboration.

Specifically, the EPA will continue to address air pollution and air quality with international partners that contribute significant pollution to the environment and who are committed to improving their environmental performance. For example, China is improving its clean air laws with advice and lessons learned from the United States. Indonesia is collaborating with the EPA in improving air quality in the key and important mega-city of Jakarta. The EPA will work with selected countries in the Caribbean to enhance their monitoring capabilities and assist in developing regional air quality standards.

In FY 2013, the EPA will continue its work in the Partnership for Clean Fuels and Vehicles (PCFV), a global partnership that has worked to reduce air pollution from the global fleet. The EPA was a founding member and has been a critical player in this highly successful partnership. Lead in gasoline causes significant harm to children and adults and the PCFV has successfully focused on eliminating lead from fuel around the world (only six countries continue to use leaded gasoline). The Partnership is now focusing on reducing sulfur in diesel and gasoline fuels and on facilitating the introduction of cleaner and more efficient vehicles. As the global car fleet is predicted to triple by 2050, with most of that increase in the developing world,[61] reducing harmful vehicle emissions is critical both because of human health impacts and GHG emissions. The EPA also will continue its efforts to reduce transboundary pollution from ships. The EPA is working with the International Maritime Organization to develop efficiency standards for international shipping that will reduce harmful effects from shipping and also is working with Mexico to address its emissions from shipping, which adversely affect human health in Mexico and in bordering U.S. states.

Mercury is an environmental contaminant that is toxic at very low levels to human health and the environment. Exposure to even low levels of methyl mercury can cause serious neurodevelopmental effects, particularly in children. Because mercury travels long distances, more than 70% of the mercury deposited to land and water in the United States comes from global sources, which reaches U.S. citizens primarily through fish consumption. Thus, reducing the harm to the American public from mercury requires international action.

The U.S. agreed, in an international meeting of governments in 2009,[62] to negotiate a global treaty to reduce mercury emissions.[63] The EPA, working with the State Department, has a major role in these international negotiations, which seek to reduce use of mercury in products and industrial processes, to reduce emissions from numerous sectors, to prevent further mining of

[61] IEA 2008 Energy Technology Perspectives 2008—Scenarios and Strategies to 2050, International Energy Agency, Paris.
[62] http://www.unep.org/Documents.Multilingual/Default.asp?DocumentID=566&ArticleID=6083&l=en&t=long.
[63] Governing Council of the United Nations Environmental Program, February 2009.

mercury, and to ensure the safe handling of mercury in waste streams and in storage. The EPA has participated in the three negotiating sessions held to date, providing technical and policy information, developing negotiating positions in the USG interagency process, and participating in the negotiations. The EPA will continue to play a significant role in the negotiation process, which will continue through 2013.

In FY 2013, the EPA will continue to strengthen partnerships to solve environmental problems and build capacity in areas such as green growth technologies and environmental laws and legal institutions. For example, the EPA will lead USG efforts in the Organization for Economic Cooperation and Development (OECD) to advance the new Green Growth Strategy promoting green jobs and sustainable urban development worldwide and will work with the Global Shale Gas Initiative and European Union to promote environmentally-sound approaches to shale gas development.

In FY 2013, the EPA will continue and expand our activities in the Arctic. Working with Alaska, tribes, federal agencies, and the private sector, the EPA is building international support for U.S. environmental policy objectives through the Arctic Council on a range of topics, including mercury use and transport, hazardous waste, and black carbon. Of particular note is the EPA's assessment of the impacts of short-lived climate forcers including black carbon, tropospheric ozone, and methane in the Arctic. The EPA has begun pilot project activity in the Arctic to better understand the costs and benefits of black carbon reductions in these remote locations.

Collaboration with global partners is needed to build awareness of water pollution issues and to promote watershed protection. For FY 2013, the EPA will continue to promote clean water and drinking water programs in Africa, Asia, and Latin America, focusing on improving the quality of water sources and managing other environmental risks. Through an exchange of technical expertise and capacity building efforts, the EPA will work with partners to develop programs that promote cost-effective and sustainable drinking water and wastewater approaches in key countries and will share lessons learned globally.

In FY 2013, the EPA will strengthen implementation of global, regional, and national programs to address electronic waste (e-waste) and promote sound reuse and recycling of discarded used electronics. The EPA will partner with other nations and international organizations, such as UN University StEP (Solving the E-waste Problem), to begin tracking the international movement of e-waste, and to provide "eWaste best practices" through education and demonstration projects in developing countries. These efforts will help reduce risks from exposure to toxic substances contained in e-waste such as lead, mercury, cadmium, perfluorinated chemicals, hexavalent chromium, and barium through awareness raising, capacity building for inspections in ports to detect cases of noncompliance, and enabling improved inter-ministerial and inter-governmental information sharing and collaboration to address e-waste issues. These efforts support the National Strategy for Electronics Stewardship report[64] released in July 2011.

[64] http://www.epa.gov/osw/conserve/materials/ecycling/taskforce/docs/strategy.pdf

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$110.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$315.0) This increase provides funds to engage other Arctic nations in efforts to identify, prioritize, and mitigate key sources of hazardous waste, mercury, and black carbon. It strengthens EPA's efforts to address and reduce significant sources of pollution in the Arctic affecting the U.S., indigenous populations, and other Arctic countries. To do so, the U.S. will demonstrate U.S. technologies and partner with other Arctic countries to reduce emissions and improve health and the environment.

- (+$382.0 / + 0.2 FTE) This increase augments programmatic international environmental efforts to strengthen capacity building efforts, promote green economies, especially in the area of green technology, work with the United Nations and with other countries bilaterally to address electronic waste management, and strengthen environmental laws and legal institutions. The additional resources include 0.2 FTE and associated payroll of $31.0.

Statutory Authority:

In conjunction with NEPA section 102(2)(F)[65]: CAA 103(a), 42 USC 7403(a); CWA 104(a)(1) and (2), 33 USC 1254(a)(1) and (2); SDWA 1442(a)(1), 42 USC 300j-1(a)(1); SWDA 8001(a)(1), 42 USC 6981(a)(1); FIFRA §17(d) and 20(a) , 7 U.S.C. §136o(d) and 136r(a); TSCA§10(a) of the Toxic Substances Control Act (TSCA), 15 U.S.C. §2609(a) (in consultation and cooperation with the Department of Health and Human Services and with other appropriate departments and agencies); MPRSA 203(a)(1), 33 USC 1443(a)(1), 42 USC 43.

[65] Section 102(2)(F) of the National Environmental Policy Act (NEPA), 42 U.S.C. §4332(2)(F), directs all Federal agencies, where consistent with the foreign policy of the United States, to lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of the world environment. EPA construes the explicit authority to conduct education and training and to render technical assistance contained in the statutes cited above, as supplemented by §102(2)(F) of NEPA, as implicitly supporting activities which will benefit foreign governments and foreign, international, and domestic organizations in the international arena to protect the quality of the environment.

Trade and Governance
Program Area: International Programs
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$6,230.1***	***$5,632.0***	***$6,178.0***	***$546.0***
Total Budget Authority / Obligations	$6,230.1	$5,632.0	$6,178.0	$546.0
Total Workyears	20.4	16.1	16.3	0.2

Program Project Description:

The nexus of environmental protection and international trade has long been a priority for the EPA. The EPA has played a key role in ensuring that trade-related activities sustain environmental protection since the 1972 Trade Act mandated interagency consultation by the U.S. Trade Representative (USTR) on trade policy issues. Since trade influences the nature and scope of economic activity, and therefore the levels of pollution emissions and natural resource use, the EPA seeks to mitigate the potential domestic and global environmental effects from trade, and to prevent any potential conflicts with domestic environmental mandates. EPA also works to enhance the ability of our trading partners to protect their environments and develop in a sustainable manner. The EPA's work helps to level the playing field with our trade partners and create export opportunities for the United States. U.S. trade with the world has grown rapidly from $34.4 billion in 1960 to $3.223 trillion in 2010, as stated by the U.S. Census Bureau, Foreign Trade Division.[66] This increase underscores the importance of addressing the environmental consequences associated with trade.

The EPA is a member of the Trade Policy Staff Committee (TPSC) and the Trade Policy Review Group (TPRG), which are interagency mechanisms that are organized and coordinated by USTR to provide advice, guidance, and clearance to the USTR in the development of U.S. international trade and investment policy.

The EPA is the lead U.S. agency to implement the North American Agreement on Environmental Cooperation (NAAEC). Beyond its primary objective to foster the protection and improvement of the environment in the region, NAAEC's creation represented a commitment by the U.S., Canada, and Mexico to integrate environmental protection considerations into their trade negotiations. When the North American Free Trade Agreement (NAFTA) came into effect in 1994, it created the biggest free trade area in the world at the time, with a combined population of 400 million people and an aggregated GDP of over $7 trillion.[67] Booming trade after NAFTA ratification has led to increasing traffic congestion and related environmental consequences.

[66] http://www.census.gov/foreign-trade/statistics/historical/goods.pdf.
[67] US Census Bureau, Foreign Trade Division, Annual 2010 Trade Highlights, www.census.gov/foreign-trade/statistics/highlights/annual.html, accessed August 17, 2009.

Beyond NAFTA, the EPA plays an important role in several trade negotiating fora, including the World Trade Organization (WTO) and regional and bilateral free trade agreements. The EPA also participates in the development and delivery of U.S. positions in other trade and economic fora, such as the Organization for Economic Cooperation and Development (OECD), Asia Pacific Economic Cooperation, and Bilateral Investment Treaties. To engage a variety of domestic stakeholders, the USTR and the EPA co-host the Trade and Environment Policy Advisory Committee (TEPAC), a Congressionally-mandated advisory group that provides advice and information in connection with the development, implementation, and administration of U.S. trade policy.

To address trade-related environmental issues, the EPA performs four major functions. First, by contributing to the development, negotiation, and implementation of environment-related provisions in all new U.S. free trade agreements (FTAs), the EPA helps to ensure that U.S. trading partner countries improve and enforce their domestic environmental laws. The EPA also works with the USTR to promote environmental protection through liberalized trade in environmentally preferable goods and services. Secondly, the EPA develops the U.S. Government's (USG) environmental review of each new free trade agreement. Third, the EPA helps to negotiate and implement the environmental cooperation agreements that parallel each trade agreement, such as the NAAEC. These agreements assist our trading partners to develop effective and efficient environmental protection standards. Fourth, the EPA provides technical and policy guidance to avoid potential conflicts between trade commitments and the EPA's statutory obligations to implement domestic environmental laws and policies. Together, the EPA's contributions help create and build demand for environmental technologies and export opportunities for U.S. manufacturers.

As part of the implementation of free trade agreements, the EPA continues to have a central role in developing and managing programs to build good environmental governance. These programs help protect human health and the environment, while helping to ensure that U.S. companies and communities compete on an equal footing in the international marketplace. In particular, the EPA works with U.S. trading partners to help them meet their obligations under trade agreements to enforce their own environmental laws. Through leadership in the Commission on Environmental Cooperation (CEC), the OECD, and other international entities, the EPA supports environmental performance reviews of other countries. These reviews help facilitate the sharing and continual improvement of good governance best practices (such as providing access to information, collaborating with diverse stakeholders, and providing transparency in environmental decision making). Beyond support of environmental performance reviews, the EPA ensures that capacity building activities are incorporated throughout the CEC's annual work plans.

FY 2013 Activities and Performance Plan:

During FY 2013, the EPA will continue to play an important role as we move towards conclusion of the negotiations of the Trans-Pacific Partnership Agreement (TPP), which is designed to promote trade throughout the trans-Pacific region. The TPP will include specific provisions relating to the environment, where core commitments will be made by all TPP Parties. In addition, environmental issues have emerged as important elements of the negotiations,

including the provisions regarding investment, services, market access, and regulatory coherence. In assisting the USTR to develop and negotiate the environmental provisions of the TPP agreement, the EPA will contribute to the associated environmental reviews and environmental cooperation agreements, and advocate greater attention to key environmental concerns (e.g., invasive species and air pollution) associated with the movement of traded goods. The EPA also will continue to provide input to new bilateral or regional free trade agreements, and other trade and investment agreements.

The EPA also will provide targeted capacity building support under the TPP, similar to governance and capacity building under previously negotiated U.S. free trade agreements. With recently negotiated agreements with South Korea, Panama, and Colombia, the EPA will provide appropriate capacity building assistance, which may include strengthening legal and regulatory frameworks to promote health, environment, and green economy and related expansion of opportunities for U.S. business, especially in the area of green technologies. The priorities for a majority of this cooperative work are established through a State Department chaired and led inter-agency process in which the EPA is a full member, with additional input provided by the USTR-led inter-agency process.

As the first environmental cooperation agreement under a trade agreement, the NAAEC paved the way for many of the EPA's subsequent efforts under other Free Trade Agreements and serves as a good example of the EPA's approach to trade related work. The CEC promotes environmental cooperation in North America and addresses environmental issues from a regional perspective, with a particular focus on those issues that arise in the context of deeper economic, social, and environmental linkages.

In FY 2013, the EPA will support CEC activities that establish compatible approaches for identifying and tracking chemicals in commerce in North America and will begin a project that will improve understanding of the transboundary movements (flows) of used and end-of-life electronic waste (e-waste) in and from this region. The second priority focus begins the 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 United States. Recognizing that climate change could disproportionately affect some communities, the EPA also will promote trilateral support to community-based adaptations to enhance resilience to impacts from climate change that affect both physical and social environments. The third priority is to green the economies in North America and the EPA will participate in a trilateral green building construction task force to identify opportunities in the construction of green buildings in North America. This project will establish a Trilateral Green Building Construction Task Force, building on the work of the Canada-Mexico Partnership and the government counterparts in the United States to foster improved understanding and identify opportunities associated with the construction of green buildings in North America. Initially, the Parties will identify the appropriate officials who will together determine the best way to drive changes needed to better support the construction of green buildings and use of green building materials in North America. The EPA also will work with Canada and Mexico to green supply chains of the North American automotive industry.

The EPA is a major player in the preparations for the Rio+20 Conference to be held in June 2012. An important theme of this conference is the green economy, which promotes sustainable

practices in multiple areas, including energy, waste minimization, transportation, and greener chemistry around the world. The EPA will play an important role in FY 2013, ensuring that the United States implements commitments made in Rio. The EPA also is working on the other Rio theme of environmental governance. The EPA will be working to ensure that international environmental governance (i.e., the system of ensuring that global commitments are met and global goals achieved) is managed in a more efficient and effective manner in these resource constrained times.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$32.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$514.0 / + 0.2 FTE) This increase augments international trade environmental efforts through providing technical and policy capacity assistance under the FTAs (e.g., South Korea, Colombia, and Panama). This leads to strengthening legal and regulatory frameworks and promotes health, environment, and green economy. The additional resources include 0.2 FTE and associated payroll of $28.0.

Statutory Authority:

In conjunction with NEPA section 102(2)(F)[68]: CAA 103(a), 42 USC 7403(a); CWA 104(a)(1) and (2), 33 USC 1254(a)(1) and (2); SDWA 1442(a)(1), 42 USC 300j-1(a)(1); SWDA 8001(a)(1), 42 USC 6981(a)(1); FIFRA §17(d) and 20(a) , 7 U.S.C. §136o(d)and 136r(a); TSCA§10(a) of the Toxic Substances Control Act (TSCA), 15 U.S.C. §2609(a) (in consultation and cooperation with the Department of Health and Human Services and with other appropriate departments and agencies); MPRSA 203(a)(1), 33 USC 1443(a)(1), 42 USC 4332; Annual Appropriation Acts; Executive Order 12915 (May 13, 1994) (implementation of NAFTA environmental side agreement); Executive Order 13141 (Environmental Review of Trade Agreements); Executive Order 13277 (Delegation of Certain Authorities and Assignment of Certain Functions Under the Trade Act of 2002), as amended by E.O. 13346 (July 8, 2004).

[68] Section 102(2)(F) of the National Environmental Policy Act (NEPA), 42 U.S.C. §4332(2)(F), directs all Federal agencies, where consistent with the foreign policy of the United States, to lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of the world environment. EPA construes the explicit authority to conduct education and training and to render technical assistance contained in the statutes cited above, as supplemented by §102(2)(F) of NEPA, as implicitly supporting activities which will benefit foreign governments and foreign, international, and domestic organizations in the international arena to protect the quality of the environment.

Program Area: IT / Data Management / Security

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$7,831.2***	***$6,786.0***	***$6,868.0***	***$82.0***
Hazardous Substance Superfund	$847.2	$728.0	$728.0	$0.0
Total Budget Authority / Obligations	$8,678.4	$7,514.0	$7,596.0	$82.0
Total Workyears	14.5	15.2	15.3	0.1

Program Project Description:

Information is a strategic resource to the EPA. It allows each program office to fulfill its mission in support of the protection of human health and the environment. The Agency's Information Security program is designed to protect the confidentiality, availability and integrity of the EPA's information assets. The protection strategy includes, but is not limited to, policy, procedure and practice management; information security awareness, training and education; risk-based governance and system assessments; weakness remediation; operational security management; incident response and handling; and Federal Information Security Management Act (FISMA) compliance and reporting.

FY 2013 Activities and Performance Plan:

Effective information security requires vigilance and adaptation to new challenges every day. Agency security practitioners respond to increasingly creative and sophisticated attempts to breach protections. In FY 2013, the EPA's integrated efforts will allow the Agency's Information Security Program to take a more proactive role in dealing with these threats.

The EPA will continue to protect, defend and sustain its information assets by improving its Information Security program. The Agency will continue to focus on training and awareness, asset definition and management, compliance, incident management, knowledge and information management, risk management and technology management. Secondary activities in FY 2013 include, but are not limited to, access management, measurement and analysis, and service continuity. These efforts will strengthen the Agency's ability to ensure operational resiliency. The final result is an information security program that can rely on effective and efficient processes and documented plans when threatened by disruptive events.

Concurrently, the EPA will continue its performance-based information security activities with a particular emphasis on risk management, incident management and information security architecture. These three areas are critical to the Agency's Information Security program. They are also key components of federal requirements, such as the Office of Management and Budget (OMB) information security initiatives, including: Trusted Internet Connection (TIC); Domain Name Service Security (DNSSec); and the Federal Desktop Core Configuration (FDCC). Controls implementing these requirements, which will be operational throughout FY 2013, are rapidly enhancing the Agency's security requirements for information policy, technology standards and practices.

The EPA will support and expand continuous monitoring to detect and remediate Advanced Persistent Threats to the Agency's Information Technology (IT) networks. The EPA will enhance our internal Computer Security Incident Response Capability (CSIRC) to ensure the rapid identification, alerting and reporting of suspicious activity. CSIRC's primary function is to detect unauthorized attempts to access, destroy, or alter EPA data and information resources. The incident response capability includes components such as tool integration, detection and analysis, forensics, and containment and eradication activities. To help ensure tools, techniques, and practices are current, CSIRC monitors new trends in information security and threat activity. Additionally, the EPA will continue implementing Homeland Security Presidential Directive 12 (HSPD-12) requirements for logical access as identified in the Federal Information Processing Standards (FIPS) 201, *Personal Identity Verification (PIV) of Federal Employees and Contractors*.

Performance Targets:

Outcome Measure	**Percent of Federal Information Security Management Act reportable systems that are certified and accredited.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	100	100	100	100	100	100	100		Percent
Actual	100%	100%	100	100	100	100			

Work under this program supports multiple strategic objectives. Currently, there are no specific performance measures for this Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$23.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment to existing FTE.

- (+0.1 FTE) This increase reflects current utilization rates while taking into consideration FY 2013 programmatic priorities supporting incident management, risk management and technology management.

- (+$59.0) This change reflects a slight increase in contract funding for the Agency's IT Security Program.

Statutory Authority:

Federal Information Security Management Act (FISMA), 44 United States Code 3541 et seq. – Sections 301, 302, 303, 304, 305, 401 and 402 and Government Performance and Results Act (GPRA), 39 U.S.C. 2803 et seq. – Sections 1115, 1116, 1117, 1118 and 1119 and Government Management Reform Act (GMRA), 31 U.S.C. 501 et seq. – Sections 101, 201, 301, 401, 402, 403, 404 and 405 and Clinger-Cohen Act (CCA), 40 U.S.C. 1401 et seq. – Sections 5001, 5201, 5301, 5401, 5502, 5601 and 5701 and Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq. – Sections 104, 105, 106, 107, 108, 109, 110, 111, 112 and 113 and Freedom of Information Act (FOIA), 5 U.S.C. 552 et seq. and Electronic Freedom of Information Act (EFOIA), 5 U.S.C. 552 et seq. – Sections 552(a)(2), 552 (a)(3), 552 (a)(4) and 552(a)(6).

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$96,614.1***	***$87,939.0***	***$88,893.0***	***$954.0***
Science & Technology	$3,483.7	$3,652.0	$4,047.0	$395.0
Leaking Underground Storage Tanks	$47.7	$0.0	$0.0	$0.0
Hazardous Substance Superfund	$17,640.0	$15,339.0	$14,855.0	($484.0)
Total Budget Authority / Obligations	$117,785.5	$106,930.0	$107,795.0	$865.0
Total Workyears	493.4	490.7	488.3	-2.4

Program Project Description:

High quality, readily available and usable data is a strategic resource that, along with associated information services and analytical applications, supports the Agency's mission of protecting public health and the environment. Information Technology/Data Management (IT/DM) program activities support the Administration's goals of transparency, participation, engagement and collaboration to expand the conversation on environmentalism. IT/DM also supports the expansion of the Agency's IT services that enable citizens, regulated facilities, and states and other entities to interact with EPA electronically to get the information they need, to understand what it means, and to submit and share environmental data with the least cost and burden. This program also provides essential technology to Agency staff, enabling them to conduct their work effectively and efficiently.

Mission activities across the Agency require and rely upon better information and tools. In broad terms, IT/DM supports these mission priorities by providing the critical IT infrastructure and data management support needed for: 1) rapid, secure and efficient communication; 2) exchange and storage of data, analysis and computation; 3) access to the scientific, regulatory and best practice information needed by Agency staff, the regulated community and the public; and 4) analysis support for interpreting and understanding environmental information. The IT/DM program is integral to the implementation of agencywide systems, such as the Exchange Network) and the Integrated Compliance Information System (ICIS). IT/DM provides agencywide services, such as IT training, library resources, application development support and statistical consulting. IT/DM also administers agencywide programs such as Section 508 compliance, privacy, security and records management.

The work performed under IT/DM encompasses more than 30 distinct activities. For descriptive purposes they can be categorized into the following major functional areas: information access; Geospatial information and analysis; Envirofacts; IT/Information Management (IT/IM) policy and planning; electronic records and content management; OneEPA Web (formerly Internet Operations and Maintenance Enhancements, or IOME); information reliability and privacy; and IT/IM infrastructure.

FY 2013 Activities and Performance Plan:

In FY 2013, the IT/DM program will continue to work with EPA program offices on the Healthy Communities priority. The program will focus on: 1) increasing the availability of plain-language information and tools on air toxics for at-risk communities, including information on environmental health issues affecting schools and children; 2) maintaining Web 2.0 collaboration tools (including wikis, blogs and social networking tools) to increase transparency, coordination and collaboration among states, tribes, local communities, schools and the general public as they share lessons learned, best practices and an evolving understanding of the environment; and 3) maintaining the EPA's technology infrastructure to provide the capacity needed to support use of information technologies in outreach programs. The program will continue to work with the National Advisory Council for Environmental Policy and Technology (NACEPT) and the Environmental Council of the States (ECOS) on the best way to communicate environmental information to diverse and underserved communities to encourage participation in healthy community efforts.

In FY 2013, the EPA will initiate a coordinated effort with the Facilities Infrastructure and Operations program and the IT/DM program to reconfigure EPA's workspace. This effort creates a series of critical technological needs for the workforce to function effectively and efficiently. The Agency is redirecting $3.0 million to enhance workplace flexibility at the EPA and take advantage of available technology, resulting in reductions to the office space requirements of the Agency and a more efficient and collaborative workplace. Despite the very constrained fiscal environment, the Agency must take action to reduce long-term costs. The redirected resources are necessary for the success of this effort and will enable the Agency to reconfigure existing space and reduce the Agency's overall footprint while supporting the government-wide Telework Enhancement Act of 2010 and providing options for a mobile work space.

The EPA is committed to providing employees with secure information technology resources to help them accomplish their work more effectively, either from the office or an alternate work location. One EPA Workplace – the EPA's intranet site that provides EPA personnel with easy access to the most widely used online Agency resources – and the ability to log onto the site remotely are key components of the EPA's strategy for facilitating telework across the Agency. In FY 2013, the Agency will upgrade existing telepresence technology to allow Agency workers to utilize video conferencing from any location. Moreover, the Agency will invest in technical solutions to ensure effective records management when employees are teleworking. The Agency will also evaluate the results of pilot projects of collaboration tool suites (which will be conducted in FY 2012) to assess their viability in supporting the Agency's mission and also evaluate potential cloud offerings that would support a "cloud first" strategy. This $3 million redirection will help EPA invest in information technology that will improve employees'

productivity regardless of their geographical location and provide employees with the resources they need to telework effectively.

The IT/DM program will focus on developing discovery tools and data publishing infrastructure for facilitating access to EPA data assets, including an automated capability to access and query data from programmatic databases. This work also will promote interactions with the developer community and encourage public participation. The EPA will continue to seek opportunities to leverage the creativity of the public to address environmental or human health problems, building upon the lessons learned from implementing the "EPA Apps for the Environment Challenge," where the EPA challenged developers to create a broad range of applications that aid in environmental and public health protection. Other tools are being developed for more specific use with programmatic datasets, such as Toxics Release Inventory (TRI), air, water and enforcement. Work also will include the conversion of existing data into a number of different data formats, such as open Geospatial standards, to enhance data integration and collaboration. Final products will be available in the form of Web services and syndicated feeds to a variety of users inside and outside the EPA, including publishing the data through the Exchange Network.

IT/DM will support the EPA's One EPA Workplace and OneEPA Web initiatives. OneEPA Web focuses Web resources on priority topics and unifies EPA.gov. One EPA Workplace leverages the OneEPA Web concepts and lessons learned to redesign and transform the EPA's intranet, EPA@Work. The ultimate goal of One EPA Workplace is to provide employees with uniform access to enterprise Web-based tools, applications and resources regardless of their physical location. Both efforts will allow the EPA to invest Web resources based on Agency priorities, improve search capabilities, create a unified Web governance and professionalize the Web workforce.

In FY 2013, the EPA will continue working towards an open platform "e-file" data exchange standard for use in expanding the use of electronic reporting of environmental data. The IT/DM program will assist in this effort by helping program offices convert paper-based reporting requirements into the required data elements for electronic reporting and by establishing security and authentication standards that would allow commercial software vendors to offer compatible reporting software packages to states, regulated facilities, and other entities. The same open platform "e-file" approach has been successful for the Internal Revenue Service. With these improvements to the Agency's electronic reporting capabilities, the Agency will have a centralized and secure service-based storage mechanism for compliance monitoring and enforcement data from the states and its partners. In addition to compliance benefits, this initiative will promote transparency and data integration. Enhancing compliance data systems to allow electronic reporting will allow better integration with other environmental and demographic data. With better quality and more comprehensive environmental data EPA and its stakeholders can develop a more informed approach to developing future regulations and programs to protect public health and the environment.

The following summarizes major IT/DM program categories and the activities being conducted within each of them:

- **Information Access and Analysis –** FY 2013 activities will continue making environmental information accessible and understandable to all users, which includes maintaining the Agency's libraries and digitization of resources, and developing and maintaining Web 2.0 applications to support necessary program-specific blogs, wikis, networking and collaboration activities.

  In FY 2013, the Agency will implement One EPA Workplace, which includes agencywide collaboration tools, to provide employees with uniform access to enterprise Web-based tools, applications and resources both in the office and remotely. As part of the One EPA Workplace effort, the EPA will redesign the intranet to enhance usability and functionality; implement single sign-on; improve intranet search capabilities; ensure employees can securely access the EPA's network information; and—depending on the results of pilot projects conducted in FY 2012—provide access to social collaboration, enterprise networking, Web conferencing and expertise locators.

  Emphasis will continue in FY 2013 on EPA's support for Transparency and Open Government participation, which includes streamlined contributions to Data.gov. Key activities will ensure that access to critical data (e.g., regulated facilities, toxic releases) is increased through Data.gov and the Agency's GeoData Gateway, providing opportunities for collaboration and intergovernmental partnerships, reducing duplication of data investments and offering the public easy access to important federal services for businesses. Core Web 2.0 activities will continue to be funded to support necessary program-specific blogs, wikis and collaboration activities. (In FY 2013, the Information Access activities will be funded at $0.33 million in payroll funding and $2.53 million in non-payroll funding.)

- **Geospatial Information and Analysis**[69] **–** In FY 2013, the EPA will continue to expand its role in providing support for place-based analysis of human health as well as environmental conditions and trends across the country. Geospatial information and analysis play a critical role in the Agency's ability to respond rapidly and effectively in times of emergency, in addition to meeting everyday program and region-specific business needs.

  The Agency provides a core set of central/enterprise, reusable Geospatial IT services encompassing data, analytics, infrastructure, hosting and development via the EPA GeoPlatform and associated enterprise licenses for software and data. Numerous Geospatial and non-Geospatial data and applications are integrated and linked into the GeoPlatform to increase the power of place-based analytics at the Agency. In FY 2013, the Geospatial program will support several tools, including Enviromapper[70], MyEnvironment[71] and EPA Earth, which is a mapping and analysis program that will provide basic GIS capabilities to non-GIS experts across the EPA.

[69] For more information on the Geospatial program, please visit: http://www.epa.gov/geospatial/
[70] For more information on Enviromapper, please visit: http://www.epa.gov/emefdata/em4ef.home
[71] For more information on MyEnvironment, please visit: http://www.epa.gov/myenvironment

By implementing Geospatial data, applications and services as a holistic enterprise solution, the Agency saves time and money, assures compatibility and reduces the need for multiple subscriptions to software, data and analytical services. Throughout FY 2013, the Agency will continue to consolidate Geospatial tools and capabilities to expand the capabilities of the EPA GeoPlatform, our shared technology enterprise for Geospatial information and analysis. Additionally, EPA continues to play a leadership role in both the Federal Geographic Data Committee and the Geospatial Line of Business. In FY 2013, EPA staff will continue to work with their partners from other agencies to define shared services offerings for geospatial technology that will drive more effective and cost efficient capabilities for data and technology sharing across government. (In FY 2013, the Geospatial Program activities will be funded at $3.96 million in payroll funding and $5.57 million in non-payroll funding.)

- **Envirofacts**[72] – This area supports a single point of access to EPA databases containing information about environmental activities that may affect air, water and land anywhere in the United States. It houses data that has been collected from regulated entities and the states, then makes that data accessible to environmental professionals, the regulated community, citizen groups and state and EPA employees through an easy-to-use, one-stop access point. Supporting approximately 3-4 million hits per month, Envirofacts ensures access to critical data (e.g., regulated facilities, toxic releases) through Data.gov and enhances partnerships with other data providers and software developers to increase the information available to the people who need it most. (In FY 2013, Envirofacts activities will be funded at $0.35 million in payroll funding and $1.66 million in non-payroll funding.)

- **IT/IM Policy and Planning** – This category supports the EPA's Enterprise Architecture and the Capital Planning and Investment Control[73] (CPIC) process to assist the Agency in making better-informed decisions on IT/IM investments and resource allocations. In FY 2013, the EPA will continue to review information systems and databases for redundancy, streamline and systematize the planning and budgeting for all IT/IM activities, and monitor the progress and performance of all IT/IM activities and systems. Specifically, the EPA will continue to conduct structured portfolio reviews for all major IT investments following the Federal TechStat investment review model to control costs and identify efficiencies. The Agency does not currently have any high-risk IT projects. (In FY 2013, the IT/IM Policy and Planning activities will be funded at $11.74 million in payroll funding and $3.70 million in non-payroll funding.)

- **Electronic Records and Content Management** – In FY 2013, activities in this area include the creation of systems and the establishment and maintenance of processes that convert paper documents into electronic documents and convert paper-based processes into systems that manage the electronic documents and rely less on paper documents. FY 2013 activities also will see greater access to a standard set of tools to support and improve electronic discovery processes across the Agency. These activities will reduce costs, improve accessibility and improve security for all of the documents entered into the

[72] For more information on Envirofacts, please visit: http://www.epa.gov/enviro
[73] For more information on the Capital Planning and Investment Control Process, please visit: http://www.epa.gov/OEI/cpic/

system, and support litigation efforts. Electronic documents require less storage space and do not need a filing staff to manage the paper records. A single copy of an electronic document can be accessed simultaneously by numerous individuals and from virtually any location.

Using a collaborative process, in FY 2013 the Agency will continue implementing the Electronic Content Management System (ECMS) project, an enterprise-wide multimedia solution designed to manage and organize environmental data and documents for EPA headquarters, regional offices, field offices and laboratories. An agencywide process for electronic discovery will be in place with support available to all programs and regions across the Agency. Previously fragmented data storage approaches will be converted into a single standard platform that is accessible to everyone, reducing data and document search time while improving security and information retention efforts.

In FY 2013, the ECMS project will be entering an operations and maintenance stage, which will offer efficiencies as the results of the collaborative process used to implement the records repository and other similar system-to-system transfers of data are realized. Certain tools developed for specific systems (e.g. Email BulkLoader Tool) during the development stages of the project have shown to have broader applicability for other systems within the Agency. These tools will be modified to meet the needs of these systems and thus expand the number of Agency data systems capable of utilizing the ECMS repository. Further integration will occur as ECMS and its email bulk loading tool are used to enhance the Agency's Email Optimization Project. (In FY 2013, the Electronic Records and Content Management activities will be funded at $0.59 million in payroll funding and $1.90 million in non-payroll funding.)

- **OneEPA Web [formerly Internet Operations and Maintenance Enhancements (IOME**)] – The EPA maintains over 200 top-level pages that facilitate access to the varied information resources available on the EPA website for Agency staff, partners, stakeholders and the public. The EPA is consolidating the infrastructure associated with the Internet and the Web CMS investment under the OneEPA Web umbrella. OneEPA Web will support the EPA's website and Web Content Management System, while modernizing the EPA's existing Web infrastructure to provide the most contemporary technology to the EPA's website. The Agency should realize substantial functional and technical improvements through this restructuring. (In FY 2013, the OneEPA Web IT/IM activities will be funded at $2.34 million in non-payroll funding.)

- **Information Reliability and Privacy** – In FY 2013, the EPA will continue to In FY 2013, the EPA will continue to protect information in a manner that is consistent with its privacy needs and validate data sources are authoritative to ensure data collected by the Agency are reliable.These efforts apply to environmental information, including data that are submitted by and shared among the states, tribes and territories, as well as other types of information, such as business information that is reported by various industry communities, and personal information for all EPA employees. (In FY 2013, the Information Reliability and Privacy activities will be funded at $0.50 million in payroll funding and $1.65 million in non-payroll funding.)

- **IT/IM Infrastructure –** This area supports the foundation from which all EPA employees—those supporting information technology infrastructure, administrative and environmental programs—conduct--Agency business. More specifically, these activities include the provision of desktop computing equipment, network connectivity, e-mail, application hosting, remote access, telephone services and maintenance, Web and network servers, and IT related maintenance. The investment supports a distributed EPA workforce at over 100 locations, including EPA Headquarters, all ten regions and the various labs and ancillary offices. The Internet age has required the adoption of an anywhere/anytime model and, through successive strategic information technology investments, the Agency has ensured that the EPA's IT infrastructure is able to meet burgeoning IT demands.

  In 2007 the EPA began an nitiative to consolidate data centers and incorporate industry best management practices and virtualization across its data centers. The Agency has completed a phased virtualization program across the National Computer Center—the EPA's primary data center—including optimizing the efficient use of floor space and turning off air handlers. Currently, the EPA is hosting more than 200 individual Agency business applications in an innovative shared hosting environment offering with many of the features of private cloud services. Over the next three years, the EPA will consolidate small data centers and computer rooms in various locations across the country in an effort to gain more efficiencies. Virtualization efforts will be expanded in FY 2013, with efforts focused on application and desktop virtualization.

  In FY 2013, the EPA will continue to build on the use of multi-year leasing that sustains and renews technical services (e.g., desktop hardware, software and maintenance) in a stable, least-cost manner as technologies change. The EPA will expand and support the Agency's cloud computing initiative in support of the Agency's 25-Point Implementation Plan and enable a mobile workforce. Guidance on cloud computing, along with GSA applications and services, are still in development. The Agency is committed to using cloud computing technologies and will take advantage of those technologies where feasible. The Agency's IT investments have not yet evaluated cloud computing and will be updating their current alternatives analysis by September 2013. (In FY 2013, the IT/IM Infrastructure activities will be funded at $26.66 million in payroll funding and $25.44 million in non-payroll funding.)

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no specific performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$333.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$455.0 / +3.3 FTE) This increase reflects current utilization rates of FTE required to maintain the Agency's IT services that enable the workforce to carry out its functions and ensure continuity in data access by the public.

- (-$834.0 / -6.0 FTE) This change is a realignment of resources, including 6.0 FTE and $834.0 associated payroll, from the IT/Data Management program to the Toxics Release Inventory (TRI) program to reflect current efforts being performed for TRI.

- (+$3,000.0) This redirection reflects the Agency's support for expanded telework, consolidating space and the creation of "One EPA Workplace" effort, which includes the digitization of records to enable effective telework. This redirection also includes the pilot of collaboration tools and software applications. These redirected resources will facilitate the continued consolidation of space and reduction in the Agency's footprint.

- (+$750.0) These additional resources support the Agency's efforts to modernize compliance reporting and will enhance the Agency's electronic reporting capabilities for environmental data. These activities will allow the Agency to offer a centralized, secure service-based storage mechanism for compliance monitoring and enforcement data submissions from the states and its partners, increase the speed at which reporting can be accomplished and reduce the burden of reporting.

- (-$332.0) This reduction reflects a redirection of resources from IT/DM to the Exchange Network for the data standards program. The data standards work is central to supporting the Exchange Network because it services the System of Registries, which enables the sharing and exchange of data by ensuring that different organizations can use a term, a system name, or a chemical substance name and have it mean the same thing to each of them.

- (-$70.0) This reduction reflects the discontinuation of the program's use of the Integrated Resource Management System (IRMS), which will not be necessary under the Agency's new financial system, Compass.

- (-$685.0) This change reflects a reduction in funding for Internet Operations and Maintenance Enhancements due to efficiencies gained in the Agency's utilization of OneEPA Web.

- (-$1,403.0) This reduction reflects a disinvestment in the Agency's Portal application, which has reached its end of life. The One EPA Workplace effort will provide the same services to the Agency more efficiently.

- (-$260.0) This reduction reflects the discontinuation of the Environmental Information Symposium in favor of using Web-based training and collaboration tools to support discussions on new technology developments and IT training.

Statutory Authority:

Federal Advisory Committee Act (FACA), 42 U.S.C. 553 et seq. and Government Information Security Act (GISRA), 40 U.S.C. 1401 et seq. – Sections 3531, 3532, 3533, 3534, 3535 and 3536 and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9606 et seq. – Sections 101-128, 301-312 and 401-405 and Clean Air Act (CAA) Amendments, 42 U.S.C. 7401 et seq. – Sections 102, 103, 104 and 108 and Clean Water Act (CWA), 33 U.S.C. 1314 et seq. – Sections 101, 102, 103, 104, 105, 107, and 109 and Toxic Substances Control Act (TSCA), 15 U.S.C. 2611 et seq. – Sections 201, 301 and 401 and Federal Insecticide Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. 36 et seq. – Sections 136a – 136y and Food Quality Protection Act (FQPA), 7 U.S.C. 136 et seq. – Sections 102, 210, 301 and 501 and Safe Drinking Water Act (SDWA) Amendments, 42 U.S.C. 300 et seq. – Sections 1400, 1401, 1411, 1421, 1431, 1441, 1454 and 1461 and Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346 et seq. and Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. 11001 et seq. – Sections 322, 324, 325 and 328 and Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6962 et seq. – Sections 1001, 2001, 3001 and 3005 and Government Performance and Results Act (GPRA), 39 U.S.C. 2803 et seq. – Sections 1115, 1116, 1117, 1118 and 1119 and Government Management Reform Act (GMRA), 31 U.S.C. 501 et seq. – Sections 101, 201, 301, 401, 402, 403, 404 and 405 and Clinger-Cohen Act (CCA), 40 U.S.C. 1401 et seq. – Sections 5001, 5201, 5301, 5401, 5502, 5601 and 5701and Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq. – Sections 104, 105, 106, 107, 108, 109, 110, 111, 112 and 113 and Freedom of Information Act (FOIA), 5 U.S.C. 552 et seq. and Controlled Substances Act (CSA), 21 U.S.C. 802 et seq. – Sections 801, 811, 821, 841, 871, 955 and 961 and Electronic Freedom of Information Act (EFOIA), 5 U.S.C. 552 et seq. – Sections 552(a)(2), 552 (a)(3), 552 (a)(4) and 552(a)(6).

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$5,260.3***	***$5,198.0***	***$5,392.0***	***$194.0***
Total Budget Authority / Obligations	$5,260.3	$5,198.0	$5,392.0	$194.0
Total Workyears	33.9	33.3	33.7	0.4

Program Project Description:

This program supports EPA's Administrative Law Judges (ALJ) and the Environmental Appeals Board (EAB) or the Board. The ALJ preside in hearings and issue initial decisions in cases initiated by EPA's enforcement program concerning environmental violations. The EAB issues final decisions in environmental adjudications (primarily enforcement and permit-related), that are on appeal to the Board. The EAB also serves as the final approving body for proposed settlements of enforcement actions initiated by the Agency. ALJ issue orders and decisions under the authority of the Administrative Procedure Act (APA) and the various environmental statutes that establish administrative enforcement authority. The EAB issues decisions under the authority delegated by the Administrator. The decisions reflect findings of fact and conclusions of law.

By adjudicating disputed matters, the ALJ and EAB will further the Agency's mission to protect human health and the environment. The ALJ presides over hearings and issue initial decisions in cases brought by the Agency's enforcement program against those accused of violations under various environmental statutes. The right of affected persons to appeal those decisions is conferred by various statutes, regulations and constitutional due process rights. The EAB adjudicates administrative appeals in a thorough, fair and timely manner. In approximately ninety percent of cases decided by the Board, no further appeal is taken to federal court, providing a final resolution to the dispute.

FY 2013 Activities and Performance Plan:

In FY 2013, the ALJ will convene formal hearings in the location of the alleged violator or violation, as required by statute. The ALJ also will implement an electronic filing system to achieve significant reductions in: mailing delays for all parties, mailing costs for alleged violators, and requests for paper documents from the ALJ. This system will make case docket management more secure while simultaneously promoting transparent government operations by

posting public documents to the web in real-time. ALJ will offer public training events on administrative hearing procedures for EPA employees and the regulated community, as well as work with EAB to support international judicial environmental training efforts.

The Board will also evaluate the EAB's April 2011 Standing Order governing procedures in Clean Air Act New Source Review appeals for appropriate follow-up action. In addition, the EAB will work to streamline resolution of appeals through its alternative dispute resolution (ADR) program. In 2011, use of the Board's ADR program successfully resolved an appeal by Wild Earth Guardians of a Clean Air Act Title V operating permit issued to BP America Production Company by EPA Region 8. The Board currently has five additional requests for Board ADR negotiations, which will be conducted in 2012, and in FY 2013 the board expects a similar number of ADR negotiation requests. The Board also will update its electronic filing system in order to make the system more user-friendly and allow users to file pleadings and retrieve electronic filings more quickly. In FY 2013, resources will be provided to maintain EPA's hearing room. In addition, the Board will support judicial environmental training consistent with Agency priorities.

Performance Targets Narrative:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$115.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$79.0) This represents resources provided to maintain EPA's central Hearing Room used by the Office of the Administrative Law Judges and by the Environmental Appeals Board which provides a venue to listen to oral arguments for cases that require formal hearings.

- (+0.4 FTE) This increase reflects current FTE utilization rates for supporting case docket management by timely posting of documents on the web for public access.

Statutory Authority:

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Clean Water Act; Clean Air Act; Toxic Substance Control Act (TSCA); Resource Conservation and Recovery Act (RCRA); Safe Drinking Water Act (SDWA); Emergency Planning and Community Right-to-Know Act (EPCRA); Administrative Procedure Act (APA); as provided in Appropriations Act funding.

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$1,271.2***	***$1,194.0***	***$1,477.0***	***$283.0***
Hazardous Substance Superfund	$814.9	$844.0	$877.0	$33.0
Total Budget Authority / Obligations	$2,086.1	$2,038.0	$2,354.0	$316.0
Total Workyears	5.7	7.2	7.3	0.1

Program Project Description:

The Agency's General Counsel and Regional Counsel Offices provide environmental Alternative Dispute Resolution (ADR) services. EPA utilizes ADR as a method for preventing or resolving conflicts prior to engaging in formal litigation and includes the provision of legal counsel, facilitation, mediation and consensus building. The intent is to offer cost-effective processes to resolve disputes and improve Agency decision making.

FY 2013 Activities and Performance Plan:

In FY 2013, the Agency will continue to provide conflict prevention and ADR services to EPA headquarters and regional offices and external stakeholders on environmental matters. The national ADR program assists in developing effective ways to anticipate, prevent and resolve disputes and makes neutral third parties – such as facilitators and mediators – more readily available for those purposes. As in previous years, the Agency expects to support at least 60 non-Superfund cases with neutral third party support in areas including: tribal consultation, Environmental Justice, community engagement and collaborative dialogues.

Additionally, these resources will enable the Agency to make efforts to provide ADR and collaboration advice and conflict coaching to 174 non-Superfund cases where headquarters and regions are working with stakeholders to improve environmental results. The Agency expects to provide at least 20 training events, reaching at least 500 EPA employees to continue to build the Agency's capacity to resolve environmental issues in the most efficient way and to achieve the Agency's strategic objectives. Under EPA's ADR policy and the OMB/CEQ memorandum on Environmental Conflict Resolution[74], the Agency encourages the use of ADR techniques to

[74] See http://www.ecr.gov/pdf/OMB_CEQ_Joint_Statement.pdf. An updated OMB/CEQ memorandum on environmental conflict resolution is currently under final Agency review.

prevent and resolve disputes with external parties in many contexts, including: adjudications, rulemaking, policy development, administrative actions, civil judicial enforcement actions, permit issuance, protests of contract awards, administration of contracts and grants, stakeholder involvement, negotiations, and litigation.

Performance Targets:

Work under this program supports all five of the Agency's strategic goals. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$32.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+0.1 FTE) This change reflects the current FTE utilization rate for ADR services.

- (-$7.0) This decrease in travel costs reflects a continuing effort to reduce the Agency's travel footprint and expand the use of video-conferencing and internet-based training.

- (+$156.0) This increase provides resources enabling the Agency to continue offering cost-effective processes to resolve disputes and improve Agency decision-making. Resources will provide non-Superfund cases with neutral third party support and enable the delivery of ADR training.

- (+$102.0) This increase provides resources to cover basic and mandatory IT and telecommunications support costs for on-board workforce. Examples of support areas include desktop services, telephone and Local Area Network (LAN). These resources are needed to enable employees to carry out their day-to-day operations supporting the Agency's mission.

Statutory Authority:

Administrative Dispute Resolution Act (ADRA) of 1996, 5 United States Code (U.S.C.) Sections 571, 572, and 573, Negotiated Rulemaking Act of 1996, 5 U.S.C. Sections 563, 565, 566, and 568; EPA's General Authorizing Statutes.

Civil Rights / Title VI Compliance

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$11,740.4***	***$11,618.0***	***$13,974.0***	***$2,356.0***
Total Budget Authority / Obligations	$11,740.4	$11,618.0	$13,974.0	$2,356.0
Total Workyears	69.6	71.1	74.5	3.4

Program Project Description:

EPA's Office of Civil Rights (OCR) provides policy direction and guidance on equal employment opportunity, civil rights, affirmative employment, diversity, and reasonable accommodations for the Agency's program offices, Regional offices and laboratories. EPA's Civil Rights Program includes:

- Intake and processing of Title VI complaints of discrimination from the public about EPA's financial assistance recipients, complaint adjudication, and civil rights compliance reviews;
- Intake and processing of Title VII complaints of discrimination from Agency employees and applicants for employment, and complaint adjudication;
- Implementation of processes and programs in support of reasonable accommodation; and
- Affirmative employment and diversity program planning and implementation.

Program functions also include accountability for implementation, program evaluation and compliance monitoring of the Civil Rights Act of 1964 (Titles VI, VII, IX), statutory requirements and executive orders covering civil rights, affirmative employment, persons with disabilities, alternative dispute resolution, and reasonable accommodations.

OCR interprets policies and regulations and ensures compliance with civil rights laws, Equal Employment Opportunity Commission (EEOC) directives and equal employment initiatives. The office also upholds the civil rights of EPA's employees and prospective employees as required by federal laws, statutes and Executive Orders.

FY 2013 Activities and Performance Plan:

In FY 2013, the priorities of EPA's Civil Rights program will include:

Title VI

To enable the Agency to reduce the Title VI complaint backlog and process complaints in a timely manner, additional resources are provided to this program. These resources will also enable the Agency to address recommendations from a March 2011 Deloitte report which recommended that the Agency improve the following functions: Title VI case management and tracking issues, staff development and standard operating procedures. Additional FTE are needed for the following tasks: conduct jurisdictional analyses on complaints received by the Agency; convene a review committee comprised of EPA program and regions offices to conduct a preliminary analysis of cases; lead deliberations on how the cases will be managed (including the scientific and technical analysis needed to make determinations and findings); develop a strategic approach for prosecution of the cases at headquarters and regions; and coordinate other cross-functional efforts related to Title VI Complaints. Additional funding will be used to enhance a database which tracks the life cycle of Title VI complaints to assist with efficiently processing and tracking complaints. Additionally, the Agency plans to do the following activities in FY 2013:

- Partner with the Office of General Counsel (OGC) and the Office of Grants and Debarment to identify EPA financial assistance recipients that have frequent occurrences of Title VI complaints. This will help OCR ensure the effective utilization of compliance review resources, aid EPA in ensuring the recipients' compliance with federal civil rights laws and regulations, and provide the public greater assurance of recipients' equitable implementation of environmental policies.

- Increase the number of compliance reviews conducted of EPA financial assistance recipients. This should increase recipients' compliance with federal civil rights laws, statutes, and regulations, thereby providing the public with an equitable administration of environmental services;

- OCR will collaborate with the National Program and regional offices to develop and implement effective processes to (1) reduce the Title VI complaint backlog and (2) provide the public with the timely processing of new Title VI complaints;

- Increase outreach regarding the use of Alternative Dispute Resolution (ADR) to members of the public (complainants) and recipients to create a better understanding of mutual concerns and constraints, as well as the benefit to parties when resolving an outstanding complaint;

- Provide training on the mediation process to collateral duty mediators to ensure consistent approaches nationally towards the informal resolution of Title VI complaints, and to ensure that the public and recipients are provided with a fair process.

Title VII

The Agency is providing additional resources to increase effectiveness in managing the Title VII complaint process. These resources will also enable the Agency to address recommendations from a March 2011 Deloitte report which recommended that the Agency improve the following functions: Title VII case management and tracking issues, staff development and standard operating procedures. Additional FTE will enable EPA to efficiently address the cycle of backlogs and conduct work within the established regulatory timeframes. They will be responsible for the following tasks: develop and approve investigation plans; evaluate Reports of Investigation for completeness; interpret and integrate guidance from the Office of General Counsel; and write Final Agency Decisions. Additional funding also will be used to enhance a database which tracks the life cycle of Title VII complaints and assists with efficiently processing and tracking complaints. Additionally, the Agency plans to do the following activities in FY 2013:

- Develop an EEO counselor training curriculum to include certification training, technical guidance, and provide ongoing mentoring and coaching to ensure that employees and applicants for employment receive high quality counseling services;

- Provide legal review and analysis of complex cases, and assist with the completion of Final Agency Decisions. These functions will provide OCR with the necessary expertise to aid in the more timely adjudication of Title VII complaints;

- Engage parties early in the Title VII process on the benefits of ADR. This will create a better understanding of concerns and constraints by both parties;

- Create a group of collateral duty mediators to assist with the informal resolution of Title VII complaints. Provide training on the mediation process to ensure the use of consistent approaches.

- Develop EEO training programs to inform EPA Las Vegas Laboratory employees of their rights and responsibilities regarding the EEO laws, statutes and regulations;

- Periodically, monitor the implementation of EPA's policy on harassment/discrimination in the workplace based on sexual orientation, status as a parent, marital status and political affiliation by examining the number and bases of these complaints filed in the Agency;

- Update the on-line mandatory training for the No FEAR Act to present the information in a more user friendly format.

Reasonable Accommodations

- Develop and implement a new policy to improve the delivery of services to EPA employees and applicants for employment with disabilities. OCR will use an iterative bargaining process involving the Office of Administration and Resources Management (OARM), OGC, Labor Employee Relations and the Agency's Bargaining Unions;

- Offer training to managers, track accommodation requests and decisions, and monitor the Agency's compliance with the statutes, EEOC regulations and the Agency's policy and procedures related to the reasonable accommodation of qualified applicants and employees with disabilities.

Affirmative Employment and Diversity

- In accordance with the Administrator's directive, expand efforts to engage headquarters and the regions in developing a model civil rights program at EPA. OCR will use the Equal Employment Opportunity Commission's (EEOC) Management Directive (MD)-715 Report as a guide for EPA's affirmative employment efforts. OCR will establish a metric to determine progress in achieving "model EEO status" and on a quarterly basis, monitor the regions' and headquarters program offices' MD-715 Action Plans which describe their efforts to accomplish planned activities.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget Dollars (in Thousands):

- (+$409.0) This increase reflects the recalculation of base workforce costs and cost of living adjustment for existing FTE.

- (+$128.0) This change reflects the required general expenses to provide basic support for OCR on board staff in order for the Office to perform its duties efficiently.

- (+$1,819.0/ +3.4 FTE) This increase supports the Agency's Title VI and Title VII programs' effort to meet statutory requirements for the timely processing of cases; reduce the number of Title VI complaints; raise the awareness of Title VI requirements to recipients of EPA's funds; and improve the management of Title VII EEO complaints. Additional extramural resources will enable the Agency to develop a database to effectively track the life cycle of both Title VI and Title VII complaints. These resources include $469.0 of associated payroll for the 3.4 FTE.

Statutory Authority:

Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. §2000d to 2000d-7); 40 C.F.R. Part 7; Section 504 of the Rehabilitation Act of 1973; Section 13 of the Federal Water Pollution Control Act Amendments of 1972; Title IX of the Education Act amendments of 1972; Age Discrimination Act of 1975; Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. §2000e et seq.); Equal Pay Act of 1963 (29 U.S.C. §206(d)); Section 50l of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990 (42 U.S.C. §12101); ADA Amendments Act of 2008, Older Workers Benefit Protection Act (OWBPA) as amended; Age Discrimination

in Employment Act (ADEA) of 1967, as amended (29 U.S.C. § 621-634); Equal Employment Opportunity Commission (EEOC) Management Directive 715).

Legal Advice: Environmental Program
Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$42,286.6***	***$40,746.0***	***$45,840.0***	***$5,094.0***
Hazardous Substance Superfund	$711.9	$682.0	$755.0	$73.0
Total Budget Authority / Obligations	$42,998.5	$41,428.0	$46,595.0	$5,167.0
Total Workyears	239.5	249.5	253.2	3.7

Program Project Description:

This program provides legal representational services, legal counseling and legal support for all the Agency environmental activities.[75] The legal support provided by this program is essential to the Agency's core mission and goes to every aspect of the Agency's Strategic Plan. It provides legal counsel on issues arising under all EPA's environmental statutes including, but not limited to: the Clean Air Act (CAA), the Clean Water Act (CWA), the Safe Drinking Water Act (SDWA), the Toxic Substances Control Act (TSCA), the Pollution Prevention Act, the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Federal Food, Drug, and Cosmetic Act, the Emergency Planning and Community Right-to-Know Act (EPCRA), the Marine Protection, Research and Sanctuaries Act, the Resource Conservation and Recovery Act (RCRA), the Oil Pollution Act (OPA), and the Administrative Procedures Act (APA).

If the Agency wants to limit the amount of a dangerous chemical in the air we breathe, in the water we drink, or in the food we eat, this program provides counsel on the Agency's authority to take that action, and provides the advice and support necessary to the regulatory process. When that action is then challenged in court, this program defends it. This program plays a central role in all statutory and regulatory interpretation and all guidance development under EPA's environmental authorities. This program provides essential legal advice for every petition response, every judicial response and every emergency response. It provides counsel on every major action the Agency takes.

FY 2013 Activities and Performance Plan:

In FY 2013, OGC will continue to provide full legal support for all the EPA programs, in response to Agency needs, to advance the Administrator's priorities, and in support of the Strategic Plan Goals. In FY 2013, OGC expects the Agency to need increased legal support in its

[75] Resources for legal services to support Agency Operations are included in the Legal Advice: Support program.

efforts to reduce environmental and human health risks. For example, in FY 2013, the EPA will continue providing extensive legal support towards the Deep Water Horizon investigation requiring additional IT and telecommunications, contracts and general expenses support.

The following chart provides concrete examples from FY 2011 of the types of support that OGC provides to the Agency and how that support lines up with EPA's Strategic Plan Goals. OGC expects to provide similar support in FY 2013, which includes analyzing defensibility of Agency actions, drafting significant portions of final Agency actions, and actively participating in litigation. These examples illustrate OGC's important role in implementing the Agency's core priorities and mission.

EPA Strategic Plan Goal	**Specific EPA OGC Support**
Goal 1 – Climate Change and Air Quality	1. Successfully defended multiple motions to stay the greenhouse gas regulations and the related SIP actions including drafting of greenhouse gas permitting guidance and defending against litigation challenges. 2. Assisted in the drafting of the proposed and final Mercury and Air Toxics Standards (MATS) rule. 3. Provided extensive legal support including counseling and drafting assistance on proposed greenhouse gas and fuel economy standards for model year 2017-2025 light-duty vehicles as part of a coordinated National Program. 4. Assisted the Agency in the development and promulgation of the Non Hazardous Secondary Materials rule under RCRA.
Goal 2 – Improving Water Quality	1. Assisted in developing proposed guidance to define scope of federal regulatory authority under the Clean Water Act (CWA) for waters of the United States. 2. Obtained a favorable court decision upholding a CWA veto of a permit that would have caused degradation of over 60,000 acres of wetlands in Mississippi.
Goal 3- Cleaning up Communities and Sustainable Development	1. Drafted and facilitated execution of EPA's Memorandum of Understanding with UNEP to promote environmental cooperation & capacity building. 2. Advanced the initiative on EJ by providing key support for EPA's Plan EJ 2014. 3. Provided key legal support to OITA on the Tribal Consultation Policy.. 4. Counseled the Agency in its revision of the Definition of Solid Waste rule.

Goal 4 – Safety of Chemicals and Prevention of Pollution	1. Issued and successfully litigated first "for Cause" revocation of tolerances in the U.S. for carbofuran, a pesticide that poses unacceptable risks to the environment, workers, and consumers. 2. Assisted in the use of the Agency's TSCA subpoena authority to obtain critical information from hydrofracking companies. 3. Negotiated the speedy removal from the market of the herbicide Imprelis, after it was discovered that Imprelis can be toxic to certain kinds of trees.

Performance Targets:

Work under this program supports all five of the Agency's strategic goals. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$850.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$2,588.0/ +3.7 FTE) This increase will enable the EPA to continue to provide legal and day-to-day office operations support. These resources enable FTE to perform research, filing and documentation and provide legal support to enable the Agency to defend itself on hundreds of important judicial matters and cases and enable OGC to provide essential legal advice for every response and provide counsel on every major action the Agency takes. These resources include 3.7 FTE and associated payroll of $625.0.

- (+$1,656.0) This increase provides resources to fund OGC's Lexis and Westlaw contracts. These contracts provide vital research tools needed by OGC attorneys when offering sound legal counsel and advice to Agency leadership. This level also provides resources to fund basic and mandatory IT and telecommunications support costs for the on board workforce. These resources are needed to enable employees to effectively carry out their day-to-day operations supporting the Agency's mission.

Statutory Authority:

Toxic Substances Control Act, 15 United States Code (U.S.C.) 2601 et seq.; Pollution Prevention Act , 42 U.S.C. 13101 et seq.; Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136 et seq.; Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 346a; Emergency Planning and Community Right-to-Know Act, 42 U.S.C. 11023; Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq.; Safe Drinking Water Act, 42 U.S.C. 300f et seq.; Marine Protection, Research and Sanctuaries Act of 1972, 33 U.S.C. 1401 et seq.; Solid Waste Disposal Act as Amended by the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6901 et seq., Sections 2002, 3001 – 3023, 4001 – 4010, 6001 – 6004, 7003 – 7006, 8001 – 8007, and 9001 – 9010; Clean Water Act (CWA), 33 U.S.C. § 1321, Section 311; Oil Pollution Act (OPA), 33 U.S.C. § 2701 – 2762, Sections 1001 – 7002; Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. § 11001 et seq., Sections 302-304, 311 – 313, and 325, 326;

Mercury Export Ban Act (MEBA), Public Law No. 110-414; EPA's General Authorizing Statutes.

Legal Advice: Support Program

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$15,692.6***	***$14,260.0***	***$16,064.0***	***$1,804.0***
Total Budget Authority / Obligations	$15,692.6	$14,260.0	$16,064.0	$1,804.0
Total Workyears	84.0	85.6	86.3	0.7

Program Project Description:

This program provides legal representational services, legal counseling and legal support for all activities necessary for EPA operations.[76] It provides legal counsel on issues including, but not limited to: Ethics, Employment Law, Intellectual Property Law, Information Law, Appropriations, Grants, Contracts, Claims, and all aspects of Civil Rights law.

For example, if an EPA program office needs to know how to respond to a FOIA, whether it may spend money on a certain activity, how to create a trademark for a voluntary program (i.e., Energy Star), or what to do when a plaintiff files a tort claim against the Agency, this program is the source of answers, options, and advice.

FY 2013 Activities and Performance Plan:

In FY 2013, OGC will continue to provide full legal support for all EPA programs to respond to Agency needs, to advance the Administrator's priorities[77], and in support of the Strategic Plan Goals. In FY 2013, the Agency anticipates its legal support needs will increase to implement Executive Order 12898 and comply with the Civil Rights Act of 1964. For example, in FY 2013, this program will continue to support the evaluation and reform of the Title VI program, giving emphasis to the evaluation of potential long-term institutional changes to the Agency's Title VI complaint process. This ongoing support will require adequate resources for program offices. These resources will include office equipment and support and increased funding for Westlaw and Lexus contracts.

[76] Resources for legal services to support Environmental Programs are included in the Legal Advice: Environmental program.
[77] See Lisa Jackson, "Seven Priorities for EPA's Future," available at: http://blog.epa.gov/administrator/2010/01/12/seven-priorities-for-epas-future/ .
These priorities mirror the goals above and also include: expanding the conversation on environmentalism, strengthening partnerships, and improving internal operations.

The following chart provides concrete examples from FY2011 of the types of support that OGC provides to the Agency and how that support lines up with EPA's Strategic Plan Goals. OGC expects to provide similar support in FY 2013, which includes analyzing defensibility of agency actions, drafting significant portions of final Agency actions, and actively participating in litigation. These examples illustrate OGC's important role in implementing the Agency's core priorities and mission.

Strategic Goal or other EPA priority	**Specific EPA OGC Activity**
Goal 4; Transparency	Completed confidential business information determinations that allowed for disclosure of an aggregated list of components of dispersants used in response to the BP oil spill.
Transparency	Co-chaired the Deputy Administrator's FOIA Task Force that identified key improvements to EPA's FOIA regulations and policies.
Goal 1; Goal 5	Took several critical actions to protect the government's Energy Star trademark, including working with the Department of Justice to file the first judicial complaint for Energy Star infringement in several years.
Goals 1, 3, 4.	Assisted in EPA's response to the Fukushima nuclear power plant incident by resolving Stafford Act funding issues associated with radiation monitoring activities conducted under the Agency's RadNet system.
All Goals, Transparency, Internal Operations	Issued a legal opinion, allowing the revision of the Agency's Supplemental Environmental Projects (SEP) Policy.
Goal 2	Obtained a legal opinion from the Unites States Department of Justice's Office of Legal Counsel concurring in OGC's government-wide interpretation of the Clean Water Act regarding appropriations for stormwater management.
Internal Operations	Provided essential direction, analysis, and drafting assistance in the development and filing of EPA's Annual EEO Program Status Report
Expanding the Conversation	Assisted in EPA's investigation of complaints of discrimination by assistance recipients under Title VI of the Civil Rights Act, including advanced settlement negotiations.

Performance Targets:

Work under this program supports all five of the Agency's strategic goals. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$363.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$1,257.0) This increase provides resources to fund EPA's Lexis and Westlaw contracts. These contracts provide vital research tools needed by EPA attorneys when offering sound legal counsel and advice to Agency leadership. Providing resources to support both contracts also offers lower costs for the Agency. This level also provides resources to fund basic and mandatory IT and telecommunications support costs for the on board workforce. These resources are needed to enable employees to carry out their day-to-day operations supporting the Agency's mission.

- (+$184.0/ +0.7 FTE) This increase reflects anticipated legal support to implement Executive Order 12898 and comply with the Civil Rights Act of 1964. This increase will enable EPA to provide resources to additional staff including IT and telecommunication support and other general office expenses. The 0.7 FTE and associated payroll of $119.0 will support these activities.

Statutory Authority:

Title VI of the Civil Rights Act of 1964, 42 United States Code (U.S.C.) §§ 2000d – 2000d-7; Section 504 of the Rehabilitation Act of 1973, 2 U.S.C. § 794; Section 13 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. §1251; Title IX of the Education Amendments of 1972, **20 U.S.C. §§ 1681 – 1688;** The Age Discrimination Act of 1975, 42 U.S.C. §§ 6101- 6107; Section 311 of the Clean Water Act, 33 U.S.C. 1251 et seq.; Oil Pollution Act of 1990, 33 U.S.C. 2701 et seq.; EPA's General Authorizing Statutes.

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$3,178.6***	***$2,591.0***	***$3,307.0***	***$716.0***
Total Budget Authority / Obligations	$3,178.6	$2,591.0	$3,307.0	$716.0
Total Workyears	2.1	2.0	2.0	0.0

Program Project Description:

The Regional Science and Technology program (RS&T) activities support all of the Agency's national programs (including but not limited to the Agency's water, air, Superfund, and enforcement programs) and strategic goals, by supplying laboratory analysis, field monitoring and sampling, and building Tribal capacity for environmental monitoring and assessment. The resources in this program support the purchase of equipment for the regional laboratories, field investigation teams, and mobile laboratory units, as well as equipment required for laboratory quality assurance and quality control.

The RS&T program provides essential expertise for a multitude of national programs, including but not limited to ambient air, water quality, monitoring activities, and areas involving environmental biology, microbiology, chemistry, enforcement and criminal investigations. The EPA has made significant strides toward improving environmental data collection and laboratory analytical capacity and capability to strengthen science-based decision-making. The program's applied science expertise is used to develop and modify analytical methods for specialty work such as emerging chemicals of concern and also provides scientific consultation to Agency, state, and Tribal partners. Funding for equipment is essential for continued progress and enhanced capabilities in order to respond to emergencies, emerging environmental issues, and improve efficiencies in analysis, field investigations, and data collection.

The RS&T program provides in-house expertise and technical capabilities in the generation of data for Agency decisions and differs from the Agency's research operation by focusing on applied science needs rather than short or long term research. RS&T resources support the development of critical and timely environmental data, rapid data review in emerging situations, and development of enhanced capabilities for environmental assessment of contaminants, unknowns, or chemical warfare agents in the proper environmental management of accidents and natural disasters.

FY 2013 Activities and Performance Plan:

In FY 2013, RS&T resources will continue to support regional implementation of the Agency's statutory mandates through lab and field operations for environmental sampling and monitoring. Regional laboratories perform environmental analytical testing, monitoring, special studies, method development, quality assurance oversight, and data management support. Direct laboratory support also increases efficiencies in regional program management and implementation by allowing the regional offices to focus on addressing environmental issues which may be specific to certain geographic areas in the nation (e.g., resource extraction, wood treating operations, oil refining, etc.).

In FY 2013, the Agency requests additional resources to ensure the necessary capital equipment to perform analytical work and support equipment purchase, upgrade and maintenance. The need for equipment technology upgrades is driven by Agency core mission activities that include the demand for higher sensitivity, lower detection limits and higher sample throughput. Technology upgrades also support improved data quality and laboratory efficiency through laboratory automation. Without adequate resources, the regional laboratories' ability will be impacted in the following ways:

- Diminished agency-wide enforcement stature: regional laboratories perform forensic analysis on a wide variety of samples collected as part of criminal investigations and enforcement actions. These analyses require high quality defensible laboratory data.

- Diminished capacity to support agency-wide science priorities: regional laboratories explore the impacts of emerging contaminants such as pharmaceuticals, personal care products, flame retardants and biological contaminants. Reductions in capital equipment budgets will severely impact regional ability to support methods development and applied science.

EPA's regional laboratories contribute to various aspects of the Agency's performance measures in each of the Agency's major programs including cross media performance results and measures. For example, the Civil and Criminal Enforcement programs' performance assessment measures are supported through significant technical and analytical activities for civil and criminal enforcement cases pertaining to the Resource Conservation and Recovery Act, Toxic Substances Control Act, Clean Water Act, Safe Drinking Water Act and Superfund programs. With specialized equipment such as Gas Chromotography, Ion-Capture Mass Spectrum, Automated Pump stations, Water Purification systems, and Centrifuges for biosolids preparation, laboratories are able to analyze samples associated with a variety of illicit activities including unpermitted discharges, illegal storage and/or disposal of hazardous wastes, and illegal dumping. Resulting data are used by the Agency's Criminal Investigation Division and by Assistant U.S. Attorneys to support prosecution of civil and criminal cases. Other examples of activities that support results measurement include operating laboratory equipment such as Standard Reference Photometers, which are used to ensure that the national network of ozone ambient monitors accurately measure ozone concentrations in support of Mobile Source and Air Toxics performance assessment measures.

In FY 2013, EPA plans to continue improving its regional laboratories by purchasing additional capital equipment or upgrading existing equipment to support field investigation teams, mobile laboratory units and laboratory quality assurance and quality control. In FY 2013, increased resources will provide more efficient analytical support for identifying and assessing risks associated with pesticides and other high risk chemicals. The increase in resources will allow the regional laboratories to have the capacity to support Agency-wide science priorities such as exploring the impacts of emerging contaminants such as pharmaceuticals, personal care products, flame retardants and biological contaminants. It will also assist the Agency with its enforcement efforts by providing analytical equipment to perform forensic analysis on a wide variety of samples collected as part of criminal investigations and enforcement actions. These analyses require high quality defensible laboratory data. A cornerstone of laboratory wide quality systems is continued investment in laboratory infrastructure and maintenance of analytical equipment.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$8.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$708.0) This increase in reflects the funding needed to adequately maintain the function of the regional science laboratories. These funds support the purchase of equipment for the regional laboratories, field investigation teams, and mobile laboratory units, as well as equipment required for laboratory quality assurance and quality control.

Statutory Authority:

Comprehensive Environmental Response, Compensation and Liability Act; Clean Water Act; Clean Air Act; Toxic Substances Control Act; Safe Drinking Water Act; Pollution Prevention Act; Resource Conservation and Recovery Act; Federal Insecticide, Fungicide and Rodenticide Act.

Integrated Environmental Strategies

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Goal: Cleaning Up Communities and Advancing Sustainable Development

Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$17,908.7***	***$14,754.0***	***$16,326.0***	***$1,572.0***
Total Budget Authority / Obligations	$17,908.7	$14,754.0	$16,326.0	$1,572.0
Total Workyears	74.0	54.8	53.7	-1.1

Program Project Description

The Integrated Environmental Strategies program supports the Agency's smart growth and sustainable design work, as well as strategic environmental management activities that address cross-cutting and emerging policy issues. This program provides tools and resources to help communities become more environmentally and economically resilient, develops strategies to help businesses advance their environmental and economic goals, and promotes effective management policies and practices within the Agency. This work is in high demand by universities, citizen groups, the business community, and all levels of government because of the great promise it holds to produce lasting economic, environmental, and public health benefits.

FY 2013 Activities and Performance Plan

Program activities planned for FY 2013 include:

Promoting Smart Growth and Sustainable Design

Since 1996, EPA's smart growth and sustainable design work has helped community and government leaders improve the environmental outcomes of their development decisions. EPA accomplishes this by:

- Conducting research and developing tools that help communities see the connection between development and the environment, the economy, and public health.
- Providing technical assistance to states, regions, and local and Tribal governments.
- Engaging and leveraging activities with other federal agencies.

Conducting research and developing tools. EPA's research on emerging trends serves as the foundation for developing tools that will be useful to communities and all levels of government. For example, EPA researched the water quality benefits of smart growth strategies such as redevelopment and high density. This research led to a number of resources for state and local governments, including a water quality scorecard to help communities protect water resources and support economic development. This scorecard is now the basis for technical assistance to local governments seeking to align their water infrastructure investments with their community development goals. In FY13, EPA will:

- Develop tools and information on options for equitable development for disadvantaged communities.
- Provide a range of performance measures and tools to help rural, suburban, and urban communities assess their smart growth approaches.
- Develop tools and policy options to help communities reduce their energy use and carbon emissions through better development and location decisions.

Providing technical assistance. EPA provides direct technical assistance to state and local governments to help them grow their economies and create jobs while reducing pollution. An example of this work is EPA's assistance to the California Department of Transportation (Caltrans). Caltrans wanted to ensure that its transportation investments were contributing to multiple state goals, from housing and economic development to sustainability and climate protection. The state contributed over $500K to EPA's initial investment to develop principles for Smart Mobility investments, performance measures to guide project selection, and place types to guide location efficient investment. The resulting publication, "Smart Mobility 2010: A Call to Action," and workshops provide a framework to guide state and local agencies making key transportation investment decisions. Caltrans is working to incorporate the framework into everything from long-range planning to project management.

There is tremendous demand for this work. Since 2005, EPA has received more than 1,100 technical assistance applications representing over $43M in requested funding. During this same time period, EPA has assisted over 150 communities. This work is the cornerstone of EPA's smart growth approach to development-related challenges in communities.

In FY 2013, the Smart Growth program will be funded at $8.5 million under the Integrated Environmental Strategies program and $1.3 million under the Brownfields program. EPA will maximize these resources by providing technical assistance to tribal, state, regional and local governments and ensuring, to the extent possible, that the results in one community can be replicated in other communities. Emphasis will be placed on the economic and fiscal implications of the strategies. In FY 2013, EPA will also deliver technical assistance to about 40 communities by working with third-party organizations.

Engaging federal partners. In FY 2013, EPA will continue to partner with other federal agencies to meet the growing demand from communities for direct technical assistance. In June 2009, EPA, the U.S. Department of Transportation, and the U.S. Department of Housing and Urban Development formed the Partnership for Sustainable Communities to help protect the environment by providing communities with more options for public transportation and better

access to green, affordable housing. EPA will work with other federal agencies to strengthen coordination and ensure efficient use of funds. EPA will also work to make our resources and those from other federal agencies easier for communities to understand and access.

In FY 2013, EPA will work with the Federal Emergency Management Agency to develop guidelines and procedures to help communities prepare for disasters and rebuild more sustainably after a disaster. EPA will continue to provide support to other federal agencies, such as the U.S. Department of Agriculture, Economic Development Administration, and the National Oceanic and Atmospheric Administration for activities including jointly delivering technical assistance to rural Appalachian communities and proposing sustainability language to include in grant solicitations and other guidance documents. This assistance helps these agencies protect the environment through their community development programs, policies, regulations, and resources, while meeting their core agency objectives.

Strategic Environmental Management

Strategic environmental management addresses overarching management issues across programs and regions to maximize Agency efficiency and effectiveness. These activities include program analysis, coordination and decision-making support to ensure the effectiveness and efficiency of Agency management policies and practices; rigorous program evaluation to improve program design and outcomes; and the analysis and management of emerging cross-cutting environmental policy issues.

Program analysis considers measurement information and other data to inform senior level decision-making on management and other issues. Decision-making is conducted through a series of regularly scheduled meetings of Agency leadership which examine how relevant organizations, program activities, regulations, policies, and practices are contributing as planned to agency priorities. Progress toward Agency strategic goals is also advanced through the regular review of key metrics. Business process improvement techniques and other strategic management practices for enhancing operational effectiveness and efficiency are also identified and deployed to continually improve Agency programs and operations.

Periodic systematic assessments in the form of program evaluation studies are used to gather empirical evidence of program effectiveness and efficiency. Program evaluation studies objectively assess Agency programs' efficiency and cost-effectiveness, assess programs' ability to attain outcomes and objectives and identify alternative approaches for effective program streamlining and to improve results. EPA will use rigorous evaluation methods; contract independent, objective third-party evaluators to conduct studies as appropriate; ensure transparency of evaluation studies; and ensure that data are made available to external evaluators to assess programs. EPA is committed to using various multimedia tools to publicly disseminate evaluation findings regardless of whether conclusions are consistent with Agency expectations. In FY 2013, EPA will continue using on-line training and technical assistance to build additional Agency capacity to conduct in-house performance management activities (e.g., logic modeling, strategy mapping, performance measurement, and program evaluation).

Another aspect of strategic environmental management involves addressing emerging, cross-cutting policy issues to ensure that these issues receive prompt and appropriate attention by the Agency. This may also involve conducting analysis to ensure understanding of the issues and develop potential strategies for Agency action on these issues. During FY 2013, the Agency will focus on priority issues that advance environmental protection, competitiveness, and economic growth. These issues will include the need to help businesses reduce energy, water and material use while improving production efficiency and cutting costs; the growing demand for improving the availability and usability of information in EPA databases for businesses, investors, communities and others; the need for a strategy to support corporate and municipal sustainability efforts in areas of mutual interest; and the definition of EPA's role in ensuring greater clarity and better information in the market for sustainable products (as part of a cross-agency effort). This reflects a transition from the Greener Economy program to a more modest level of effort on emerging, cross cutting issues.

In FY 2013, EPA intends to focus additional resources on its business process improvement (e.g., Lean Government) efforts to realize important cost, time and/or efficiency savings in three Agency processes. Candidate processes will be carefully chosen to increase the likelihood of realized time savings, process streamlining, and ultimately enhanced environmental program effectiveness. This dedication of resources to streamlining approaches is intended to increase capacity to focus EPA's limited resources on the most mission critical activities.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$188.0) This increase reflects the recalculation of base workforce costs and cost of living adjustment for existing FTE.

- (+$153.0/ +1.0 FTE) This increase in resources provides for implementation EPA's program evaluation strategy and builds evaluation capacity, which is consistent with the Administration's Program Evaluation Initiative. The change includes $153.0 in associated payroll.

- (+$1,058.0/ +1.5 FTE) This reflects an increase in funding to support smart growth technical assistance to greater number of states, tribes, and localities through contracts and grants. Expanding smart growth technical assistance to a broader number of communities will result in greater environmental benefits by reducing air emissions, preventing and controlling storm-water runoff, and supporting sustainable design approaches. At the same time, such investments can help local governments create new jobs and grow their economies. The additional funding will also be used to enhance measurement of benefits to communities as a result of the technical assistance. The change includes 1.5 FTE, and $230.0 in associated payroll.

- (-$150.0) This reflects a redirection of resources within the Sustainable Communities program. As part of the conversation on expanding the use of the Community Action for Renewed Environment (CARE) model; these resources will be used for the CARE program.

- (-$551.0/ -3.6 FTE) This reflects a transition from the Greener Economy program to a more modest level of effort on emerging, cross-cutting issues. The reduced resources include 3.6 FTE and associated payroll of $551.0.

- (+$500.0) This reflects an increase for the Leaning Agency Processes activity. The additional resources will be used to prepare a proposal to plan, conduct and follow up on at least three LEAN projects in priority areas. EPA intends to focus additional resources on its business process improvement (e.g., Lean Government) efforts to realize important cost, time and/or efficiency savings in three priority processes. Candidate processes will be carefully chosen to increase the likelihood of realized time savings, process streamlining, and ultimately enhanced environmental program effectiveness. Ultimately this dedication of resources to streamlining approaches is intended to increase the focus of EPA's limited resources on the most mission critical activities.

- (+$374.0) This increase reflects realignments and corrections to resources for telephone, Local Area Network (LAN), and other telecommunications and IT security requirements.

Statutory Authority:

Clean Water Act (CWA), Section 104(b)(3); Clean Air Act (CAA), Section 104(b)(3).

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$20,329.8***	***$15,256.0***	***$23,345.0***	***$8,089.0***
Total Budget Authority / Obligations	$20,329.8	$15,256.0	$23,345.0	$8,089.0
Total Workyears	94.3	100.4	101.5	1.1

Program Project Description:

The Regulatory, Economic, Management and Analysis program resources are used to assess and consider impacts of EPA's regulations on businesses, government entities, and the economy more broadly. Outreach and consultation are also priorities with a goal to make information on EPA's regulatory activities available to the public to improve transparency and encourage meaningful participation. The program ensures consistent and appropriate economic analysis of policy options; reviews and improves economic analyses (including benefit-cost analyses) prepared by regulatory programs, develops, identifies and analyzes regulatory and non-regulatory approaches; considers interactions between regulatory actions in various program offices; and addresses policy priorities, including the consideration of employment impacts and other impacts on the economy.

Objectives of the program include:

- Ensuring that Agency decision-making processes are invested with high-quality, timely science and information and that an appropriate range of alternatives are considered during the development of regulatory actions.

- Leading periodic review of existing regulations to identify obsolete or overly burdensome provisions or those that need strengthening (under new EO 13563: Improving Regulation and Regulatory Review). This work includes management, analysis, and quality assurance of Agency's implementation of EO 13563, a retrospective study of the costs of regulation to improve the Agency's estimates of costs in future rulemakings; consideration of public recommendations for regulatory review; and ensuring appropriate public access to agency progress.

- Ensuring the appropriate implementation of the Administrative Procedures Act, Congressional Review Act, and the Paperwork Reduction Act.

- Delivering sound and timely economic, science, and regulatory analyses to support informed management decisions throughout the Agency.

- Providing information on the full societal impacts of reducing environmental risks, including the expected distribution of the costs, benefits and impacts of regulatory options.

- Ensuring that regulations are consistent with statutory and executive order directives, such as EO 12866 (Regulatory Planning and Review) and EO 13132 (Federalism).

- Ensuring consistency among policies and procedures for the development of rules across program offices.

FY 2013 Activities and Performance Plan:

Program activities planned for FY 2013 include:

- Managing the Agency's internal *Action Development Process*, *Economic Guidelines*, and related requirements (e.g., OMB Circular A-4 on Regulatory Analysis). The program ensures appropriate engagement across EPA's headquarters and regional offices and provides consistent internal policies, procedures, training, resources, and tools to EPA staff. EPA will review and revise its economic guidelines so that they remain current with advancements and reflect best practices in the profession.[78]

- Maintaining regulatory planning and tracking tools to facilitate timely decisions and coordination across programs.

- Reviewing existing rules to determine more effective and efficient ways to improve compliance reporting, with an emphasis towards electronic reporting and monitoring.

- Leading EPA's review of regulatory actions from other agencies and Departments.

- Participating in the development of the Agency regulatory actions to ensure that regulations address statutory and executive order directives (e.g., conducting benefit-cost analysis for every economically significant regulation) and policy priorities, and providing technical assistance when needed to help meet Agency goals, such as finding less burdensome approaches to achieve environmental protection.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program project.

[78] Please refer to: http://yosemite.epa.gov/ee/epa/eed.nsf/webpages/Guidelines.html

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$854.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$1,798.0/ +0.3 FTE) This increase supports continued implementation of Executive Order 13563 (Improving Regulation and Regulatory Review) to perform a retrospective analysis of Agency rules that may be outmoded, ineffective, insufficient, or excessively burdensome, and to modify, streamline, expand, or repeal them in accordance with what has been learned. This increase will support the analysis of estimated costs of past regulations as well as an examination of opportunities to consolidate regulations to reduce complexity for the regulated community, and ease resource requirements for upcoming rules. This includes 0.3 FTE and $48.0 in associated payroll resources.

- (+$1,048.0/ +0.3 FTE) This increase supports the development, refinement and peer review of methodologies to examine and thoroughly estimate the employment impacts of Agency regulations. This effort also will help meet EPA's public commitment in looking back at previous regulations. This includes 0.3 FTE and $48.0 in associated payroll resources.

- (+$1,614.0/ +0.5 FTE) This increase will be used to improve Agency-wide regulatory impact analysis, including better estimates of the economic impacts of regulations. This work will include new efforts to better capture the actual cost burden on firms from regulations (including impacts on small business and governmental agencies), better understanding of the impact of regulations when the economy is at less than full employment, and tools to characterize impacts on competitiveness. EPA already quantifies the costs, benefits, and economic impacts of individual regulations; however, the current state of the economy has placed extra emphasis on how regulations effect economic growth and job creation. In order to improve our estimates of costs, EPA will also conduct assessments of actual compliance costs and analyze economic data and actual practices in the fields of manufacturing and pollution control technologies. These data will be used to both improve cost-benefit analyses of major rules going forward as well as target opportunities to reduce costs in regulatory design. This includes 0.5 FTE and $80.0 in associated payroll resources.

- (+$750.0) This increase supports consultations with state and local government representatives on regulations that are expected to result in significant state or local government expenditures or which might preempt state laws, consistent with the President's executive orders on Federalism and the Unfunded Mandates Reform Act (UMRA). These resources will also enhance the transparency of EPA's regulatory development activities, including: providing public information on our regulatory policy agenda on a real-time basis; pursuing opportunities to improve communication through internet and social media tools; and releasing data related to EPA's annual regulatory activities. This includes working with state government representatives to reduce costs and improve implementation of federal regulations through a joint EPA-state project

investigating opportunities to improve consideration of implementation issues throughout the regulation development process.

- (+$1,500.0) This increase will enable the Agency to incorporate recommendations from the National Academy of Sciences and utilize high-quality outside technical peer reviews of influential methods and models. These resources will support efforts to develop analytical tools to improve risk assessment methods used in quantifying human health benefits, particularly to children, of regulations. This work will include developing new, more accurate methods for assessing cancer and non-cancer risks from toxic chemicals. These efforts also will result in developing improved risk assessment methods to serve economic analyses, and methods to address uncertainties in risk and economic analyses.

- (+$525.0) This increase will support the refinement of methodologies to estimate costs and benefits of the Agency's water quality rules, including pressing issues like nutrient and sediment loading impacts on major national estuaries, like the Chesapeake Bay, as well as evaluating benefits in the nation's urban waters. EPA will solicit support from the scientific community to develop new research tools and methods, utilizing EPA's Science to Achieve Results (STAR), Economic and Decision Sciences program.

Statutory Authority:

Toxic Substances Control Act sections 4, 5, and 6 (15 United States Code (U.S.C.) 2603, 2604, and 2605); Clean Water Act sections 304 and 308 (33 U.S.C. 1312, 1314, 1318, 1329-1330, 1443); Safe Drinking Water Act section 1412 (42 U.S.C. 210, 300g-1); Resource Conservation and Recovery Act/Hazardous and Solid Waste Amendment : (33 USC 40(IV)(2761), 42 USC 82(VIII)(6981-6983)); Clean Air Act: 42 USC 85(I)(A)(7403, 7412, 7429, 7545, 7612); Comprehensive Environmental Response, Compensation and Liability Act: 42 U.S.C. 103(III)(9651); Pollution Prevention Act (42 U.S.C. 13101-13109); FTTA.

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$6,074.9***	***$5,135.0***	***$6,727.0***	***$1,592.0***
Total Budget Authority / Obligations	$6,074.9	$5,135.0	$6,727.0	$1,592.0
Total Workyears	28.4	26.6	28.6	2.0

Program Project Description:

Congress established EPA's Science Advisory Board (SAB) in 1978 and gave it a broad mandate to advise the Administrator on a wide range of highly visible and important scientific matters to ensure that EPA's technical products are of the highest quality. The SAB and two other statutorily mandated chartered Federal Advisory Committees, the Clean Air Scientific Advisory Committee and the Advisory Council on Clean Air Compliance Analysis draw on a balanced range of non-EPA scientists and technical specialists from academia, communities, states, independent research institutions, and industry. This program provides management and technical support to these Advisory committees charged with providing EPA's Administrator with independent advice and peer review on scientific and technical aspects of environmental problems, regulations, and research planning.[79]

FY 2013 Activities and Performance

In FY 2013, the SAB will conduct approximately 36 reviews and produce approximately 36 reports to provide scientific and technical advice on the technical basis of EPA's actions including National Drinking Water Standards for drinking water contaminants, National Ambient Air Quality Standards for criteria air pollutants, ambient water quality criteria, risk management technologies, economic benefit methods and analyses, and EPA's research and science programs. SAB will also focus on reviews of environmental chemicals available on the Integrated Risk Information System (IRIS), in response to the recent Government Accountability Office (GAO)[80] and EPA's Office of Inspector General (OIG) report[81]. GAO and EPA's OIG believes that EPA's effectiveness in assessing and managing chemical risks is hampered in part by limitation on the Agency's authority to regulate chemicals under the Toxic Substances Control Act (TSCA) and other statues. GAO notes that EPA's IRIS viability is at risk because the Agency

[79] Please refer to: http://www.epa.gov/sab/ for further information.
[80] Please refer to: http://www.gao.gov/assets/590/586620.pdf for further information.
[81] Please refer to: http://www.epa.gov/oig/reports/2011/Mgt_Challenges_FY_2011.pdf for further information.

had been unable to complete timely and credible chemical assessments. In response to this concern, the EPA is establishing a Chemical Assessment Advisory Committee within the SAB to review chemical assessments and provide independent advice to EPA on IRIS assessments. The committee will also discuss the results of the chemical reviews and make recommendations to EPA to strengthen the IRIS program. The committee will be augmented with chemical specific experts and in FY 2013 additional resources are being requested to allow SAB to conduct peer reviews of between 8 to 10 IRIS chemical assessments. These resources will ensure that current and future IRIS assessments are based on objective and peer-reviewed science that will result in enhance protection of public human health. Finally, in FY 2013, the SAB will provide resources to enhance IT support, committee member accessibility to the public and ensure that the overall SAB is adequately managing grants. (In FY 2013, the funding for the Science Advisory Board will be $6.73 million and 28.6 FTE)

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$128.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$312.0) This provides resources to contracts, grants and travel dollars to support the overall function of the Science Advisory Board. This funding will enhance SAB's video-conferencing system, improve grant management and enable committees and panels to travel each year to meetings to ensure that the committee is providing scientific advice to the Administrator and congressional committees which is readily available and accessible to the public.

- (+$94.0) This provides resources to cover basic and mandatory IT/telecommunications support costs. Examples of support areas include desktop services, telephone and Local Area Network (LAN). These resources are needed to enable employees to carry out their day-to-day operations supporting the Agency's mission.

- (+$1,058.0/ +2.0 FTE) This increase reflects an increase in non-pay resources to increase the number of technical assessments of IRIS chemicals. This increase will ensure that the newly formed Chemical Assessment Advisory Committee performs additional IRIS reviews in FY 2013 and increases the processing time of reviews. This increase in funding will bring the new committee to an operational status as well as support the costs for additional IRIS reviews. These resources include 2.0 FTE and associated payroll of $308.0 to oversee, coordinate and support the advisory committees and panels who assist the Agency with independent advice and review of IRIS chemicals.

Statutory Authority:

Environmental Research, Development, and Demonstration Authorization Act; 42 United States Code (U.S.C.) § 4365; Federal Advisory Committee Act, 5 U.S.C. App. C; Clean Air Act (CAA) Amendments of 1977; 42 U.S.C. 7409(d)(2); CAA Amendments of 1990; 42 U.S.C. 7612.

Program Area: Operations and Administration

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$320,540.2***	***$319,777.0***	***$331,316.0***	***$11,539.0***
Science & Technology	$69,436.1	$72,019.0	$75,485.0	$3,466.0
Building and Facilities	$30,254.7	$29,326.0	$33,931.0	$4,605.0
Leaking Underground Storage Tanks	$903.0	$915.0	$843.0	($72.0)
Oil Spill Response	$519.5	$535.0	$513.0	($22.0)
Hazardous Substance Superfund	$80,056.2	$80,541.0	$79,622.0	($919.0)
Total Budget Authority / Obligations	$501,709.7	$503,113.0	$521,710.0	$18,597.0
Total Workyears	405.0	417.4	416.5	-0.9

Program Project Description:

Environmental Program and Management (EPM) resources in the Facilities Infrastructure and Operations program are used to fund rental of office and laboratory space, utilities, and security. This program also is used to manage activities and support services in many centralized administrative areas within the EPA, including health and safety, environmental compliance, occupational health, medical monitoring, fitness/wellness and safety, and environmental management functions. Resources for this program also support a full range of ongoing facilities management services, including facilities maintenance and operations, space planning, shipping and receiving, property management, printing and reproduction, mail management, and transportation services. Funding is allocated among the major appropriations for the Agency.

This program also includes the Agency’s Protection Services Detail (PSD) that provides physical protection for the Administrator, by coordinating security arrangements during routine daily activities, as well as in-town and out-of-town events. The PSD coordinates all personnel and logistical requirements including scheduling, local support, travel arrangements, and managing special equipment needed to carry out its protective function.

FY 2013 Activities and Performance Plan:

The Agency reviews space needs on a regular basis, and continues to implement a long-term space consolidation plan that includes reducing the number of occupied facilities, consolidating space within the remaining facilities, and reducing the square footage where practical. Since 2006, the EPA has released approximately 380,000 square feet of space at headquarters and

facilities nationwide, resulting in a cumulative annual rent avoidance of over $12.8 million. The Agency's Space Strategy efforts continue to pursue several long-term policy options that could lead to further efficiencies and potential reductions to the Agency's real property footprint. These achieved savings and potential savings partially offset the EPA's escalating rent and security costs. For example, replacement leases for regional offices in Boston, Kansas City, San Francisco, and Seattle are significantly higher than those previously negotiated. The Agency will continue to manage its lease agreements with the General Services Administration and other private landlords by conducting reviews and verifying that billing statements are correct. For FY 2013, the Agency is requesting a total of $171.15 million for rent, $10.66 million for utilities, and $31.49 million for security in the EPM appropriation.

In FY 2013, the EPA will continue to improve operating efficiency and encourage the use of advanced technologies and energy sources. The EPA will continue to direct resources towards acquiring alternative fuel vehicles and more fuel-efficient passenger cars and light trucks to meet the goals set by Executive Order (EO) 13423[82], *Strengthening Federal Environmental, Energy, and Transportation Management*. Additionally, the Agency will attain the Executive Order's environmental performance goals related to buildings through several initiatives, including comprehensive facility energy audits, re-commissioning, sustainable building design in Agency construction and alteration projects, energy savings performance contracts to achieve energy efficiencies, the use of off-grid energy equipment, energy load reduction strategies, green power purchases, and the use of Energy Star rated products and building standards. The EPA will continue to improve the cohesion and management of its laboratory enterprise and take advantage of potential efficiencies. In FY 2013, the Agency plans to reduce energy utilization (or improve energy efficiency) by approximately 37 billion British Thermal Units or three percent. The EPA expects to end FY 2013 using approximately 24 percent less energy than it did in FY 2003.

EO 13514, *Federal Leadership in Environmental, Energy, and Economic Performance*, expands upon EO 13423 and requires additional reductions to greenhouse gas emissions. The EPA will meet the requirements of EO 13514 through:

- Managing existing building systems to reduce consumption of energy, water, and materials;
- Identifying opportunities to consolidate and dispose of existing assets, optimize real property and portfolio performance, and reduce environmental impacts; and
- Implementing best management practices in energy-efficient management of real property including Agency labs and data centers.

In FY 2013, the EPA will continue to provide transit subsidy to eligible applicants as directed by EO 13150 *Federal Workforce Transportation.* The EPA will continue its integration of Environmental Management Systems (EMS) across the Agency, consistent with requirements of EO 13423. The EPA will advance the implementation of Safety and Health Management

[82] Information is available at http://www.fedcenter.gov/programs/eo13514/, *Federal Leadership in Environmental, Energy, and Economic Performance*; and http://www.fedcenter.gov/programs/eo13423/, *Strengthening Federal Environmental, Energy, and Transportation Management*

Systems to identify and mitigate potential safety and health risks in the workplace to ensure a safe working environment.

As part of the Agency's commitment to promoting employee health and wellness, and supporting OPM's and OMB's wellness initiative, the Agency collected data to compile an inventory of wellness services available to its employees. The data is being used to establish a core program of services for the EPA and will provide a baseline level of employee participation in those services. In FY 2012, a long-term action plan will be finalized and directed at achieving an OPM goal of 75 percent employee participation in core program services. In FY 2013, the EPA will implement its action plan with the goal of increasing employee participation by 50 percent from the baseline level of 2012. It is hoped that the availability and increased utilization of wellness services will result in a healthier and more productive work force with lower medical costs consistent with the President's goal in EO 13507. In the interim, the EPA has a short-term plan that includes the following initiatives:

- Work with the General Services Administration (GSA) to expand health and wellness programs in GSA-owned and leased facilities. Some options include healthier food choices, increasing fitness center activities, and expanding health unit capabilities.
- Enhance outreach efforts to employees to increase fitness center memberships, registration for seminars and educational programs, and inoculations and screenings in health units.
- Establish or expand sports competitions and fitness challenges to build or strengthen our fitness programs nationwide.
- Offer more health educational classes and seminars to increase employee attendance and participation.

The Agency will continue its plans to enhance workplace flexibility at the EPA through seeking opportunities to consolidate and dispose of existing assets, optimize real property and portfolio performance, and reduce environmental impacts. Through planned moves of regional offices due to expiration of leases, the Agency will incorporate space reconfiguration to reduce the overall space footprint and support the government-wide telework initiative. With the out-year rent costs projected to continue to rise, the space consolidation will help offset some of the increases.

Performance Targets:

Measure	**(010) Cumulative percentage reduction in Greenhouse Gas (GHG) Scopes 1 & 2 emissions.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target					1	0.4	6.4	11.9	Percent
Actual					79.5	59			

Measure	**(098) Cumulative percentage reduction in energy consumption.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	2	6	9	12	15	18	21	24	Percent
Actual	3	9	13	18	18.3	18.1			

The Agency has surpassed its initial targets for the greenhouse gas (GHG) emissions goal in part due to green power purchases. EPA's GHG reduction effort is accomplished through a range of energy conservation efforts, including the purchase of renewable energy credits. Further information on the Agency's energy/GHG reduction initiative can be found in the Agency's Strategic Sustainability Performance Plan at http://www.epa.gov/planandbudget/strategicplan.html.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$899.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-0.1 FTE) This change reflects a slight decrease in FTE for facility management activities.

- (+$623.0) This change is the net effect of projected contractual rent increases and the rent reduction realized from space consolidation efforts.

- (-$545.0) This reflects a decrease in utility costs at agency-wide facilities nation-wide.

- (+$2,270.0) This change reflects an increase in security contractual costs.

- (+$19.0) This reflects an increase in transit subsidy costs based on projected enrollment for this entitlement.

- (+$4,454.0) The FY 2012 levels provided represent an 11 percent reduction for managing EPA's facility operations, including building maintenance, property management, transportation, and health and safety operations at all EPA facilities nationwide. The requested funding level will provide for these basic operations, which also include custodial contracts, labor and warehouse costs, and grounds maintenance and operating costs for regional laboratories. This funding also will allow the Agency to continue implementation of the President's EO 13514 in managing existing building systems to reduce consumption of energy, water, and materials.

- (+$2,968.0) This increase supports regional moves in Kansas City (Region 7) and San Francisco (Region 9). As part of the Agency's ongoing consolidation plans, EPA will look to enhance workplace flexibility in these regions through space reconfiguration and support the government telework initiative.

- (+$851.0) This reflects an increase in operations and maintenance costs at EPA owned regional laboratories.

Statutory Authority:

Federal Property and Administration Services Act; Public Building Act; Annual Appropriations Act; Robert T. Stafford Disaster Relief and Emergency Assistance Act; CWA; CAA; RCRA;

TSCA; NEPA; CERFA; D.C. Recycling Act of 1988; Energy Policy Act of 2005; Executive Orders 10577, 12598, 13150 and 13423; Emergency Support Functions (ESF) #10 Oil and Hazardous Materials Response Annex; Department of Justice United States Marshals Service, Vulnerability Assessment of Federal Facilities Report; Presidential Decision Directive 63 (Critical Infrastructure Protection).

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$85,541.1***	***$72,290.0***	***$78,817.0***	***$6,527.0***
Leaking Underground Storage Tanks	$1,093.7	$512.0	$509.0	($3.0)
Hazardous Substance Superfund	$30,349.3	$21,632.0	$24,066.0	$2,434.0
Total Budget Authority / Obligations	$116,984.1	$94,434.0	$103,392.0	$8,958.0
Total Workyears	544.0	536.9	540.7	3.8

Program Project Description:

Activities under the Central Planning, Budgeting and Finance program support the management of integrated planning, budgeting, financial management, performance and accountability processes, and systems to ensure effective stewardship of resources. This includes developing, managing, and supporting a goals-based management system consistent with the Government Performance and Results Modernization Act (GPRMA) for the Agency that involves strategic planning and accountability for environmental, fiscal, and managerial results; providing policy, systems, training, reports, and oversight essential for the financial operations of the EPA; managing the agencywide Working Capital Fund; providing financial payment and support services for the EPA through three finance centers, as well as specialized fiscal and accounting services for many EPA programs; and managing the Agency's annual budget process. Also included is the EPA’s Environmental Finance Program that provides grants to a network of university-based Environmental Finance Centers which deliver financial outreach services, such as technical assistance, training, expert advice, finance education, and full cost pricing analysis to states, local communities and small businesses.

FY 2013 Activities and Performance Plan:

The Agency will continue to provide high-quality resource stewardship to ensure that all Agency programs operate with fiscal responsibility and management integrity and are efficiently and consistently delivered nationwide and demonstrate results. This is accomplished through leadership in better understanding program results and promoting effectiveness.

In FY 2013, the Agency will be working to migrate Payroll Accounting/Time and Attendance services to the Department of the Interior’s National Business Center (NBC), a shared service provider, with final go-live expected in FY 2014. This effort is part of the Agency’s larger

initiative to implement the Human Resources Line of Business (HR LoB), which will ultimately automate and integrate the Agency's human resources, time/attendance and payroll information technology tools and reduce costs to the Agency. Work associated with the migration will involve the development of guidance and reporting tools, as well as modification to the Compass financial system, which was launched in October 2011. The project was selected as the next in the Agency's financial systems modernization effort, in line with the OMB financial systems sequencing guidance. It replaces the placeholder effort in the FY 2012 request (replacement formulation system) which will be implemented at a later date. This work will be framed by the Agency's Enterprise Architecture and will make use of enabling technologies for e-Gov initiatives.

In FY 2013, the EPA will continue to improve its transparency, accountability, and effectiveness of operations through improved coordination and integration of internal control assessments over financial activities as required under revised OMB Circular A-123 as well as controls over programmatic operations under the Federal Manager's Financial Integrity Act (FMFIA). Improvements in internal controls will further support the EPA's initiatives for improved financial performance. The EPA also will continue to ensure improved accessibility to data to support accountability, cost accounting, budget and performance integration, and management decision-making.

Since the implementation of the Improper Payments Information Act of 2002, the EPA has reviewed, sampled, and monitored its payments to protect against erroneous payments. The Agency is consistently well under the government-wide threshold of 2.5 percent, with an average error rate of less than one percent across all categories (grants, contracts, commodities, and the State Revolving Funds). For example, the EPA conducted statistical sampling of Clean Water and Drinking Water State Revolving Fund payments to ensure controls are in place for our largest grant programs. In FY 2013, the EPA will continue these activities to reduce the potential for improper payments pursuant to the Improper Payments Information Act of 2002, as amended by the Improper Payments Elimination and Recovery Act of 2010 (IPERA), (P.L. 111-204).

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program Project.

FY 2013 Change from FY 2012 Enacted (Dollars in Thousands):

- (+$2,378.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$1,616.0) This decrease reflects reductions to non-systems contracts, including training, A-123 reviews, and IT security risk assessments.

- (-$814.0/ -0.5 FTE) This reflects a reduction to the Environmental Finance Centers grant program which includes $64.0 in associated payroll for .5 FTE. In implementing this

reduction, EPA will restructure the environmental finance center grants to minimize the impact of this reduction on the services being provided by these centers.

- (+$2,501.0/ -5.9 FTE) This net change reflects the funding of a full year of maintenance for the Compass financial system (formerly known as FSMP) which became operational in October 2011. The change in resources includes a reduction of $762.0 to reflect IFMS maintenance costs eliminated by the introduction of the Compass system and $909.0 in associated payroll for 5.9 FTE. This reduction offsets the increase in contracting costs for Compass system maintenance for the full year and the necessary support for the interface with the HR LoB.

- (+$3,532.0/ +15.6 FTE) This increase supports Payroll Accounting/Time and Attendance costs associated with migration to the Department of the Interior's National Business Center (NBC), a shared service center provider, to implement the Human Resources Line of Business (HR LoB). This change in resources includes an internal redirection of 15.6 FTE from other systems and associated payroll increase of $2,153.0.

- (+$255.0) This increase reflects the mandatory payment to the DFAS for increased contract costs for agencywide payroll processing.

- (+$291.0/ -5.5 FTE) This change reflects the net effect of a reduction in planned enhancements to financial and budget reporting capabilities and postponement of the development of new reports essential to support core financial management duties and an increase related to realignments of smaller IT financial applications. This change also partially offsets the HR LoB requirements. Funding changes include $704.0 in associated payroll for the 5.5 FTE reduced.

Statutory Authority:

Annual Appropriations Act; CCA; CSA; E-Government Act of 2002; EFOIA; the EPA's Environmental Statutes, and the FGCAA; FAIR; Federal Acquisition Regulations, contract law and the EPA's Assistance Regulations (40 CFR Parts 30, 31, 35, 40,45,46, 47); FMFIA(1982); FOIA; GMRA(1994); IPIA; IPERA (2010); IGA of 1978 and Amendments of 1988; PRA; PR; CFOA (1990); GPRA (1993); GPRMA (2010); The Prompt Payment Act (1982); Title 5, USC; National Defense Authorization Act.

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$30,688.2***	***$33,175.0***	***$35,727.0***	***$2,552.0***
Leaking Underground Storage Tanks	$148.2	$163.0	$161.0	($2.0)
Hazardous Substance Superfund	$23,672.0	$24,111.0	$25,961.0	$1,850.0
Total Budget Authority / Obligations	$54,508.4	$57,449.0	$61,849.0	$4,400.0
Total Workyears	353.4	357.0	353.5	-3.5

Program Project Description:

Environmental Program and Management (EPM) resources in this program support contract/acquisition management activities at Headquarters, regional offices, Research Triangle Park, North Carolina, and Cincinnati, Ohio, facilities. Sound contract management fosters efficiency and effectiveness assisting all of the EPA's programs. The EPA focuses on maintaining a high level of integrity in the management of its procurement activities.

FY 2013 Activities and Performance Plan:

In FY 2013, between the Superfund and EPM accounts, at least $3 million in total acquisition management resources will be used by the EPA to train and develop its acquisition workforce, and to strengthen its contractor training program—two efforts that mirror the President's guidelines for civilian agencies in the *Acquisition Workforce Development Strategic Plan for FY 2010-2014*. Resources will support the recruitment, retention, and hiring of additional members of the acquisition workforce as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 401 et seq.). Acquisition management also will address information technology needs that support management and the acquisition workforce. In addition, the EPA will take the following steps to achieve acquisition savings efficiencies:

- Eliminate contracts that are similar to or redundant in scope, or are no longer necessary to achieve the Agency's programmatic needs;
- Eliminate contracts that may be combined with other Agency acquisitions to realize greater buying power via economies of scale; and
- Use government wide procurement sources where available to reduce the need for new contracts. To date, we have used this type of vehicle for office supplies and mail delivery.

As new government wide contracts become available, we will use them if they meet our requirements.

In FY 2013, the Agency will work to implement options for a Centers of Expertise for contracting. There are opportunities to consolidate duplicative functions and expertise to cost-optimize the Agency's contracting functions. During FY 2012, the Agency will develop a more tailored set of options and associated potential savings as well as concerns. Upon determining the appropriate structure for the Agency's Centers of Expertise, EPA will implement them in FY 2013.

In addition, the EPA will reinforce its contract oversight responsibilities through A-123 Entity Level Assessments, increased targeted oversight training for acquisition management personnel, and Simplified Acquisition Contracting Officer (SACO) reviews. These measures will further strengthen the EPA's acquisition management business processes and enhance contract oversight.

Performance Targets:

Measure	(009) Increase in number and percentage of certified acquisition staff (1102)								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							335 / 80	335 / 80	Number/ Percent
Actual									

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$668.0) This increase is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$942.0) This increase funds licenses for the EPA Acquisition System (EAS). As the number of EAS users in the Agency has increased it has become necessary to procure more licenses. The agencywide user-base maximizes the streamlining, internal control and efficiency gains provided by the system. There is an additional $979.0 in Superfund to fund the licenses.

- (+$942.0) This increase reflects funds needed for a Center of Expertise (COE) for Acquisition Management. EPA's FY 2012 study will identify opportunities to realign the Agency's contracting functions into a COE for Acquisition Management. Costs to implement the COE for Acquisition Management may include permanent moves, space build-out, technology needs, travel, training, and other set-up costs. There is an additional $979.0 in Superfund to fund COE activities.

Statutory Authority:

EPA's Environmental Statutes; annual Appropriations Acts; FAR. Office of Federal Procurement Policy Act, as amended (41 U.S.C. 401 et seq.).

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$26,770.6***	***$24,002.0***	***$25,910.0***	***$1,908.0***
Hazardous Substance Superfund	$3,322.3	$3,128.0	$3,174.0	$46.0
Total Budget Authority / Obligations	$30,092.9	$27,130.0	$29,084.0	$1,954.0
Total Workyears	186.1	174.9	176.0	1.1

Program Project Description:

Grants and Interagency Agreements comprise over half of the Agency's budget. Environmental Program and Management (EPM) resources in this program support activities related to the management of Financial Assistance Grants/Interagency Agreements (IA), and to suspension and debarment at Headquarters and within Regional offices. The key components of this program are ensuring that the EPA's management of grants and IAs meet the highest fiduciary standards, and that grant funding produces measurable environmental results. This program focuses on maintaining a high level of integrity in the management of the EPA's assistance agreements, and fostering relationships with state, local and tribal governments to support the implementation of environmental programs.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will maintain focus on key objectives under its FY 2009-2013 Grants Management Plan. These objectives include strengthening accountability, ensuring competition, achieving positive and measurable environmental outcomes, implementing a comprehensive post-award monitoring program and promoting standardization and streamlining.[83] The Grants Management Plan provides a framework for extensive improvements in grants management at the technical administrative level, programmatic oversight level and at the executive decision-making level of the Agency.

The EPA will continue to reform grants management by conducting on-site and pre-award reviews of grant recipients and applicants, improving systems support, performing indirect cost rate and unliquidated obligation reviews, providing tribal technical assistance and implementing its agency-wide training program for project officers, grant specialists, and managers. This will

[83] US EPA, *EPA Grants Management Plan.* EPA-216-K-08-001, October 2008, http://www.epa.gov/ogd/EO/finalreport.pdf.

also include reforms to policy, oversight and business processes to make the most efficient use of available resources.

Also, to continue strengthening grants management, the EPA, working with the states, has issued a new policy that replaces the State Grant Performance Measures Template. The policy is intended to 1) enhance accountability for achieving grant performance objectives; 2) ensure that state grants are aligned with the Agency's Strategic Plan; and 3) provide for more consistent performance reporting. To achieve those objectives, the policy requires that state categorical grant work-plans and associated progress reports prominently display three essential elements: the EPA Strategic Plan Goal; the EPA Strategic Plan Objective; and work-plan commitments plus time frame. Regional offices and states will begin to transition to the new policy in FY 2012 with the goal of 100 percent compliance for all grants awarded on or after October 1, 2012.

The EPA is also working with the states to improve the timeliness of state grant awards and the management of unliquidated obligations. This effort will identify reforms to expedite/streamline the grant award process and accelerate grantee outlays. The agency will have a policy in place effective October 1, 2012 to address these issues.

The EPA plans to delay its participation in the Grant Management Line of Business (GMLoB) initiative until FY 2014 and continue using its legacy system, the Integrated Grants Management System (IGMS) to allow time for the development of a system more suited to the Agency's needs. EPA completed Fit Gap analyses of the Health and Human Services GMLoB system, Grants Solutions, and the Prism Grants product. Significant gaps were identified between EPA business processes and these systems. The Agency is conducting a business transformation effort to streamline grants business processes in FY 2012 and FY 2013 and will evaluate shared agency alternatives available in the FY 2014-2015 timeframe, prior to selecting a GMLoB system. Once a more suitable option arises and business process streamlining efforts are completed, the Agency will migrate to the most cost-effective alternative.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$447.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$136.0 / +1.1 FTE) This increase reflects current utilization rates while taking into consideration FY 2013 programmatic priorities for grants management. The reduced level for grants management in FY 2012 impacted the Agency's efforts to provide adequate tribal technical assistance. The 1.1 FTE and associated payroll of $136.0 will assist the Agency in providing this additional support to tribes.

- (+$1,373.0) This change reflects an increase in operations and maintenance contract expenses for the Integrated Grants Management System during the time that EPA delays participating in the GMLoB in order to find a more suitable and cost effective IT system which will support the streamlining of the Agency's business processes.

- (-$48.0) This change reflects a decrease in requested contributions for the Grants.gov E-Government initiative.

Statutory Authority:
EPA's Environmental Statutes; Annual Appropriations Acts; Federal Grant and Cooperative Agreement Act; Title 2 Code of Federal Regulations; Title 40 Code of Federal Regulations, Parts 30, 31, 35, 40, 45, 46, and 47; American Recovery and Reinvestment Act of 2009.

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$46,839.9***	***$37,839.0***	***$39,428.0***	***$1,589.0***
Hazardous Substance Superfund	$8,924.4	$6,346.0	$7,558.0	$1,212.0
Total Budget Authority / Obligations	$55,764.3	$44,185.0	$46,986.0	$2,801.0
Total Workyears	295.0	275.3	249.5	-25.8

Program Project Description:

Environmental Programs and Management (EPM) resources for the Human Resources Management program support activities that influence the broad spectrum of human capital and human resources management services throughout the Agency. As requirements and initiatives change, the Agency continually evaluates and improves human resource functions in outreach, recruitment, hiring, developing and nourishing the workforce to increase management and employee satisfaction, and to help the Agency achieve its mission.

FY 2013 Activities and Performance Plan:

In FY 2013, the Agency will continue to focus on implementing the Administration's comprehensive hiring reform in the Federal government. Over the past year, the federal human resources community has placed significant focus on implementing Executive Memorandum "*Improving the Federal Recruitment and Hiring Process.*" Executive departments and agencies were required to "overhaul the way they recruit and hire our civilian workforce." In addition, managers and supervisors must assume leadership roles in recruiting and selecting highly-qualified employees from all segments of society and will be held accountable for these responsibilities. The key facets of hiring reform are: to ease the hiring process while raising the bar on candidate quality; to increase engagement of agency leaders in the recruitment and selection process and to monitor agency efforts to increase the speed and quality of hiring.

In FY 2013, the Agency will continue to focus on the following initiatives: utilizing data to drive business decisions and process; streamlining the recruitment process; transitioning from a manual process to an automated process to reduce hiring time; institutionalizing workforce planning and incorporating it in the Agency's budget communications; increasing management involvement and manager accountability with performance standards; automating the Senior

Executive Service (SES) hiring process; and, developing a new three year Accountability Plan that addresses the Agency's audit schedule through FY 2014.

In addition, the Agency uses a system of Shared Service Centers (SSCs) to handle all non-SES human resources transactional functions for the EPA's 17,000 plus employees. The SSCs continue to track timeliness and monitor the quality of customer service, through formal and informal processes.

In FY 2013, the EPA will continue efforts to improve the quality of work life for employees as part of our One Great Place to Work initiative. The Agency is committed to fostering a work environment that nurtures and advances the talents, drive and interests of all employees. This initiative is built around three principal areas: supportive work environment, professional development, and benefits and amenities. A major component of EPA's One Great Place to Work initiative is the development of an enhanced telework policy that would allow employees to work outside of the office a majority of their duty time. Focusing on appropriate telework eligibility selection criteria, collaboration tools, training, and clearly defined performance expectations will help improve the employee work/life balance. The Agency will continue to utilize our One EPA. One Great Place to Work intranet site to announce new plans and activities, and publicize programs that help employees develop their careers, enjoy their work environment, balance work and personal demands, and lead healthier lives.

In addition, the EPA will continue to streamline human resources management by employing the E-Government initiative and the Human Resources Line of Business (HR LoB) program. HR LoB offers government-wide, cost effective, and standardized HR solutions while providing core functionality to support the strategic management of human capital. In May 2011, an agreement between the EPA and the Department of Interior (DOI)'s National Business Center (NBC) for HR and payroll was signed to begin preliminary planning and pre-migration activities to align the Agency with NBC systems. The Agency has made significant progress in establishing required documentation for a secure method of transferring files to and from the EPA and NBC and critical support for managing the migration efforts for both systems once in place. Migration to NBC's system is presently scheduled for the third quarter 2014.

Performance Targets:

Measure	**(007) Percent of GS employees (DEU) hired within 80 calendar days.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target						15	20	20	Percent
Actual						18			

Measure	**(008) Percent of GS employees (all hires) hired within 80 calendar days**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target						23	25	25	Percent
Actual						21			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$686.0/-23.6 FTE) This increase represents a net change in the recalculation of base workforce costs and a cost of living adjustment for existing FTE and results from FTE change in eliminating centralized resource for Environmental Careers Intern Program. This Program will continue to operate with the dedication and management of existing resources from participating EPA programs.

- (-$100.0/ -0.9 FTE) This change reflects a redirection of FTE from Human Resource management services to Grants Management to support the Agency's ability to continue to provide tribal technical assistance.

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- (+$7.0) This reflects an increase in workers compensation.

- (+$50.0) This reflects an increase in resources for the EPA's childcare subsidy to reflect expected demand.

- (+$101.0) This change increases resources for the EPA's Sign Language program.

- (+$585.0) This increase reflects fees the Agency must pay to DOI for EPA to transition its HR and payroll services to align with the NBC systems.

- (+$260.0) This change reflects funding required for EPA to continue processing HR actions using the People-Plus system while the Agency works to migrate to the DOI's NBC system.

Statutory Authority:

Title V United States Code.

Program Area: Pesticides Licensing

Pesticides: Protect Human Health from Pesticide Risk
Program Area: Pesticides Licensing
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$61,686.0***	***$58,208.0***	***$58,971.0***	***$763.0***
Science & Technology	$4,118.8	$3,757.0	$3,919.0	$162.0
Total Budget Authority / Obligations	$65,804.8	$61,965.0	$62,890.0	$925.0
Total Workyears	458.5	447.2	443.2	-4.0

Program Project Description:

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), section 3(c)(5), states that the Administrator shall register a pesticide if it is determined that, when used in accordance with labeling and common practices, the product "will not generally cause unreasonable adverse effects on the environment." FIFRA defines "unreasonable adverse effects on the environment" as "any unreasonable risk to man or the environment."[84]

The EPA's Pesticides Program screens new pesticides before they reach the market and ensures that pesticides already in commerce are safe when used in accordance with the label. As directed by FIFRA, the Federal Food, Drug, and Cosmetic Act (FFDCA), and the Food Quality Protection Act (FQPA) of 1996 as well as the Pesticide Registration Improvement Renewal Act (PRIRA) that amended FIFRA and FFDCA, the EPA is responsible for registering and re-evaluating pesticides to protect consumers, pesticide users, workers who may be exposed to pesticides, children, and other sensitive populations. To comply with statutory mandates, the EPA must conduct risk assessments using the latest scientific methods to determine the risks that pesticides pose to human health, as well as plants, animals, and ecosystems which are not the targets of the pesticide. The risk assessments are peer reviewed and regulatory decisions are posted for review and comment to ensure that these actions are transparent and stakeholders, including at-risk populations, are engaged in decisions affecting their health and environment.[85] As part of the regulatory process, the Agency must establish tolerances for the maximum allowable pesticide residues on food and feed. In setting these food tolerances, EPA must balance the risks and benefits of using the pesticide, consider cumulative and aggregate risks, and ensure the protection of vulnerable, at risk populations including children and tribes.

The EPA began promoting reduced risk pesticides in 1993 by giving registration priority to pesticides that have lower toxicity to humans and non-target organisms such as birds, fish, and plants; low potential for contaminating groundwater; lower use rates; low pest resistance

[84] Federal Insecticide, Fungicide and Rodenticide Act, as amended. January 23, 2004. Section 3(a), Requirement of Registration (7 U.S.C. 136a). Available online at http://www.epa.gov/opp00001/regulating/laws.htm.
[85] The public can see what dockets are currently opened and provide comments at http://www.epa.gov/pesticides/.

potential; and compatibility with Integrated Pest Management (IPM).[86] Several countries and international organizations also have instituted programs to facilitate registering reduced risk pesticides. The EPA works with the international scientific community and the Organization for Economic Cooperation and Development (OECD) member countries to register new reduced-risk pesticides and establish related tolerances (maximum residue limits). Through these efforts, the EPA can help reduce risks to Americans from foods imported from other countries.

The Agency's regional offices provide frontline risk management that ensures the decisions made during EPA's registration and reevaluation processes are implemented in pesticide use. For example, millions of America's workers are exposed to pesticides in occupations such as agriculture, lawn care, health care, food preparation, and landscape maintenance. Each year, the risk assessments that the EPA conducts yield extensive risk-management requirements for hundreds of pesticides and uses. The EPA works to reduce the number and severity of pesticide exposure incidents by promulgating regulations under the Worker Protection Standard, training and certifying pesticide applicators, assessing and managing risks, and developing effective communication, environmental outreach, and training programs.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will review and register new pesticides, new uses for existing pesticides, and other registration requests in accordance with statutory requirements. To further advance the EPA's cross cutting strategy of working for environmental justice and children's health, the EPA will process these registration requests with special consideration given to susceptible populations, especially children. Specifically, the EPA will focus on the foods commonly eaten by children in order to reduce pesticide exposure to children where the science identifies potential concerns. Pesticide registration actions focus on the evaluation of pesticide products before they enter the market.[87] EPA will review pesticide data and implement use restrictions and instructions needed to ensure that pesticides used according to label directions will not result in unreasonable risk. During its pre-market review, EPA will consider human health and environmental concerns as well as the pesticide's potential benefits.

During FY 2013, the EPA will continue to implement registration review of existing pesticides and develop work plans for pesticides entering the review pipeline. The goal of the registration review process is to review pesticide registrations every fifteen years to ensure that pesticides already in the marketplace meet the most current scientific standards and address concerns identified after the original registration.[88] EPA will rely less on contract support to perform risk assessments as the Agency continues to more efficiently operate within these activities using existing FTE. The statute requires that we periodically review pesticides currently on the market. The first round of these reviews is due in FY 2022. Implementation of the program, as mandated

[86] See U.S. Environmental Protection Agency, Pesticides: Health and Safety, Reducing Pesticide Risk internet site: http://www.epa.gov/pesticides/health/reducing.htm.
[87] See U.S. Environmental Protection Agency, Pesticides: Topical & Chemical Fact Sheets, Pesticide Registration Program Internet site: http://www.epa.gov/pesticides/factsheets/registration.htm.
[88] See U.S. Environmental Protection Agency, Pesticide Tolerance Reassessment and Reregistration Internet site: http://www.epa.gov/oppsrrd1/reregistration/index.htm review.

by statute, supports the EPA's priorities including assuring the safety of chemicals and protecting America's waters.

Reregistration Eligibility Decisions (REDs) reflect necessary changes brought to light during the reregistration process. As part of RED implementation**,** the EPA will continue to address activities vital to effective "real world" risk reduction. These activities include reviewing product label amendments that incorporate the mitigation measures from the REDs; publishing proposed and final product cancellations; promoting partnerships which provide fast/effective risk reduction; and approving product reregistrations. On a priority basis, the Agency also will complete certain proposed and final tolerance rulemakings to implement the changes in tolerances and tolerance revocations required in the REDs. The end result of these activities is protecting human health by implementing statutes and taking regulatory actions to ensure pesticides continue to be available and safe when used in accordance with the label.

In FY 2013, the Agency will continue to work towards our commitment in environmental justice and protection of children's health. The EPA will continue to provide locally-based technical assistance and guidance by partnering with states and tribes on implementation of pesticide decisions. Technical assistance support and outreach including workshops, demonstration projects, briefings, and informational meetings in areas including pesticide safety training and use of lower risk pesticides will continue at a slower pace, due to the shift of resources to other priorities, such as regulatory work. The EPA will leverage expertise from other program offices to create new pesticide safety and lower risk pesticides resources as well as create enhanced mechanisms to ensure their use.

In keeping with the EPA's priority of expanding the conversation on the environment, the Agency will continue to engage the public, the scientific community, and other stakeholders in its policy development and implementation. This will encourage a reasonable transition for farmers and others from the older, potentially more hazardous pesticides, to the newer pesticides that have been registered using the latest available scientific information. To address the fiscal climate in FY 2013, EPA has made the strategic decision to incrementally reduce support for several outreach activities and to focus limited resources on other core activities specifically those activities associated with registration and registration review. Some of the outreach activities affected include stewardship activities such as IPM, incident reporting and analysis support and training, including certification of applicators. The Agency will continue to review and update, as appropriate, the pesticide review and use policies to ensure compliance with the latest scientific methods keeping true to its commitment of advancing science, research, and technological innovation. The EPA will continue to emphasize the registration of reduced risk pesticides, including biopesticides, in order to provide farmers and other pesticide users with new alternatives. In FY 2013, the Agency, in collaboration with the United States Department of Agriculture (USDA), will work to ensure that minor use registrations receive appropriate support. The EPA also will ensure that needs are met for reduced risk pesticides for minor use crops. EPA will assist farmers and other pesticide users in learning about new, safer products and methods of using existing products through workshops, demonstrations, small grants, and materials available on the web site and in print.

As the Agency continues efforts to better leverage partner capacity, EPA will continue to engage states, tribes, and the private sector, encouraging them to assume a bigger role in implementing regulatory decisions. The EPA will continue support for implementation and enforcement of pesticide specific rules and decisions made. Additionally, the EPA will initiate efforts towards establishing a self-monitoring and/or self-certification process and self-reporting requirements for components of its regulatory programs.

Performance Targets:

Measure	(091) Percent of decisions completed on time (on or before PRIA or negotiated due date).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					99	99	99	99	Percent
Actual					99.7	98.4			

Measure	(143) Percentage of agricultural acres treated with reduced-risk pesticides.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	17	18	18.5	20	21	21	22	22.5	Percent
Actual	18	20	21	21.5	21	Data Avail 10/2012			

Measure	(012) Percent reduction of children's exposure to rodenticides.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target						10	5	5	Percent
Actual						0			

Measure	(J11) Reduction in moderate to severe exposure incidents associated with organophosphates and carbamate insecticides in the general population.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							10	15	Percent
Actual									

Measure	(J15) Reduction in concentration of targeted pesticide analytes in children.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							50,50	No Target Established	Percent
Actual									

Work under this program supports multiple performance objectives. Some of this program's performance measures are program outputs, which represent statutory requirements to ensure that pesticides entering the marketplace are safe for human health and the environment and when used in accordance with the packaging label present a reasonable certainty of no harm. While program outputs are not the optimal measures of risk reduction, they do provide a means for realizing benefits in that the program's safety review prevents dangerous pesticides from entering the marketplace.

In FY 2013, the EPA will continue the implementation of FIFRA, FFDCA, PRIRA, FQPA and ESA, in fulfilling the Agency's commitments to protect human health and the environment

through our regulatory programs. In order to provide better accountability, the Agency will track these areas through the measures indicated above.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$989.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$14.0/+0.1 FTE) This increase reflects additional resources for pesticides licensing. This program provides protection to human health from potential pesticide risk by ensuring that when a pesticide is used according to the label, it will result in "no unreasonable adverse effects" on human health. Some of the work performed in this program includes efforts which conduct regulatory programs as mandated by statute. Risk assessments and risk management related to human health effects, tolerance evaluation and tolerance setting for food use pesticides are a large part of this effort. The additional resources include 0.1 FTE and associated payroll of $14.0.

- (-$1,240.0) This decrease affects the pesticides stewardship implementation activities. Impacts will be reduced outreach and training efforts for growers, pesticide applicators and workers, as well as negatively affect the effective adoption of risk mitigation measures.

- (+$1,000.0) This increase provides resources to integrate environmental outreach activities through an intra-agency workgroup, disseminate information to the public and increase transparency about pesticide safety and the use of lower risk pesticides. These resources will be available to educate the public, specifically teachers, informal educators and parents. These environmental outreach activities will support EPA's core mission to expand the conversation on environmentalism.

Statutory Authority:

Pesticide Registration Improvement Renewal Act (PRIRA);[89] Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), Federal Food, Drug, and Cosmetic Act (FFDCA), §408 and 409, Food Quality Protection Act (FQPA); and Endangered Species Act (ESA).

[89] Pesticides Registration Improvement Renewal Act (PRIRA) expires at the end of FY2012, contingent on PRIRA being reauthorized prior to FY 2013, the Agency expects to continue the collection of Maintenance Fees for review of existing pesticide registrations, as well as the collection of Enhanced Registration Service Fees for the accelerated review of new pesticide registration applications in 2013.

Pesticides: Protect the Environment from Pesticide Risk

Program Area: Pesticides Licensing
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$41,265.6***	***$37,854.0***	***$37,960.0***	***$106.0***
Science & Technology	$1,995.2	$2,289.0	$2,604.0	$315.0
Total Budget Authority / Obligations	$43,260.8	$40,143.0	$40,564.0	$421.0
Total Workyears	318.4	287.6	284.1	-3.5

Program Project Description:

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), section 3(c)(5), states that the Administrator shall register a pesticide if it is determined that, when used in accordance with labeling and common practices, the product "will not generally cause unreasonable adverse effects on the environment." FIFRA defines "unreasonable adverse effects on the environment" as "any unreasonable risk to man or the environment, taking into account the economic, social, and environmental costs and benefits of the use of any pesticide."[90]

In complying with FIFRA, the EPA must conduct risk assessments using the latest scientific methods to determine the risks that pesticides pose to human health and ecological effects on plants, animals, and ecosystems that are not the targets of the pesticide. The Agency's regulatory decisions are posted for review and comment to ensure that these actions are transparent and that stakeholders, including at risk populations, are engaged in decisions which affect their environment. Under FIFRA, the EPA must determine that a pesticide will not cause unreasonable adverse effects on the environment. For food uses of pesticides, this standard requires the EPA to determine that food residues of the pesticide are "safe." For other risk concerns, the EPA must balance the risks of the pesticides with benefits provided from the use of a product. To ensure unreasonable risks are avoided, the EPA may impose risk mitigation measures such as modifying use rates or application methods, restricting uses, or denying uses. In some regulatory decisions, the EPA may determine that uncertainties in the risk determination need to be reduced and may subsequently require monitoring of environmental conditions, such as effects on water sources or the development and submission of additional laboratory or field study data by the pesticide registrant.

In addition to FIFRA responsibilities, the Agency has responsibilities under the Endangered Species Act (ESA).[91] Under ESA, the EPA must ensure that pesticide regulatory decisions will

[90] Federal Insecticide, Fungicide and Rodenticide Act, as amended. January 23, 2004. Section 3(a), Requirement of Registration (7 U.S.C. 136a). Available online at http://www.epa.gov/opp00001/regulating/laws.htm.
[91] The Endangered Species Act of 1973 sections 7(a)1 and 7 (a)2; Federal Agency Actions and Consultations, as amended (16 U.S.C. 1536(a)). Available at U.S. Fish and Wildlife Service, Endangered Species Act of 1973 internet site: http://www.fws.gov/endangered/laws-policies/section-7.html

not destroy or adversely modify designated critical habitat or result in likely jeopardy to the continued existence of species listed by the U.S. Fish and Wildlife Service (FWS) or National Marine Fisheries Service (NMFS) as threatened or endangered. Given approximately 600 active ingredients in more than 19,000 products—many of which have multiple uses—and approximately 1,200 listed species with diverse biological attributes, habitat requirements, and geographic range, this presents a great challenge. Where risks are identified, the EPA must work with FWS and NMFS in a consultation process to ensure these pesticide registrations will meet the ESA standard. The EPA has instituted processes for consideration of endangered species issues. In FY 2013, the Agency will continue to work towards improving compliance with ESA.

A committee of the National Academy of Sciences (NAS) National Research Council (NRC) is currently examining scientific and technical issues related to the methods and assumptions used by EPA, the FWS, and the NMFS to carry out their joint responsibilities under ESA and FIFRA. In its deliberations, the NRC will focus on the scientific and technical methods and approaches the agencies use in determining risks to endangered and threatened species associated with the use of pesticides. The range of scientific issues considered by the NAS Committee will include identifying best available scientific data and information; considering sub-lethal, indirect, and cumulative effects; assessing the effects of chemical mixtures and inert ingredients; the use of models to assist in analyzing the effects of pesticide use; incorporating uncertainties into the evaluations effectively; and the use of geospatial information and datasets that can be employed by the agencies in the course of these assessments.

FY 2013 Activities and Performance Plan:

Reduced concentrations of pesticides in water sources are an indication of the efficacy of EPA's risk assessment, management, mitigation, and communication activities. Using sampling data collected under the U.S. Geological Survey (USGS) National Water Quality Assessment (NWQA) program for urban watersheds, the EPA will continue to monitor the impact of our regulatory decisions for three chemicals of concern—diazinon, chlorpyrifos, and carbaryl. In agricultural watersheds, the program will monitor the impact of our regulatory decisions on azinphos-methyl and chloropyrifos, and consider whether any additional action is necessary.[92] In FY 2013, the Agency will continue to work with USGS to develop sampling plans and refine program goals.

To measure program effectiveness, the EPA tracks reductions of concentrations for these four organophosphate insecticides that most consistently exceeded the EPA's levels of concerns for aquatic ecosystems during the last ten years of monitoring by the USGS NWQA program. Registration review decisions and associated Reregistration Eligibility Decision (RED) implementation for these four compounds will result in lower use rates and the elimination of certain uses that will directly contribute to reduced concentrations of these materials in the nation's waters. While review of pesticides currently in the marketplace and implementation of the decisions made as a result of these reviews are a necessary aspect of meeting the EPA's goals, they are not sufficient. Attainment of the goal to reduce risks would be significantly

[92]Gilliom, R.J., et al. 2006. *The Quality of Our Nation's Waters: Pesticides in the Nation's Streams and Ground Water, 1992–2001*. Reston, Virginia: U.S. Geological Survey Circular 1291, p 171. Available on the Internet at: http://pubs.usgs.gov/circ/2005/1291/.

hampered without the availability of alternative products to these pesticides for the consumer. Consequently, the success of the Registration program in ensuring lower risk and the availability of effective alternative products plays a large role in meeting the environmental outcome of improved ecosystem protection. Various outreach and communications activities including workshops, demonstrations, grants, printed materials, and the internet, will be scaled down to focus on core activities and to accommodate regulatory priorities. The EPA will continue to assist pesticide users in learning about new, safer products and methods of using existing products at a slower pace.

The EPA will continue to emphasize protection of threatened or endangered species from pesticide use, while minimizing regulatory burdens on pesticide users. The EPA will use sound science and best available data to assess the potential risk of pesticide exposure to federally listed threatened or endangered species and will work with partners and stakeholders to improve complementary information and databases. As pesticides are reviewed throughout the course of the registration review cycle, databases that describe the location and characteristics of species, pesticides, and crops will be refined continuously with new information to help ensure consistent and efficient consideration of potential risks to listed species.

Relying less on contractual support by leveraging internal resources in exposure assessments, the Agency will continue to implement its statutory mandates for registration review. Additionally, during registration review, the EPA will support obtaining risk mitigation earlier in the process by encouraging registrants to agree to changes in uses and applications of a pesticide beneficial to protecting endangered species prior to the EPA completing consultation with the Services.

The EPA will continue to implement use limitations through appropriate label statements, referring pesticide users to EPA-developed Endangered Species Protection Bulletins, which are available on the Internet via *Bulletins Live!*[93] These bulletins will, as appropriate, contain maps of pesticide use limitation areas necessary to ensure protection of listed species and, therefore, EPA's compliance with the ESA. Any such limitations on a pesticide's use will be enforceable under the misuse provisions of FIFRA. Bulletins are a critical mechanism for ensuring protection of listed species from pesticide applications while minimizing the burden on agriculture and other pesticide users by limiting pesticide use in the smallest geographic area necessary to protect the species. In FY 2013, the EPA will continue revising *Bulletins Live!* to provide a more interactive and more geographically discrete platform for pesticide users to understand the use limitations necessary to protect endangered or threatened species.

The Agency will continue to provide technical support for compliance with the requirements of the ESA. In FY 2013, within available resources, the EPA will continue the integration of state-of-the-science models, knowledge bases, and analytic processes to increase productivity and better address the challenge of potential risks of specific pesticides to specific species. Interconnection of the various databases within the program office will provide improved support to the risk assessment process during registration review by allowing risk assessors to more easily analyze complex scenarios relative to endangered species.

[93] http://www.epa.gov/espp/bulletins.htm

The EPA will continue to ensure that pesticides already in the marketplace meet the latest safety standards by conducting risk assessments and issuing regulatory decisions to mitigate risk to human health and the environment. In FY 2013, pesticides beginning registration review are expected to require comprehensive environmental assessments, including determining potential endangered species impacts resulting in an expanded workload due to the necessity of issuing data call-ins (DCIs) and conducting additional environmental assessments for pesticides already in the review pipeline.

Performance Targets:

Measure	(011) Number of Product Reregistration Decisions								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target		545	1,075	2,000	1,500	1,500	1,200	1,200	Decisions
Actual		962	1,194	1,482	1,712	1,218			

Measure	(164) Number of pesticide registration review dockets opened.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					70	70	70	72	Dockets
Actual					75	81			

Measure	(230) Number of pesticide registration review final work plans completed.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					70	70	70	72	Work Plans
Actual					70	75			

Measure	(276) Percent of registration review chemicals with identified endangered species concerns, for which EPA obtains any mitigation of risk prior to consultation with DOC and DOI.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							5	5	Percent
Actual									

Measure	(268) Percent of urban watersheds that do not exceed EPA aquatic life benchmarks for three key pesticides of concern (diazinon, chlorpyrifos and carbaryl).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target			25, 25, 30	No Target Established	5, 0, 20	No Target Established	5, 0, 10	No Target Established	Percent
Actual			40, 0, 30	Biennial	6.7, 0, 33	Biennial			

Measure	(269) Percent of agricultural watersheds that do not exceed EPA aquatic life benchmarks for two key pesticides of concern (azinphos-methyl and chlorpyrifos).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					0, 10	No Target Establis hed	0, 10	No Target Established	Percent
Actual					0, 8	Biennial			

Some of the measures for this program are program outputs which measure progress towards meeting the program's statutory requirements. This is to ensure that pesticides entering the marketplace are safe for human health and the environment, and when used in accordance with the packaging label, ensure a reasonable certainty of no harm. While program outputs are not the best measures of risk reduction, they do provide a means for reducing risk, in that the program's safety reviews prevent dangerous pesticides from entering the marketplace.

In FY 2013, the EPA will continue the implementation of FIFRA, FFDCA, ESA, and the Pesticide Registration Improvement Renewal Act (PRIRA)[94] in the exercise of the Agency's responsibilities for the registration and the review activities. As part of EPA's efforts to improve accountability, the Agency will track these areas through the measures above.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$488.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$392.0/-2.8 FTE) This decrease affects the environmental stewardship implementation activities and will incrementally reduce outreach and training efforts for growers, pesticide applicators and workers, as well as impact effective adoption of risk mitigation efforts. The reduced resources include 2.8 FTE and associated payroll of $392.0.

- (+$10.0) This reflects an increase for general expenses and other program support costs.

Statutory Authority:

Pesticide Registration Improvement Renewal Act (PRIRA); Endangered Species Act (ESA); Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); Toxic Substances Control Act (TSCA); Food Quality Protection Act (FQPA); Federal Food, Drug, and Cosmetic Act (FFDCA).

[94] The Pesticides Registration Improvement Renewal Act (PRIRA) expires at the end of FY12, contingent on PRIRA being reauthorized prior to FY 2013, the Agency expects to continue the collection of Maintenance Fees for review of existing pesticide registrations, as well as the collection of Enhanced Registration Service Fees for the accelerated review of new pesticide registration applications in 2013.

Pesticides: Realize the Value of Pesticide Availability
Program Area: Pesticides Licensing

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$13,065.8***	***$12,532.0***	***$12,306.0***	***($226.0)***
Science & Technology	$522.8	$517.0	$575.0	$58.0
Total Budget Authority / Obligations	$13,588.6	$13,049.0	$12,881.0	($168.0)
Total Workyears	97.7	87.0	86.5	-0.5

Program Project Description:

Within the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the definition of "unreasonable adverse effects on the environment" expands upon the concept of protecting against unreasonable risks to man or the environment, by adding "taking into account the economic, social, and environmental costs and benefits of the use of any pesticide."[95]

Through ongoing education and research in environmentally sound pest remediation methods, the program ensures that effective and safe pesticides are available for regular use and for emergency situations. Examples of actions that lead to societal benefits are exemptions granted under FIFRA Section 18. For example, in the event of an emergency, such as a severe pest infestation, FIFRA Section 18 provides the EPA the authority to temporarily exempt certain pesticide uses from registration requirements. Under Section 18, the EPA must ensure that, under the very limiting provisions of the exemption, such emergency uses will not present an unreasonable risk to the environment.

FIFRA clearly recognizes that there will be societal benefits beyond protection of human health and the environment from the pesticide registration process. Section 3 of FIFRA authorizes EPA to register products that are identical or substantially similar to already registered products. The entry of these new products, also known as "generics," into the market can cause price reductions resulting from new competition and broader access to products. These price declines generate competition that provides benefits to farmers and consumers.

[95] Federal Insecticide, Fungicide and Rodenticide Act, as amended. January 23, 2004. Section 3(a), Requirement of Registration (7 U.S.C. 136a). Available online at http://www.epa.gov/opp00001/regulating/laws.htm

The Pesticide Environmental Stewardship Program (PESP) continues to encourage the implementation of Integrated Pest Management (IPM) through emphasis on minimizing the use of broad spectrum chemicals and on maximizing the use of sanitation, biological controls, and selective methods of application.[96] The Agency will continue these efforts, including development and dissemination of brochures, education on potential benefits of IPM implementation, and outreach on successes of IPM to encourage its use.

FY 2013 Activities and Performance Plan:

The EPA's statutory and regulatory functions for the pesticides program include registration, product reregistration, registration review implementation, risk reduction implementation, rulemaking and program management. During FY 2013, the EPA will review and register new pesticides, new uses for existing pesticides, and other registration requests in accordance with FIFRA and the Federal Food, Drug, and Cosmetic Act (FFDCA) standards as well as Pesticide Registration Improvement Renewal Act (PRIRA) timeframes.[97] Many of these actions will be for reduced-risk pesticides which, once registered and used by consumers, will increase benefits to society. Working together with the affected user communities, through PESP, IPM, and related activities, the Agency plans to accelerate the adoption of these lower-risk products.

In FY 2013, the EPA will continue to support the IPM efforts in agriculture to enhance a healthy environment. The Agency will continue to implement IPM activities that address a wide range of agricultural risk issues in food safety and reduce exposure to pesticide drift in communities. By leveraging partnerships with states and tribes, the EPA will continue to support implementation of IPM related activities. The Agency will engage partners in the development of tools and informational brochures to promote IPM efforts and to provide guidance to schools, farmers, other partners, and stakeholders.

Similarly, the Agency will continue its work sharing efforts with its international partners. Through these collaborative activities and resulting international registrations, international trade barriers will be reduced, enabling domestic users to more readily adopt these newer pesticides into their crop protection programs and reduce the costs of registration through work sharing.

The Section 18 Program provides exemptions to growers for use of pesticides that are not registered for their crops during emergency situations. In FY 2013, the Agency will continue to process incoming requests for emergency exemptions. The economic benefit of the Section 18 Program to growers is the avoidance of potential losses incurred in the absence of pesticides exempted under FIFRA's emergency exemption provisions.

The EPA will continue to conduct pre-market evaluations of efficacy data for public health claims and ensure that the products will work for their intended purposes. Through the

[96] http://www.epa.gov/pesticides/ipm/

[97] The Pesticides Registration Improvement Renewal Act (PRIRA) expires at the end of FY12, contingent on PRIRA being reauthorized prior to FY 2013, the Agency expects to continue the collection of Maintenance Fees for review of existing pesticide registrations, as well as the collection of Enhanced Registration Service Fees for the accelerated review of new pesticide registration applications in 2013.

Antimicrobial Testing Program, the Agency will continue to conduct post-market surveillance to monitor the efficacy of hospital disinfectants.

Performance Targets:

Measure	(240) Maintain timeliness of Section 18 Emergency Exemption Decisions								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	45	45	45	45	45	45	45	45	Days
Actual	48	36.60	34	40	50	52			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$310.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$536.0/-0.6 FTE) This decrease affects the environmental stewardship implementation activities and will incrementally reduce outreach and training efforts for growers, pesticide applicators and workers, and may impact the adoption of risk mitigation measures. The reduced resources include 0.6 FTE and associated payroll of $82.0.

Statutory Authority:

Pesticide Registration Improvement Renewal Act (PRIRA); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended; Federal Food, Drug, and Cosmetic Act (FFDCA) as amended, §408 and 409; Food Quality Protection Act (FQPA); and Endangered Species Act (ESA).

Science Policy and Biotechnology
Program Area: Pesticides Licensing
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$1,672.9***	***$1,754.0***	***$1,770.0***	***$16.0***
Total Budget Authority / Obligations	$1,672.9	$1,754.0	$1,770.0	$16.0
Total Workyears	6.9	6.3	6.3	0.0

Program Project Description:

The Science Policy and Biotechnology Program provides scientific and policy expertise, coordinates the EPA intra-agency, interagency, and international efforts, and facilitates information sharing related to core science policy issues concerning pesticides, toxic chemicals, and products derived through biotechnology. Many offices within the EPA regularly address biotechnology issues and the coordination among affected offices allows for coherent and consistent scientific policy from a broad agency perspective. The Biotechnology Program assists in formulating the EPA's and United States' positions on biotechnology issues, including representation on United States delegations to international meetings. Such international activity is coordinated with the Department of State. In addition, the Science Policy and Biotechnology Program provides for independent, external scientific peer review through the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel (FIFRA SAP), a federal advisory committee.

FY 2013 Activities and Performance Plan:

The EPA will continue to have a lead role in evaluating the scientific and technical issues associated with plant-incorporated protectants including those based on plant viral coat proteins. The EPA also will, in conjunction with an interagency workgroup, continue to maintain and further develop the U.S. Regulatory Agencies Unified Biotechnology web site which focuses on the laws and regulations governing agricultural products of modern biotechnology and includes a searchable database of genetically engineered crop plants that have completed review and are approved for use in the United States.[98]

In addition, a number of biotechnology international activities will continue to be supported by the EPA. Examples include representation on the Organization for Economic Cooperation and Development's Working Group on the Harmonization of Regulatory Oversight in Biotechnology and the Task Force on the Safety of Food and Feed.

The FIFRA SAP, operating under the rules and regulations of the Federal Advisory Committee Act, will continue to serve as the primary external independent scientific peer review mechanism

[98] http://www1.usgs.gov/usbiotechreg/

for the EPA's pesticide programs. Scientific peer review is a critical component of the EPA's use of the best available science.

The FIFRA SAP typically conducts eight to ten reviews each year on a variety of scientific topics. Specific topics to be placed on the SAP agenda are typically confirmed a few months in advance of each session and usually include difficult, new, or controversial scientific issues identified in the course of EPA's pesticide program activities.

Performance Targets:

Currently, there are no performance measures specific to this program. Work under this program supports the Chemical and Pesticide Risks objective. Supported programs include the registration of new pesticides and review of existing pesticides. The work in the Science Policy and Biotechnology Program also supports efforts related to toxic substances, specifically the Chemical Risk Review and Reduction program. In addition, science policy and biotechnology activities assist in meeting targets for measures under other programs such as the Endocrine Disruptors Screening Program through, for example, the conduct of the FIFRA SAP meetings.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$20.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$4.0) This decrease is a minor technical adjustment for administrative expenses.

Statutory Authority:

Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) 7 U.S.C.136(a),136(c),136(e),136(f),136(g),136(j),136(o),136w(a)(b)(d)(e); Toxic Substances Control Act (TSCA) 15 U.S.C. 2604h (5) (A), 2607b; Federal Food, Drug and Cosmetics Act (FFDCA) 21 U.S.C. 346a, 371; Federal Advisory Committee Act (FACA) 5a U.S.C. 9,10,11,12 & 14.

Program Area: Resource Conservation and Recovery Act (RCRA)

RCRA: Waste Management

Program Area: Resource Conservation and Recovery Act (RCRA)
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Preserve Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$67,520.1***	***$63,500.0***	***$67,385.0***	***$3,885.0***
Total Budget Authority / Obligations	$67,520.1	$63,500.0	$67,385.0	$3,885.0
Total Workyears	376.5	368.3	371.2	2.9

Program Project Description:

The Waste Management program implements the Resource Conservation and Recovery Act (RCRA), which is critical to comprehensive and protective management of solid and hazardous materials from cradle to grave. The comprehensive, national regulations define solid and hazardous waste, and impose standards on anyone who generates, recycles, transports, treats, stores, or disposes of waste. The RCRA program's waste management activities play a key role in supporting U.S. industries and small businesses. By facilitating the safe management of waste, it provides a critical service to the U.S. economy while providing jobs to those directly involved in the waste management sector. This regulatory framework prevents exposures to contaminants from wastes. The EPA estimates that three million people live within one mile of hazardous waste management facilities.[99]

In partnership with the states, the program leverages resources to achieve compliance with the requirements of the RCRA waste program. It protects human health, communities, and the environment through enforceable controls, including permits that minimize hazardous waste generation, prevent the release of hazardous constituents from generators and management facilities, and provide for safe management of hazardous wastes.

The RCRA program requires facility owners or operators to demonstrate that they have financial mechanisms in place to cover closure, post-closure and corrective action activities. The EPA's expertise in assessing cost estimates and financial assurance documentation is essential in verifying its adequacy. This experience is critical to protecting taxpayer dollars by ensuring that money will be available to properly close, cleanup, and monitor the site if, for example, the facility is abandoned or the owner goes bankrupt.

The Waste Management program is essential to safeguard valuable drinking water resources by preventing hazardous contaminants from polluting groundwater and surface water, and by extension drinking water, through permits and other enforceable controls. RCRA requirements

[99] Data from EPA's Online Tracking Information System (OTIS) http://www.epa.gov/compliance/data/systems/multimedia/aboutotis.html. This population information is from the 2000 census data for the treatment, storage, and disposal facilities with initial approved controls in place.

for municipal solid waste landfills for liners and leachate collection systems offer protection from industrial and solid waste contaminants. The program also strives to reduce air emissions from hazardous waste combustion and promote the management of waste in more environmentally beneficial and cost-effective ways. New technologies, waste streams, and new Clean Air Act and Clean Water Act regulations means that the RCRA program must evolve in order to address new challenges.

Recognizing the benefits of recycling, the EPA is working to provide guidance designed to encourage solid and hazardous materials recycling with adequate safeguards. The Agency must ensure that materials are destined for legitimate recycling in order to protect human health and the environment. The EPA is also working to ensure that the public is educated about recycling and solid waste reduction through environmental outreach and training activities.

FY 2013 Activities and Performance Plan:

The RCRA permitting program protects people and ecosystems from exposure to dangerous chemicals from hazardous waste generated during the production of goods and services. The national RCRA program provides leadership and oversight of states which receive State and Tribal Assistance Grants (STAG) funds for meeting our legal obligation to the following:

- Reassess land disposal permits every five years,
- Renew all permits at least every ten years,
- Maintain permits by modifying them to address changes in operations, and
- Monitor facility performance to ensure that permits continue to protect people and ecosystems from harmful exposures to hazardous pollutants.

In FY 2013, the EPA and the states will oversee and manage RCRA permits for 10 thousand hazardous waste units at 2,466 facilities. The EPA is responsible for the continued oversight and maintenance of the regulatory controls at facilities covered by RCRA and directly implements the entire RCRA program in Iowa and Alaska.[100] The EPA provides leadership, worksharing, and support to the 50 states and territories authorized to implement the permitting program. The RCRA permitting program, which ensures the controls remain protective, faces a significant workload of approximately 450 backlog and 80-110 new facilities added each year. With declining state resources, the EPA is facing an increasing amount of implementation support responsibility, which is expected to continue through FY 2013. This support is at the request of authorized states, for activities such as performing risk assessments for hazardous waste combustor facilities and providing technical assistance on site-specific permitting issues.

The EPA will continue to work with states to meet the annual target of implementing permits, initial approved controls, and updated controls at 100 RCRA hazardous waste management facilities, although with continued financial pressures on the states it is possible that this target

[100] http://www.epa.gov/wastes/hazard/tsd/permit/pgprarpt.htm

will not be met.[101] Based on current levels of state funding, the EPA expects that the existing backlog of permits will remain constant or increase in the foreseeable future.

As part of the Administrator's goal to reduce the paperwork burden on regulated entities where feasible, the Agency will request funds in FY 2013 to develop an electronic hazardous waste manifest (e-manifest) system to reduce the time and cost associated with issuing, maintaining, using, and processing data from hazardous waste manifests. If fully implemented, the e-manifest program will reduce the reporting burden for firms regulated under RCRA's hazardous waste provisions by $76 to $124 million annually.

This system will increase transparency and public safety, making information on hazardous waste movement more accessible to the EPA, states, and the public. Contingent upon legislative authority and funding, the EPA will finalize a rule that will allow tracking of hazardous waste using the e-manifest system. In order to provide information system support on e-manifest, the EPA is re-prioritizing its hazardous waste database, RCRAInfo, with planned improvements to assure data quality[102] and efforts to develop a user-friendly, web-based, searchable data system to provide the public with access to data on hazardous waste generation, management, and shipment.

An important objective in FY 2013 is ensuring owners and operators of hazardous waste facilities and reclamation facilities provide proof of their ability to pay for the cleanup, closure, and post-closure care of their facilities. Verifying adequate financial assurance protects taxpayer dollars, avoiding the risk of sites being addressed by the Superfund program, at the taxpayers' expense.

The Agency is committed to multiple high priority regulatory actions under RCRA, including encouraging proper management of coal combustion residuals. The EPA will meet its court-ordered December 2012 deadline for finalizing revisions to the definition of solid waste. This regulation, when finalized and implemented, will promote the safe recycling of hazardous secondary materials. Increasing the environmentally sound recycling of hazardous secondary materials is part of moving toward sustainable industrial production.

The Waste Management program leads the issuance of polychlorinated biphenyl (PCB) approvals both for demonstration tests of new technologies and for disposal. These approvals assure that PCB cleanup technologies operate safely and effectively and that PCB wastes are safely managed to protect communities. It also provides expertise to the EPA regional offices, states, and the regulated community on cross-cutting issues of national importance to the program. The program also implements the PCB disposal and cleanup program.

In FY 2012, the EPA completed the pioneering International Electronic Data Exchange initiative. This initiative replaced the paper-based system the governments of the United States, Canada, and Mexico previously used to oversee transboundary shipments of hazardous waste and hazardous recyclable materials with an electronic-based system for the exchange of export notice

[101] In addition, the EPA will directly implement the RCRA base program in the states of Iowa and Alaska.
[102] The EPA is developing plans to address data quality issues identified by the Agency's Office of Inspector General in a Feb. 2011 report: http://www.epa.gov/oig/reports/2011/20110207-11-P-0096.pdf.

and consent information. Implementation of this new system in FY 2013 will increase government efficiency, improve data quality, and help the governments provide more timely and complete information.

The RCRA program will work with the Department of Agriculture, the Food and Drug Administration, and the Department of Homeland Security to prepare for possible threats to the food supply in FY 2013. These responsibilities are consistent with specific requirements laid out in such recent documents as the Food Safety Modernization Act of 2010 and the National Security Strategy[103] that define EPA's role in providing guidance and technical support to communities.

Additional work the Waste Management program will pursue in FY 2013 includes the following:

- Providing technical expertise for natural or man-made disasters;
- Supporting partnership efforts on electronics and the Mexico Border program;
- Providing technical waste management assistance to tribes[104];
- Pursue regulations to improve the management of pharmaceutical waste;
- Implement the regulation identifying non-hazardous secondary materials that are solid waste, providing technical support to the regulated community through determinations about the scope of the rule and its applicability;
- Ensure that environmental outreach resources are disseminated to the public about recycling through an intra-agency workgroup and increase transparency about America's solid waste reduction. Other outreach activities include community training through issuance of grants, innovative awards, and collaboration with national environmental organizations. These environmental outreach activities will support the EPA's core mission to expand the conversation on environmentalism; and
- Commence implementation of the conditional exemption for carbon dioxide sequestration, pursuant to recommendations from the President's Carbon Capture and Storage (CCS) Task Force report[105].

Performance Targets:

Measure	(HW0) Number of hazardous waste facilities with new or updated controls.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target				100	100	100	100	100	Facilities
Actual				115	140	130			

[103] http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf
[104] Of the 574 federally recognized tribes, as of September 2011, 134 have an integrated waste management plan. This is an increase of 17 tribes from FY 2010.
[105] http://www.epa.gov/climatechange/policy/ccs_task_force.html

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$348.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$410.0 / +2.9 FTE) This additional FTE and associated payroll will provide increased support for state permitting activities. In addition, these FTE will help support increased implementation support responsibility at the request of authorized states, such as performing risk assessments for hazardous waste combustor facilities and providing technical assistance on site-specific permitting issues.

- (+$2,000.0) This increase is for the necessary initial program investments to allow for the development of the e-manifest system. Funds will cover IT resources and the services of a vendor to build the system from commercial off-the-shelf (COTS) software.

- (+$752.0) This increase provides additional competitive grant funding and programmatic support for the increased number of tribes that partner with EPA and have an integrated waste management plan. The resources allow the agency to provide technical assistance to tribes and tribal organizations for the purpose of addressing solid and hazardous waste problems and reducing the risk of improper disposal of solid and hazardous waste.

- (+$375.0) This increase is to provide resources to integrate environmental outreach activities through an intra-agency workgroup to create educational resources to disseminate information to the public and increase transparency about solid waste reduction, recycling and other critical environmental issues. These resources will be available to educate the public, specifically teachers, informal educators and parents. These environmental outreach activities will support the EPA's core mission to expand the conversation on environmentalism.

Statutory Authority:

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, 42 United States Code (U.S.C.) 6901 et seq. – Sections 3004, 3005, 8001 and the Toxic Substance Control Act, 15 U.S.C. 2605 et seq. – Section 6.

RCRA: Corrective Action

Program Area: Resource Conservation and Recovery Act (RCRA)
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Restore Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$37,156.3***	***$39,422.0***	***$40,265.0***	***$843.0***
Total Budget Authority / Obligations	$37,156.3	$39,422.0	$40,265.0	$843.0
Total Workyears	221.3	244.1	241.0	-3.1

Program Project Description:

The Resource Conservation and Recovery Act directs the EPA to implement a hazardous waste management program that controls hazardous wastes from cradle-to-grave. An essential element of the EPA's hazardous waste management program is the statutory requirement that facilities managing hazardous wastes must clean up releases of hazardous constituents to the environment which could adversely impact human health and the environment. Cleanups under RCRA are referred to as corrective action (CA).

The corrective action program is responsible for overseeing and managing cleanups which protect human health and the environment. The EPA focuses its CA resources on the 3,747 operating hazardous waste facilities that are a subset of approximately 6,000 sites with corrective action obligations. These facilities include some of the most highly contaminated, technically challenging, and potentially threatening sites the EPA confronts in any of its cleanup programs.[106]

Unaddressed, RCRA corrective action sites present substantial human and ecological risks from the release of toxic contaminants to the air, the land, and to ground and surface waters. The cost to clean up sites under the RCRA program can vary widely, with some costing less than $1 million, and others exceeding $50 million dollars. The length and complexity of the cleanups also vary and can take from a year to decades to fully remediate and return to productive use. The total acreage covered by these CA sites, as compiled in RCRAInfo by Regional offices and state agencies, is approximately 18 million acres.

A successful RCRA corrective action program is critical to preventing Superfund sites, and the associated resources and expenditures, for facilities that manage and generate hazardous waste. By addressing contamination during the operational life of the facility, when a facility is financially viable, RCRA saves the taxpayers from bearing the significant cleanup costs under Superfund and shortens the time for completing protective cleanups.

[106] There are additional facilities that have corrective action obligations that the EPA does not track under GPRA, as they are typically smaller, less significant facilities or sites. The EPA recognizes that the total universe of such facilities or sites "subject to" corrective action universe is between five and six thousand facilities or sites.

The EPA leads the national corrective action program, directly implements corrective action in 13 states and territories, and performs as lead regulator at facilities undergoing corrective actions in authorized states across the country.[107] In conjunction with the states, the EPA has established a long-term goal of constructing cleanup remedies, assuring that human exposures are eliminated and controlling groundwater migration at 95% of these sites by FY 2020.

The EPA is responsible for ensuring protective cleanups and the Agency has authorized 43 states and territories to directly implement the program at the majority of the sites with Agency leadership and support. One part of the Agency's support is worksharing with authorized states. Due to declining state resources and loss of state technical expertise, the EPA has increased its worksharing efforts as well as its direct implementation responsibility, at a cost of slowing the pace of some cleanups, and not starting new cleanups, to compensate for these declines among its state partners. These arrangements enable the EPA to rely on states to apply their remaining resources to implement the RCRA program, while filling gaps with EPA expertise and resources so that momentum is maintained at high priority, complex sites.

In addition, the Agency maintains a national hazardous waste information system, RCRAInfo, which is critical for managing corrective action and the overall RCRA program. This data management system includes providing reporting capabilities and data analysis support to the EPA and the states.

FY 2013 Activities and Performance Plan:

The EPA continues to face a significant workload to implement protective cleanups for our nation's most significant corrective action sites. The American public is looking to the EPA to see that these sites are cleaned up and nearby communities are protected from the hazards they pose before these facilities become Superfund sites. Additionally, the CA Program will pursue the following:

- Controlling human exposures to toxins at 19 percent of our baseline sites (almost 700 sites);
- Controlling groundwater at 31 percent of our baseline (almost 1,100 sites); and
- Constructing final remedies at 54 percent of our baseline (almost 2,000 sites).

In FY 2013, the EPA will focus resources on those sites that present the highest risk to human health and the environment and implement actions to end or reduce these threats. The Agency will focus on completing site investigations to identify threats, establishing interim remedies to reduce and eliminate exposure; and selecting and constructing safe, effective long-term remedies that maintain the viability of the operating facility.

[107] State implementation of the CA Program is funded through the STAG (Program Project 11) and matching State contributions.

Goals for the end of FY 2013 include the following:

- 85 percent of the universe of 3,747 facilities will have human exposure under control;
- 73 percent of the universe of 3,747 facilities will have groundwater migration under control; and
- 51 percent of the universe of 3,747 facilities will have remedies constructed.

The EPA faces many challenges as it works to achieve the program goals. In addition to declining state resources, the EPA continues to grapple with hundreds of very large, highly contaminated sites, in addition to many small, but equally contaminated sites. Providing oversight for decade-long cleanups at large sites and resource intensive technical assistance at small sites weighs on federal and state cleanup resources. In FY 2013, the EPA will work to maintain a sufficient mix of technical assistance (e.g., site characterization/sampling, risk modeling and technology evaluations), policy and technical guidance (e.g., long-term stewardship, vapor intrusion), and community engagement (e.g., meetings, assistance grants) equal to the program needs.

Additionally, the Agency will evaluate the remaining workload for the corrective action program, taking into consideration the progress to date and available resources, as recommended by GAO in its recent report[108]. This analysis will focus on the resources needed to reach our long-term goals for completing cleanups at over 3,000 corrective action facilities.

To improve the accountability, transparency, and effectiveness of cleanup programs, the Agency initiated the multi-year Integrated Cleanup Initiative (ICI) in FY 2010. The ICI will better utilize the EPA's assessment and cleanup authorities and resources to address a greater number of contaminated sites, accelerate cleanups, and put sites back into safe, productive use. Ensuring sustainable future uses for RCRA corrective action facilities is considered in remedy selections and in the construction of those remedies. This is consistent with the EPA's emphasis on land revitalization. As in previous years, the Agency will continue to provide technical assistance to authorized states in the areas of site characterization, sampling, remedy selection, and long-term stewardship at our 2020 baseline sites.

In addition, the EPA will continue to work to reduce polychlorinated biphenyl (PCB) exposure from improper disposal and spills. PCBs are some of the most persistent, bioaccumulative and toxic chemicals and contamination is responsible for some of the most expensive RCRA and Superfund sites. Specific activities include advising the regulated community on PCB remediation and reviewing and acting on disposal applications for PCB remediation waste.

[108] Hazardous Waste: Early Goals Have Been Met in EPA's Corrective Action Program but Resource and Technical Challenges Will Constrain Future Progress (GAO-11-514), July 2011

Performance Targets:

Measure	(CA1) Cumulative percentage of RCRA facilities with human exposures to toxins under control.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target				No Target Establis hed	69	72	81	85	Percent
Actual				65	72	77			

Measure	(CA2) Cumulative percentage of RCRA facilities with migration of contaminated groundwater under control.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target				No Target Establis hed	61	64	69	73	Percent
Actual				58	63	67			

Measure	(CA5) Cumulative percentage of RCRA facilities with final remedies constructed.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target				No Target Establis hed	35	38	46	51	Percent
Actual				32	37	42			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+754.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$431.0 / -3.1 FTE) This reduces oversight and technical assistance to states in support of the RCRA corrective action program and may result in a reduction of site oversight and delayed cleanups. The resources include 3.1 FTE and associated payroll of $431.0.

- (+$520.0) This reflects an increase in Regional Office corrective action funding to provide for an enhanced focus on site investigations to identify threats, the establishment of interim remedies to reduce and eliminate exposure; and the selection and construction of safe, effective long-term remedies that maintain the viability of the operating facility.

Statutory Authority:

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, 42 United States Code (U.S.C.). 6901 et seq. – Sections 3004, 3005, 8001and the Toxic Substance Control Act, 15 U.S.C. 2605 et seq. – Section 6.

RCRA: Waste Minimization & Recycling

Program Area: Resource Conservation and Recovery Act (RCRA)
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Preserve Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$12,589.6***	***$9,547.0***	***$9,648.0***	***$101.0***
Total Budget Authority / Obligations	$12,589.6	$9,547.0	$9,648.0	$101.0
Total Workyears	75.8	53.3	52.4	-0.9

Program Project Description:

Section 6902 of the Resource Conservation and Recovery Act (RCRA) supports the protection of human health and the environment through the conservation of materials and energy resources. One foundational purpose of RCRA is to reduce the total quantity of materials that ultimately become wastes, effectively practicing conservation during the useful life of materials and natural resources. To achieve this conservation, the EPA advances Sustainable Materials Management (SMM) practices to create a cradle-to-cradle perspective. This involves integrating information to create a national focus, formulating and issuing policy, and addressing market challenges. Strong federal leadership and action is needed, due to the impacts the U.S. economy has on global materials usage. U.S. raw material use (non-fossil fuel or food) rose 5.1 times more than the population in the last century.[109] Furthermore, materials management is associated with 42 percent of U.S. greenhouse gas emissions.[110]

Fostering the cradle-to-cradle approach with our stakeholders will highlight that waste materials are commodities that can be utilized to grow key industries and associated jobs. As a commodity product, these materials will help prevent the U.S. from draining virgin resources - including fossil fuels, minerals and precious metals - thereby promoting our national security as well as creating economic benefits from recycling. The EPA will continue to encourage safe, beneficial uses of materials that are protective of human health and the environment. SMM requires the EPA to consider the human health and environmental impacts associated with the full life cycle of materials—from raw materials extraction, through transportation, processing, manufacturing, and use, as well as reuse, recycling and disposal. SMM preserves resources in the following ways:

- Minimizing inefficient or unnecessary waste generation;
- Encouraging the use of materials with less environmental impact; and

[109] Center for Sustainable Systems, U.S. Material Factsheets (2010) and USGS (2007) *Effects of Regulation and Technology on End Uses of Nonfuel Mineral Commodities in the United States*.
[110] U.S. EPA, OSWER, OCPA. "Opportunities to Reduce Greenhouse Gas Emissions through Materials and Land Management Practices." September 2009. Online: http://www.epa.gov/oswer/docs/ghg_land_and_materials_management.pdf

- Reducing and offsetting virgin material consumption through sustainable materials management, including reusing and recycling materials.

Through the SMM approach, the EPA will pursue innovation through leveraging additional private sector resources. By coordinating industry and government efforts, barriers that prevent innovation, development, and deployment of SMM solutions can be eliminated. Through the involvement of the EPA in SMM, the acceptance of these solutions and technologies can more quickly happen at a broad, national level, instead of piece-meal within specific industries.

FY 2013 Activities and Performance Plan:

The implementation of SMM is fundamental to ensuring that adequate resources are available to meet today's needs and those of the future. In FY 2013, the RCRA program will focus on the advancement of the SMM concept and specifically:

- Provide national leadership and direction on materials management;
- Provide leadership for the safe and effective reuse/recycling of materials;
- Convene meetings with parties who would otherwise not come together—industry, government representatives, non-profits, and others—to pursue solutions to resource conservation;
- Develop and promote national solutions for waste management;
- Partner with industry to pursue innovative policies and solutions to non-regulated environmental problems; and
- Provide credible scientific information and data.

In FY 2012, the EPA accomplished a complete transition to SMM from the many discontinued partnership programs of the Resource Conservation Challenge (RCC). Under SMM, the EPA has developed and implemented strategically targeted programs with national impact. The EPA is initially focusing its SMM work on two targeted industrial sectors supported by the *Sustainable Materials Management: The Road Ahead* Report.[111] These sectors generate large quantities of waste that can be reused or recycled, offer opportunities to reduce waste prior to generation, and can minimize environmental impacts of waste. Additionally, these areas of focus have economic importance to ensure availability and access to needed materials, to be competitive in the world economy, to effectively address environmental challenges, and to ensure national security. The initial strategy areas include the following:

- Sustainable Food Management – the EPA will focus on food, the single largest category of municipal solid waste by helping capture and prevent edible food from rotting in

[111] U.S. EPA OSWER ORCR. Sustainable Materials Management: The Road Ahead. http://www.epa.gov/osw/inforesources/pubs/vision2.pdf

landfills. The U.S. generated more than 34 million tons of food waste in 2009 and recovered or recycled less than three percent of what was generated. Sustainable food management includes revised purchasing practices and increasing food donation and composting. This work will be coordinated with the largest generators of food waste – universities, events/sports venues, and grocery stores. Further, the *Food Recovery Challenge*[112], which is now part of WasteWise, challenges participants to reduce as much of their food waste as possible[113].

- Used Electronics – In July 2011, the National Strategy for Electronics Stewardship (NSES)[114], established a framework for responsible electronics design, purchasing, management, and recycling. The NSES was developed as part of the Interagency Task Force on Electronics Stewardship and was comprised of EPA, the General Services Administration (GSA) and the Council on Environmental Quality (CEQ). The EPA supports various commitments under the national strategy, including efforts to increase the amount of used electronics managed by accredited third party certified electronics recyclers via the EPA's Electronics Challenge. The Electronics Challenge will help to build a safe domestic recycling industry, and capture valuable materials that will stay within the U.S. for reuse. Electronics have valuable resources that, if recovered, can save costs from extraction and environmental harm. For example, reusing one million cell phones may result in the recovery of 35,274 pounds of copper, 772 pounds of silver, and 75 pounds of gold.[115]

In addition to these targeted sectors, the EPA has challenged the federal government to lead by example by reducing its environmental footprint, specifically in waste-related areas as follows:

- Federal Green Challenge (FGC)[116] – the EPA is committed to helping the federal government lead by example. The federal government spends more than $400 billion annually on goods and services and consumes more than $3.5 billion of energy each year. The EPA will continue to use SMM principles to serve as a change agent and consultant to other federal agencies. The EPA will help other federal agencies adopt specific and integrated waste reduction strategies towards sustainability and promote the reduction of greenhouse gas emissions (GHG) as a priority, which furthers the goals of Executive Order 13514. For example, the United States Postal Service (USPS) committed all 30,000+ facilities to participate in the FGC in FY 2012. In FY 2013, the EPA will continue to work with the USPS through the sixty-seven USPS district offices to provide technical assistance and the several other federal agencies with numerous facilities that have made contact. The EPA estimates that the national implementation of the FGC will save the taxpayers more than $10 million by the end of FY 2014.

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[112] http://www.epa.gov/osw/partnerships/wastewise/challenge/foodrecovery/index.htm
[113] http://www.epa.gov/osw/conserve/materials/organics/food/index.htm
[114] http://www.epa.gov/wastes/conserve/materials/ecycling/taskforce/
[115] US Geological Survey "Recycled Cell Phones - A Treasure Trove of Valuable Metals," http://pubs.usgs.gov/fs/2006/3097/fs2006-3097.pdf (July 2006).
[116] http://www.epa.gov/federalgreenchallenge/

The EPA's SMM work in FY 2013 includes the development of metrics to assist in identifying data gaps, prioritizing work, and measuring performance. The Agency will continue to invest in developing and maintaining tools such as the Waste Reduction Model (WaRM) that estimates accrued materials life cycle benefits in terms of greenhouse gas (GHG) reductions and energy savings. By considering the impacts throughout the entire life cycle, SMM provides a platform for identifying and improving domestic policies, programs, and practices that carefully consider the effect on the amounts and types of materials used and the full impacts of those choices.

SMM activities funded in FY 2013 will achieve substantial, tangible results in coming years, including money savings for the federal government. For instance, through the Federal Green Challenge in calendar year 2010, federal facilities in the EPA's Region 10 reduced 172,786 metric tons of carbon dioxide equivalent and saved over $1 million for taxpayers[117].

To better support SMM activities, the EPA introduced a new performance measure in FY 2012: tons of materials and products offsetting use of virgin materials through sustainable materials management. This new measure replaces the previous strategic measure regarding municipal solid waste and will document the EPA's success in diverting tons of materials from disposal through the use of SMM.

Performance Targets:

Measure	**(MW2) Increase in percentage of coal combustion ash that is beneficially used instead of disposed.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target		1.8	1.8	1.8	1.4	1.4	1.4	1.4	Percent Increase
Actual		-0.7	1.8	-6	Data Avail 12/2012	Data Avail 12/2013			

Measure	**(MW5) Number of closed, cleaned up, or upgraded open dumps in Indian country or on other tribal lands.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target		30	30	27	22	45	45	57	Dumps
Actual		107	166	129	141	82			

Measure	**(MW8) Number of tribes covered by an integrated solid waste management plan.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target		27	26	16	23	14	3	3	Tribes
Actual		28	35	31	23	17			

[117] These figures were reported to EPA Region 10 by federal facilities participating in the Federal Green Challenge during CY 2010.

Measure	(SM1) Tons of materials and products offsetting use of virgin resources through sustainable materials management.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target						No Target Established	8,549,502	8,650,995	Tons
Actual						8,449,458			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$226.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$130.0/ -0.9 FTE) This decrease reflects the transition of the program from the RCC to the SMM approach. The change in resources reflects both FTE and associated payroll of $130.0.

- (+$5.0) This increase provides resources to cover basic and enhanced mandatory IT and telecommunications support costs for the on board workforce.

Statutory Authority:

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, 42 United States Code 6901 et seq. – Sections 1002, 1003, 2002 and 8001.

Program Area: Toxics Risk Review and Prevention

Endocrine Disruptors
Program Area: Toxics Risk Review and Prevention
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$9,624.6***	***$8,255.0***	***$7,238.0***	***($1,017.0)***
Total Budget Authority / Obligations	$9,624.6	$8,255.0	$7,238.0	($1,017.0)
Total Workyears	14.9	10.8	10.0	-0.8

Program Project Description:

The Endocrine Disruptor Screening Program (EDSP) was established under authorities contained in the Food Quality Protection Act (FQPA) and Safe Drinking Water Act (SDWA).[118] The program consists of several ongoing activities that support a two-tiered approach to the screening of chemicals for potential disruption to endocrine systems. In Tier 1, chemicals are screened for their potential to interact with endocrine systems (specifically the estrogen, androgen, and thyroid systems). If Tier 1 screening identifies a chemical as having the potential to interact with endocrine systems, it may be further evaluated in appropriate Tier 2 or targeted tests, if necessary, to generate effects information that can be used in risk assessment. Current activities within the EDSP include assay development and validation, priority setting for screening, establishing policies and procedures, and data evaluation.

Assay development and validation provides validated scientific test methods used to screen pesticides and other chemicals to determine their potential to interact with the endocrine systems (Tier 1) and, ultimately, to characterize their effects (Tier 2). Currently, EDSP has validated the 11 Tier 1 assays that constitute the Tier 1 screening battery and 1 Tier 2 assay is considered valid for use. EDSP has also made significant progress toward validating 4 additional Tier 2 assays with plans to finalize their validation decisions before the end of FY 2013.

Consistent with directives in the FY 2010 House Appropriations Committee Report, on November 17, 2010 EDSP published a second list of 133 chemicals that includes drinking water contaminants. In the first quarter of FY 2012, EDSP marked an important step in the continuation of the program with the release of the EDSP21 Work Plan.[119] The work plan outlines the steps necessary to transition the screening program from its current state into one that is less reliant on whole animal based assays and incorporates computational models and higher throughput *in vitro* methods to screen for the potential for endocrine disruption. The EDSP21 Work Plan will serve as the road map for future assay development/validation and priority setting efforts for the EDSP.

[118] http://water.epa.gov/lawsregs/rulesregs/sdwa/index.cfm
[119] http://www.epa.gov/endo/pubs/edsp21_work_plan_summary%20_overview_final.pdf

The EPA's EDSP also will continue to explore the need for assays on hormone systems other than estrogen (E), androgen (A), and thyroid (T) (e.g., those involved in metabolism and weight regulation) and also will explore modes of action for E, A, and T disruption that might be missed in the current Tier 1 screening.

FY 2013 Activities and Performance Plan:

During FY 2013, the Endocrine Disruptor Screening Program (EDSP) will fulfill several milestones including:

- Finalizing the inter-laboratory validation of three Tier 2 assays;
- Prioritizing and selecting additional chemicals for Tier 1 screening using a process informed to the extent practicable by scientifically peer-reviewed computational toxicology-based approaches, e.g., high throughput technology;
- Continuing to issue Tier 1 Test Orders for selected chemicals (subject to obtaining an approved Information Collection Request);
- Evaluating results of Tier 1 screening data submitted for the first list of pesticide chemicals to receive test orders;
- Conducting Weight of Evidence (WoE) evaluations to determine which pesticide chemicals have the potential to interact with endocrine systems (Tier 1) and, if so, whether they should be further tested for effects (Tier 2); and
- Continuing coordination and collaboration with the Research and Development Program to determine the applicability of computational toxicology-based approaches to assess a chemical's potential to interact with the estrogen, androgen, and thyroid systems.

In FY 2013, the EDSP will continue its work to protect communities from harm caused by substances in the environment that may adversely affect health through specific endocrine effects. Of note, in FY 2013, the EDSP will continue reviewing data received in response to the first set of test orders issued for the Tier 1 screening of pesticide chemicals. Other activities expected in FY 2013 include the continuation of EDSP work with the EPA's Research and Development Program on computational toxicology-based approaches to support priority-setting and to continue building confidence in these approaches so they can be increasingly utilized in the EDSP.

In FY 2013, the EPA will continue the multi-year transition away from the traditional assays used in Endocrine Disruptor Screening Program (EDSP) through efforts to validate and use computational toxicology and high throughput screening methods. This will allow the Agency to more quickly, efficiently, and cost-effectively assess potential chemical toxicity. In FY 2013, the EPA will continue to evaluate endocrine-relevant ToxCast assays.

EDSP also will continue to collaborate with international partners, through the Organization for Economic Cooperation and Development (OECD), to maximize the efficiency of the EPA's resource use and promote adoption of internationally harmonized test methods for identifying endocrine disrupting chemicals. EPA represents the U.S. as either the lead or a participant in OECD projects involving the improvement of assay systems including the development of non-animal prioritization and screening methods and validation of Tier 2 assays.

For more information, please see http://www.epa.gov/endo/.

Performance Targets:

Measure	(E01) Number of chemicals for which Endocrine Disruptor Screening Program (EDSP) decisions have been completed								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target						3	5	20	Chemicals
Actual						3			

Measure	(E02) Number of chemicals for which EDSP Tier 1 test orders have been issued								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target						40	40	40	Chemicals
Actual						0			

Measure	(E03) Number of screening and testing assays for which validation decisions have been reached								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target						2	4	6	Assays
Actual						2			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$48.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$1,034.0/-0.8 FTE) This decrease to the Endocrine Disruptor program is in anticipation of the eventual development of the CompTox program. In the near term, computational toxicology based approaches will enable the EPA to more efficiently prioritize chemicals for screening through currently validated Tier 1 screening assays -- thus increasing the efficiency in identifying chemicals with the potential to disrupt the endocrine system. In the intermediate term, and once validated, computational toxicology approaches will be used in place of some of the current Tier 1 assays to increase the throughput and speed, while decreasing both animal usage and cost. The reduced resources include 0.8 FTE and associated payroll of $156.0.

- (-$31.0) This reflects a reduction to program support costs.

Statutory Authority:

Federal Food Drug and Cosmetic Act (FFDCA) section 408 (p) (21 U.S.C. 346a(p)); Safe Drinking Water Act (SDWA) 42 U.S.C. 300j-17.

Toxic Substances: Chemical Risk Review and Reduction

Program Area: Toxics Risk Review and Prevention
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$59,752.2***	***$56,497.0***	***$67,644.0***	***$11,147.0***
Total Budget Authority / Obligations	$59,752.2	$56,497.0	$67,644.0	$11,147.0
Total Workyears	249.9	243.4	246.2	2.8

Program Project Description:

Chemicals are employed by U.S. industries to produce widely used items, including consumer products such as cleansers, paints, plastics and fuels as well as industrial solvents and additives, in some cases leading to significant public and environmental exposure. While these chemicals play an important role in people's everyday lives, some may adversely affect human health and the environment, requiring EPA to take risk management actions to address unreasonable human health and environmental risks. There are more than 83,000 chemicals identified in the EPA's Toxic Substances Control Act (TSCA) inventory, of which approximately 3,700 are High Production Volume (HPV) chemicals that are produced at over 1,000,000 pounds per year and of which an additional 3,300 chemicals are produced at over 25,000 pounds per year.

Under TSCA, the EPA has significant responsibilities for ensuring that commercial chemicals do not present unreasonable risk to human health or the environment. The Chemical Risk Review and Reduction program focuses on assessing and managing the potential risks of tens of thousands of existing chemicals that entered commerce before TSCA took effect and on managing the potential risks of new chemicals before their entry into commerce. Key program efforts include ensuring the safety of:

- Existing chemicals, by obtaining needed data, assessing those data and taking regulatory and non-regulatory actions to eliminate or significantly reduce any unreasonable risk they may pose; and

- New chemicals, by reviewing and acting on new chemical notices submitted by industry, including Pre-Manufacture Notices (PMNs), to ensure that no unreasonable risk is posed when those chemicals are introduced into U.S. commerce.

In September 2009, Administrator Jackson announced a fundamental transformation of the EPA's approach for ensuring chemical safety to make significant and long overdue progress in protecting human health and the environment, particularly from existing chemicals that have not been tested for adverse health or environmental effects. This new approach, which is reflected in the FY 2011 – 2015 EPA Strategic Plan, was developed and implemented throughout FY 2010 and FY 2011, and has as its focal points:

- Filling information gaps on existing chemicals through a range of TSCA information gathering tools (including the Chemical Data Reporting rule and test rules), and expanding electronic reporting and increasing transparency, providing a sustainable chemical safety information pipeline to support future assessments and risk management actions;

- Screening and assessing human health and environmental risks posed by existing chemicals, using data from all available sources; and

- Eliminating, reducing, or managing identified chemical risks using all available authorities under TSCA and other statutes.[120]

The need for such a transformation also was supported by the Government Accountability Office (GAO), which in its January 2009 High-Risk Series[121] identified the EPA's processes for assessing and controlling toxic chemicals as an area in need of transformation and concluded that EPA's ability to protect public health and the environment depends on credible and timely assessment of the risks posed by toxic chemicals.

FY 2013 Activities and Performance Plan:

FY 2013 represents a crucial stage in the further implementation of EPA's strengthened approach in order to meet Administrator Jackson's 2009 directive to make significant progress in the chemicals program particularly regarding existing chemicals that have not been tested for adverse health or environmental effects and meet the goals put forward in the 2011-2015 Strategic Plan to ensure chemical safety in America. This current budget request will allow EPA to sustain its success in managing the potential risks of new chemicals entering commerce and to continue making substantial progress in assessing and ensuring the safety of existing chemicals.

Existing Chemicals Program:

The EPA is requesting resources in FY 2013 to enable continued and long-overdue progress in ensuring the safety of existing chemicals by supporting three key activity areas described below.

<u>1) Obtaining, Managing, and Making Public Chemical Information</u>:

In FY 2013, the resources requested will enable the EPA to continue developing a sustainable chemical safety information pipeline to support future assessments and risk management actions. The EPA will use regulatory mechanisms to fill remaining gaps in critical exposure and health and safety data for chemicals already in commerce, improve management of TSCA information resources and maximize their availability and usefulness to the public. Specific actions proposed to be conducted include:

[120] http://www.epa.gov/oppt/existingchemicals/pubs/Existing.Chem.Fact.sheet.pdf
[121] http://www.gao.gov/highrisk/risks/safety-security/epa_and_toxic_chemicals.php

- Issuing and implementing TSCA Section 4 Test Rules and Section 8 information reporting rules to obtain data needed to evaluate the safety of existing chemicals, potentially including:

    - Obtaining and processing data required by four TSCA test rules issued between 2006 and 2012/2013 covering up to 74 High Production Volume (HPV) chemicals not sponsored under the HPV Challenge Program, which sought to obtain basic hazard data voluntarily from companies for the HPV chemicals known in the late 1990s;

    - Issuing TSCA test rules covering approximately 200 chemicals based on information submitted to the EPA in FY 2012 under the TSCA Chemical Data Reporting (CDR) Rule, augmenting the CDR screening-level, exposure-related information with chemical hazard information needed to support screening-level risk assessments and the work planning process described in the Screening and Assessing Chemical Risks section below;

    - Issuing TSCA test rules and/or information reporting rules for chemicals identified as candidates for information gathering under the work planning process described in the Screening and Assessing Chemical Risks section below; and

    - Obtaining data for several other chemicals, including bisphenol A (BPA), polybrominated diphenyl ethers, nonylphenol and nonylphenol ethoxylates, toluene disocyanate (TDI), methylene diphenyl diisocyanate (MDI), and certain nanoscale materials.

- Processing, analyzing, and making public data reports submitted under the 2012 Chemical Data Reporting (CDR) rule, formerly the Inventory Update Rule (IUR), for chemicals produced in volumes of greater than 25,000 pounds per facility per year;

    - In August 2011, EPA finalized modifications to the CDR rule under Section 8 of TSCA making the reporting of chemical use information more transparent, more current, more useful, and more accessible to the public.

- Increasing transparency by reviewing all new TSCA cases where chemical identity is claimed as Confidential Business information (CBI) in health and safety studies, reviewing nearly 4,500 CBI cases submitted prior to August 2010, and, where appropriate, continuing to challenge CBI claims and make health and safety studies publicly available;

- Digitizing over 16,000 TSCA documents received under TSCA Sections 4, 5 and 8, and making those data, where appropriate, available to the public; and

- Expanding electronic reporting to include all TSCA health and safety submissions and fully deploying 21st century information technology to more effectively and efficiently store and disseminate TSCA information.

EPA is proposing to allocate $13,930/63.5 FTE to this work area in FY 2013.

2) Screening and Assessing Chemical Risks:

In FY 2013, the resources requested will enable the EPA to continue its work to assess the risks of existing chemicals to inform and support development and implementation of risk management actions, as appropriate, by:

- Identifying chemicals as candidates for detailed assessment or as candidates for information gathering action, using a two step process that:

    1) identifies chemicals that are subject to TSCA and: are carcinogens; are persistent, bioaccumulate in the environment and are toxic; are associated with children's health; are neurotoxic; are associated with consumer (particularly children's) exposure; or are observed in human biomonitoring studies; and

    2) prioritizes chemicals for work planning according to hazard, exposure, and persistence/bioaccumulation

- Completing detailed chemical risk assessments of chemicals that began in FY 2012 and initiating five to ten additional assessments for chemicals identified as candidates through the two step work planning process described above, with several of the assessments being completed in FY 2013;

- Developing hazard characterizations for 450 additional HPV chemicals using the data obtained through TSCA test rules bringing the projected total by the end of FY 2013 to 2,433 of the 3,761 HPV chemicals identified prior to the 2011 TSCA CDR rule;

- Increasing use of mode of action information, chemical categories, and computational toxicology tools such as ToxCast™ (used to screen chemicals for the Computational Toxicology Research Program) to inform intelligent testing approaches that will improve our ability to understand chemical risks;

- Developing new tools and improving/expanding existing methods such as adverse outcome pathways and Quantitative Structure Activity Relationships (QSARs) to better assess risks from existing chemicals; and

- Finalizing rules and beginning to analyze the data EPA will receive through its Nanoscale Materials program to understand which nanoscale materials are produced, in what quantities they are produced, and what other risk-related data are available. EPA will use this information to determine whether certain nanoscale materials may present risks to

human health and the environment and warrant further assessment, testing, or other action.

EPA is proposing to allocate $14,904/44.8 FTE to this work area in FY 2013.

3) Reducing Chemical Risks:

In FY 2013, the resources requested will support the Agency's rapidly accelerating portfolio of risk management actions, including:

- Advancing consideration and implementation of risk management actions initiated in FY 2011 and continued through FY 2012 including:
    - Consideration and potential implementation of Section 6 use restrictions addressing long chain perfluorinated chemicals (LCPFCs), hexabromocyclododecane (HBCD), toluene disocyanate (TDI), methylene diphenyl diisocyanate (MDI), lead wheel weights and mercury used in switches and certain measuring devices;
    - Consideration and potential implementation of Section 5 Significant New Use Rules (SNURs) addressing certain polybrominated diphenyl ethers (PBDEs), certain glymes, nonylphenol and nonylphenol ethoxylates, elemental mercury in products, benzidine dyes, certain phthalates, hexabromocyclododecane (HBCD) and toluene disocyanate (TDI);
    - Consideration and potential implementation of Section 5(b)(4) chemicals of concern listings, including phthalates, bisphenol A (BPA), and other priority chemicals; and
    - Continued development of risk management actions initiated in 2012.
- Considering initiating, as appropriate, five to ten new risk management actions in FY 2013 for chemicals identified as candidates through the two step work planning process described above or through other identification processes, including Section 6 use restrictions/prohibitions and Section 5 Significant New Use Rules (SNURs), informed and supported in some cases by the detailed chemical risk assessments also described above;
- Finalizing, by January 1, 2013, the statutory deadline, two regulations implementing ten actions mandated under the recently enacted TSCA Title VI Formaldehyde Standards for Composite Wood Products Act(Public Law 111-199), which amended TSCA by adding a new Title VI establishing national emission standards for formaldehyde in new composite wood products;
- Conducting alternatives assessments for selected chemicals, finishing work in FY 2013 on recently launched assessments for HBCD and phthalates along with four additional

chemicals identified as candidates through the two step work planning process described above, adding to the inventory of assessments completed prior to FY 2013 (BPA, decaBDE and NP/NPEs); and

- Reviewing and revising certain use authorizations for Polychlorinated Biphenyls (PCBs), including a potential proposed rule relating to PCB manufacture, processing, use and distribution in commerce.

The EPA will continue to work closely with other federal agencies to coordinate efforts on addressing identified chemical risks. To ensure that children's health and impacts on minorities, low income, and indigenous populations are considered, EPA will exercise its responsibilities under Executive Order 13045.

For more information on the EPA's efforts to assess and act on existing chemicals, please see http://www.epa.gov/oppt/chemtest/.

EPA is proposing to allocate $24,644/65.6 FTE to this work area in FY 2013.

New Chemicals Program:

In FY 2013, the EPA will continue preventing chemicals that pose unreasonable risks to human health or the environment to enter into the U.S. market. Each year, EPA's New Chemicals Program reviews and manages the potential risks from approximately 1,000 new chemicals, products of biotechnology, and new chemical nanoscale materials prior to their entry into the marketplace.

To measure performance under the New Chemicals Program, the EPA, in FY 2006, adopted a measure reflecting the program's statutory mission, establishing a "zero tolerance" performance standard for the number of new chemicals or microorganisms introduced into commerce that pose an unreasonable risk to human health or the environment.

For more information, please see www.epa.gov/opptintr/newchems.

EPA is proposing to allocate $14,166/72.3 FTE to this work area in FY 2013.

Performance Targets:

Measure	**(C18) Percentage of existing CBI claims for chemical identity in health and safety studies reviewed and, as appropriate, challenged.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target						5	10	20	Percent
Actual						5.3			

Measure	(C19) Percentage of CBI claims for chemical identity in health and safety studies reviewed and challenged, as appropriate, as they are submitted.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target						100	100	100	Percent
Actual						100			

Measure	(HC1) Annual number of hazard characterizations completed for HPV chemicals								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					230	300	300	450	Chemicals
Actual					270	318			

Measure	(247) Percent of new chemicals or organisms introduced into commerce that do not pose unreasonable risks to workers, consumers, or the environment.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	100	100	100	100	100	100	100	100	Percent
Actual	100	100	100	97	91	Data Avail 10/2012			

Measure	(D6A) Reduction in concentration of PFOA in serum in the general population.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							1	No Target Established	Percent Reduction
Actual									

Measure	(281) Reduction in the cost per submission of managing PreManufacture Notices (PMNs) through the Focus meetings as a percentage of baseline year cost per submission.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					61	63	65	67	Percent
Actual					50	59			

The EPA is using the measures described above to evaluate program performance.

The EPA will review and, where appropriate, challenge all new TSCA CBI claims for chemical identity in health and safety studies as they are submitted. In recent years, hundreds of such cases have been submitted annually. In addition, the EPA will review and, where appropriate, challenge twenty percent of the 22,483 CBI claims existing as of August 2010 that have not yet been reviewed. To achieve these targets, EPA must take the following steps for both new and historical submissions: 1) determine if a challenge to the CBI claim is warranted; 2) execute the challenge if warranted; and 3) where legally defensible, declassify the information claimed as CBI.

The cumulative and annual measures tracking the percent of new chemicals or organisms introduced into commerce that do not pose unreasonable risk to human health or the environment, illustrate the effectiveness of the EPA's new chemicals program as a gatekeeper. This measure analyzes previously reviewed new chemicals with incoming TSCA 8(e) notices of

substantial risk. TSCA requires that chemical manufacturers, importers, processors, and distributors notify the EPA within thirty days of new information on chemicals that may lead to a conclusion of unreasonable risk to human health or the environment. Information from approximately thirty 8(e) notices each year is used to check the accuracy of New Chemicals analytical tools and to make process improvements for future review of new chemicals. The Agency recognizes that this measure does not involve systematic sampling and testing of all PMN-reviewed chemicals that have entered U.S. commerce, but believes nonetheless that it represents an efficient approach for using available information to assess and improve the effectiveness of the EPA's new chemicals risk screening tools and decision-making processes. EPA continues to explore more robust options for tracking the performance of the New Chemicals Program.

In FY 2013, the EPA will continue making progress in characterizing the hazards of HPV chemicals, which summarizes the adequacy of data received through the HPV Challenge, identify remaining data needs, and present hazard data in a concise and uniform way. These hazard characterizations present EPA's perspective on data regarding ecotoxicity, acute toxicity, mutagenicity, reproductive and developmental toxicity, environmental fate, and physical/chemical properties. EPA has completed hazard characterizations for 1,683 chemicals through FY 2011 and is targeting completion of hazard characterizations for 300 additional chemicals in FY 2012 and 450 in FY 2013.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$179.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$10,968.0/+2.8 FTE) This increase will enable EPA to: initiate five to ten new risk management actions targeted at eliminating or reducing existing chemical risks in our products, our environment and our bodies; complete alternative assessments for four additional chemicals identified as candidates through the two step work planning process described in the Screening and Assessing Chemical Risks section above; initiate five to ten detailed assessments beyond those initiated in FY 2012 for chemicals identified as candidates through the two step work planning process described above; issue 75 more test rules for existing chemicals in FY 2013 than issued in FY 2012; increase the number of HPV chemicals for which hazard characterizations will be completed from 300 in FY 2012 to 450 in FY 2013; double the percentage of existing CBI cases reviewed and, where appropriate, challenged (from 10% (2,200) in FY 2012 to 20% (4,400) in FY 2013); digitize approximately 16,000 TSCA documents; implement enhancements to IT systems and related rules/guidance (e-reporting, etc.). This increase includes 2.8 FTE and associated payroll of $420.0.

Statutory Authority:

Toxic Substances Control Act, 15 U.S.C. 2601 et seq. -- Sections 1-31.

Pollution Prevention Program

Program Area: Toxics Risk Review and Prevention
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety; Promote Pollution Prevention

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$15,994.6***	***$15,389.0***	***$15,888.0***	***$499.0***
Total Budget Authority / Obligations	$15,994.6	$15,389.0	$15,888.0	$499.0
Total Workyears	73.7	76.2	72.7	-3.5

Program Project Description:

The Pollution Prevention (P2) program is one of the EPA's primary tools for encouraging environmental stewardship by federal and state governments, industry, communities, and individuals. The P2 program is designed to eliminate or reduce waste at the point of generation by: encouraging cleaner production processes and technologies; promoting the development and use of safer, "greener" materials and products; and supporting the implementation of improved practices, such as the use of conservation techniques and the reuse of materials in lieu of their placement into the waste stream. As a result of the P2 program, the EPA and its partners have achieved significant reductions in the use of hazardous materials, energy and water; reductions in the generation of greenhouse gases; savings in production, operation and waste management costs; and increases in the use of safer chemicals and products. In contributing to the Agency's mission to reduce chemical risks, the program is focusing its attention on chemicals being identified as candidates for assessment and risk management action under the Toxic Substances Control Act (TSCA) as described in the justification for the Chemical Risk Review and Reduction Program. Additionally, the program is working to enhance pollution prevention education and outreach resources and disseminate information to the public. The P2 program is augmented by a counterpart P2 grant program in the State and Tribal Assistance Grants (STAG) account.

The program accomplishes its mission through several centers of results described below. For more information about EPA's Pollution Prevention program, please see http://www.epa.gov/p2/.

FY 2013 Activities and Performance Plan:

Environmentally Preferable Purchasing (EPP) Program

The main goal of the Environmentally Preferable Purchasing (EPP) program is to assist federal agencies in complying with "green" purchasing requirements and, in doing so, to stimulate market demand for products and services that are more environmentally benign. The energy savings attributable to this program support the federal objectives for reducing energy use under

Executive Order 13514.[122] By strengthening the federal government's efforts to lead by example, EPP also influences the broader market place by encouraging state and local governments, businesses, and private individuals to move toward greener products when they make purchasing decisions.

An important element of the EPP program is the Federal Electronics Challenge (FEC), a partnership program in which participating federal agencies and facilities receive resources and technical assistance for improving electronics management practices and have the opportunity to qualify for annual recognition if they meet specific goals. The FEC encourages federal facilities and agencies to purchase greener electronic products, reduce their impacts during use, and manage obsolete electronics in an environmentally safe way. In FY 2013, the FEC will work collaboratively with the Federal Green Challenge to increase its reach to a broad audience of federal agencies.

The EPP program also develops, refines, and supports the use of tools that help institutional purchasers make procurement decisions that have reduced impact on human health and the environment. A principal tool is the Electronic Product Environmental Assessment Tool (EPEAT), which helps purchasers compare and select desktop computers, laptops, monitors, and other electronic equipment with respect to environmental attributes such as energy savings that help reduce greenhouse gas emissions. Results associated with use of this tool are quantified[123] through a peer-reviewed electronics environmental benefits calculator.[124] In FY 2013, EPA will continue to support the development of new voluntary consensus standards for additional electronic products, including computer system servers, as well as the revision and updating of the original standard for computers, and will work to extend the reach of EPEAT beyond institutional purchasers to consumers.

In addition to electronics, the EPP program will continue to promote advancements in the manufacture and use of greener products more broadly, through participation in processes to develop voluntary consensus standards beyond electronic products and through continued dissemination of information about aspects of products that make them greener. See http://www.epa.gov/oppt/epp/pubs/about/about.htm for more information about the EPP program.

EPA is proposing to allocate $2,811.0/11.1 FTE to this work area in FY 2013.

Green Suppliers Network (GSN) and Economy, Energy, and Environment (E3) Initiative

Under the Pollution Prevention Act, the EPA is authorized to facilitate the adoption of source reduction techniques by businesses. The EPA's Green Suppliers Network (GSN) helps to promote this goal by working with large manufacturers to help small and medium-size suppliers identify opportunities to save money and reduce their environmental impacts by making their operations cleaner and more efficient. The program provides manufacturers with plant-specific assessments to identify prioritized opportunities to reduce costs and waste, improve productivity

[122] http://edocket.access.gpo.gov/2009/pdf/E9-24518.pdf
[123] http://www.epeat.net/FastBenefits.aspx
[124] http://www.federalelectronicschallenge.net/resources/bencalc.htm

and efficiency, and measure greenhouse gas (GHG) emissions. The GSN will continue to partner with the National Institute of Standards and Technology's (NIST) Manufacturing Extension Partnership (MEP) program under the Department of Commerce as well as state pollution prevention programs to deploy the GSN program across the nation's largest manufacturing supply chains.

GSN has grown steadily in recent years in terms of the number of manufacturers that are participating in "lean and clean" assessments to over 160 industry partners to date.[125] In FY 2010, EPA began to phase out the federal cost share of these assessments, reflecting industry's understanding of their direct economic value.

In FY 2013, GSN will work with the Department of Energy to strengthen technical assistance offerings in the energy efficiency and environmental areas. A key goal in FY 2013 will be to improve GSN's analytic methodologies to support the reporting of more rigorous and transparent program results.

GSN operates within the broader framework of the Economy, Energy and Environment (E3) Initiative, which brings together a suite of several federal agencies, states, and local communities to help boost economies to achieve their sustainability goals. While the GSN program is focused on strengthening supply chains, the E3 framework concentrates on working with manufacturers, including suppliers, within a particular community to help improve their operational and energy efficiencies, as well as reduces greenhouse gas emissions. Through the E3 initiative, these partnerships enable communities to achieve a smarter and more efficient green workforce, promote sustainable manufacturing and growth through innovative technology, improve the regional economy by retaining jobs, and reduce environmental impacts while regaining competitive advantage.

As of the end of 2011, more than 300 small to medium sized manufacturers have benefited from GSN and E3 technical assessments. In FY 2012 and FY 2013, the number of technical assessments is expected to increase rapidly as new E3 projects are launched.[126]

For more information on the Green Suppliers Network, visit www.greensuppliers.gov. For more information on the E3 initiative, visit www.e3.gov.

EPA is proposing to allocate $3,558.0/19.1 FTE to this work area in FY 2013.

Green Chemistry

The Green Chemistry program fosters the design and marketplace acceptance of chemicals and chemical processes that reduce adverse environmental and human health impacts as well as costs. In reducing or eliminating use of hazardous chemicals and generation of waste, Green Chemistry substitutes help reduce workplace exposure to dangerous chemicals and manufacturing and production processes, reduce the need for end-of-pipe controls, increase

[125] http://www.greensuppliers.gov/join/members.html
[126] http://www.epa.gov/greensuppliers/e3.html

energy savings and reduce greenhouse gases.[127] One of the program's primary vehicles for achieving these results is the Presidential Green Chemistry Challenge, with its associated awards. Businesses and academic non-profit institutions compete for recognition in five categories annually and EPA routinely receives more than 100 nominations for these five awards.

While recognizing the top Green Chemistry innovations is important, in FY 2013, the Green Chemistry Program will accentuate its existing program by seeking to amplify the total innovation (represented by all the nominations - past and present) through partnerships with other federal agencies that manage assistance programs for enterprise development and incubation. The Green Chemistry program will collaborate with federal partners who provide business and enterprise assistance (such as intellectual property management, access to capital, technology-driven market intelligence, and manufacturing innovation) to develop an integrated and leveraged model of enterprise assistance and market penetration for green chemistry innovation. The goal is to push new commercially successful chemistries and technologies toward achieving greater market penetration, thus further improving the environmental and human health outcomes. With several hundred Green Chemistry Challenge awardees and nominees from recent years, there is a substantial pool of potential opportunities for realizing this goal.

For more information, see http://www.epa.gov/opptintr/greenchemistry/.

EPA is proposing to allocate $1,407.0/6.4 FTE to this work area in FY 2013.

Design for the Environment

The Design for the Environment (DfE) Program works in partnership with a broad range of stakeholders to reduce chemical risks to people and the environment by promoting the development and assessment of safer alternatives. The program provides hazard information on potential substitutes for priority chemicals and assists companies in making product design improvements that will help reduce risks. DfE convenes partners, including representatives from industry and environmental groups, to evaluate the human health and environmental considerations, performance and cost of traditional and alternative technologies, materials and processes. As incentives for participating in the program and driving change, DfE offers technical tools, methodologies, and expertise. This is especially important to small businesses that do not have the broad range of scientific and technical expertise needed to conduct a hazard assessment. DfE also allows companies making products that are safer for the environment to communicate their leadership to customers through the use of a DfE logo. The EPA's DfE program helped companies reduce or eliminate the use of more than 650 million pounds of hazardous chemicals in calendar year 2010 alone.[128]

In FY 2013, DfE will expand its Safer Product Labeling program, which differentiates products that are safer for people and the environment. The program currently allows approximately 500 different manufacturers the use of its logo on more than 2,700 cleaning and other products that are safer than similar products currently on the market. DfE has finalized enhancements to its

[127] http://www.epa.gov/gcc/pubs/pgcc/technology.html#renewableResources
[128] http://www.epa.gov/dfe/product_label_consumer.html#consumers

Standard for Safer Products – the criteria for determining which products can bear the DfE logo – that will require ingredient disclosure, sustainable packaging and limits on volatile organic compounds in addition to the stringent requirements that currently apply addressing a wide range of toxicological and environmental endpoints.

This program area also includes the Green Engineering (GE) program which provides leadership in the development of sustainability engineering education materials and incorporation of environmentally beneficial approaches and tools such as life-cycle assessment, risk-based tools and advanced design techniques in engineering education. In FY 2013, the GE program will continue its efforts to maximize adoption of its educational materials, including two new textbooks, by colleges and universities.

The GE program also works with industry to reduce the environmental footprints of industrial processes through implementation of green engineering approaches and tools. In FY 2013, the program will continue to work with the pharmaceutical sector and selected other industrial sectors to extend the useful life of solvents used as chemical manufacturing and formulation aids. This work has been strengthened by recent revisions to the EPA's Definition of Solid Waste (DSW) Rule under the Resource Conservation and Recovery Act, which have facilitated increase reuse of solvents in a number of manufacturing sectors.

For more information, please visit http://www.epa.gov/dfe/ and http://www.epa.gov/opptintr/greenengineering/.

EPA is proposing to allocate $2,407.0/10.4 FTE to this work area in FY 2013.

Partnership for Sustainable Healthcare (PSH)

This voluntary program, formerly known as Hospitals for a Healthy Environment (H2E), will continue to coordinate agency work that improves the environmental performance of the healthcare sector by providing technical expertise to the Partnership for Sustainable Healthcare (PSH), an independent non-profit organization with more than 1,250 hospital partners, and facilitating cooperative working relationships with other programs such as Energy Star, Green Suppliers Network, and EPEAT. Also, PSH is participating in EPA rulemaking workgroups in the area of pharmaceutical waste management. In FY 2013, EPA, through the PSH program, expects to start up new GSN- or E3-related efforts and promote the use of additional safer products in the health care sector.

For more information, please visit http://www.epa.gov/p2/pubs/psh.htm.

EPA is proposing to allocate $184.0/1.2 FTE to this work area in FY 2013.

Pollution Prevention Technical Assistance

As directed by the Pollution Prevention Act, the P2 program devotes considerable effort towards assisting industry (primarily small and medium sized businesses), government and the public in implementing pollution prevention solutions to chemical risk and other environmental protection

challenges. The EPA provides this technical assistance in part through Source Reduction Assistance (SRA) grants issued annually on a competitive basis. SRA grants support pollution prevention solutions resulting in energy and water conservation, reduction of greenhouse gases, and a wide variety of reductions in the use of hazardous materials and generation of other pollutants. In FY 2011, the EPA awarded 23 grants for a total of approximately $1.2 million and a similar number is expected to be awarded in 2012. In FY 2013, EPA expects to award 20 to 30 grants, ranging between $10 thousand and $100 thousand.

The EPA also provides P2 technical assistance directly through its ten regional offices, which conduct a wide array of P2 activities that contribute results towards the P2 program's performance goals. This work includes: diesel emission reductions on road, rail and at ports through outreach and training; promotion of green chemistry principles to secondary schools through webinars and education opportunities that aim to reduce or eliminate use of toxic chemicals; providing energy efficiency training for wastewater treatment plants that includes energy assessments and best practices; and "Lean and the Environment" technical assistance for local businesses resulting in emissions reductions, waste diversion, and increased economic viability.

In FY 2013, the EPA will leverage expertise from other EPA programs to enhance new pollution prevention education and outreach resources and create mechanisms to ensure their use. Through an intra-agency working group, each program office will disseminate educational resources and information to the public. Other outreach activities include community training through issuance of grants, innovative awards, and collaboration with national environmental organizations. The purpose of these activities will be to ensure that the American public is educated about pollution prevention.

Lastly, the EPA supports provision of P2 technical assistance by supporting state and tribal P2 programs and the Pollution Prevention Information Network (PPIN) under the companion Categorical Grants: Pollution Prevention Program. The PPIN includes the Pollution Prevention Resource Exchange through, which in FY 2013, the EPA is proposing to house an interactive website that builds a community of practice interested in reducing the environmental impact of professional sports. The EPA also is planning to advance P2 technical assistance in FY 2013 by providing an on-line, one stop shop of environmental information for sports teams/venue representatives. These efforts will pilot doing business differently to improve services, leverage resources, and increase sustainability opportunities for stakeholders.

EPA is proposing to allocate $5,271.0/24.5 FTE to this work area in FY 2013.

Performance Targets:

Measure	**(P25) Percent increased in use of safer chemicals**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target						No Target Est.	7	7	Percent
Actual						60.1			

Measure	(262) Gallons of water reduced through pollution prevention.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	0.329	1.79	1.64	1.79	26.2	28.6	27.8	24.8	Gallons (Billions)
Actual	2.27	1.75	21.18	4.67	29.8	Data Avail 10/2012			

Measure	(263) Business, institutional and government costs reduced through pollution prevention.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	38.2	44.3	45.9	130	1,060	1,042	847	738	Dollars Saved (Millions)
Actual	282.7	282.7	227.2	276.5	935.6	Data Avail 10/2012			

Measure	(264) Pounds of hazardous materials reduced through pollution prevention.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	401	414	429	494	1,625	1,549	1,064	1,030	Pounds (Millions)
Actual	394	386.1	469.8	605.6	1,383.7	Data Avail 10/2012			

Measure	(297) Metric Tons of Carbon Dioxide Equivalent (MTCO2e) reduced or offset through pollution prevention.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target				2	5.9	5.7	6.8	4.2	MTCO2e (Millions)
Actual				1.618	3.45	Data Avail 10/2012			

The P2 program aggregates results from all of the programs described above within a transparent and consistent measurement framework focused on five common measures:

- Reduced use of hazardous materials;
- Reduced use of water;
- Reduced emission of greenhouse gasses;
- Reduced costs to businesses, governments and institutions; and
- Increased use of safer products.

In the case of the first four of these measures, performance targets and results reflect a combination of new results produced with the support of each year's appropriations plus "recurring results – results produced in prior year's that continue delivering environmental benefits over multiple years. Based on feedback from the EPA's Science Advisory Board, the P2 program began counting recurring results in FY 2010 for an appropriate and reasonable

timeframe (specific to each of the program's results-generating activities) to realize fully the ongoing benefits of program activities. The recurring results component reaches a plateau when an old recurring year drops off for every new recurring year being added. If recent prior results are greater than older prior results dropping off, the recurring result component in a given year could go up even if the new annual results came down. Thus, in a given year, it is theoretically possible to have net higher results on a lower budget. However, such a trend could not be sustained for long.

In 2010, the most recent year for which data are available, the P2 program reduced 1,384 million pounds of hazardous materials, saved $935.6 million dollars, conserved 29.8 billion gallons of water and reduced greenhouse gas emissions by 3.45 million metric tons of carbon dioxide equivalents (MMTCO2E). In 2013, the program has set targets to reduce 1,030 billion pounds of hazardous materials, save $738 million dollars, conserve 24.8 billion gallons of water, and reduce 4.18 million metric tons of carbon dioxide equivalents.

The Design for the Environment (DfE) chemicals of concern efficiency measure and the Federal Electronics Challenge (FEC) efficiency measure ended in 2010 and 2011 respectively. Both measures were eliminated once the programs were able to reach optimal efficiency in each area.

In FY 2012, the EPA began tracking the percent increase in the use of safer chemicals from the 2009 baseline of 476 million gallons. The EPA expects to achieve a 7% increase in FY 2013, contributing to achievement of the P2 Program's commitment in the EPA's new Strategic Plan to increase the use of safer chemicals by 40% by 2015.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$174.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$514.0/-3.5 FTE) This reduction in FTEs and payroll is offset by increases in contract and grant funding to enable the program to make continued progress through the Economy, Energy and Environment (E3) Initiative in working with manufacturers to help improve their operational and energy efficiencies and, through the Design for the Environment (DfE) program, to add new sector products that are differentiated with labels indicating that they are safer for people and the environment. The reduced resources include 3.5 FTE and associated payroll of $514.0.

- (+$589.0) This increase offsets reductions in FTE and payroll to enable the program to make continued progress through the Economy, Energy and Environment (E3) Initiative in working with manufacturers to help improve their operational and energy efficiencies by increasing training opportunities for companies, increase the development of new manufacturing standards for additional electronic sectors under the EPEAT component of the EPP program, provide for increased numbers of grants through the Source Reduction Assistance grants under the P2 Technical Assistance program and, through the Design for the Environment (DfE) program, add new sectors products that are differentiated with labels indicating that they are safer for people and the environment.

- (+$250.0) This increase is to provide resources to integrate environmental outreach activities through an intra-agency workgroup to create educational resources and training to disseminate information to the public about pollution prevention and other critical environmental issues. These environmental outreach activities will support EPA's core mission to expand the conversation on environmentalism.

Statutory Authority:

Pollution Prevention Act of 1990, 42 U.S.C. et seq. -- Sections 6601-6610; Toxic Substances Control Act (TSCA), 15 U.S.C. 2601 et seq. -- Section 10.

Toxic Substances: Chemical Risk Management
Program Area: Toxics Risk Review and Prevention
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$6,868.6***	***$6,032.0***	***$3,739.0***	***($2,293.0)***
Total Budget Authority / Obligations	$6,868.6	$6,032.0	$3,739.0	($2,293.0)
Total Workyears	39.1	32.7	20.2	-12.5

Program Project Description:

The Chemical Risk Management (CRM) program supports national efforts aimed at mitigating chemical risk and exposure through reductions in use and safe removal, disposal, and containment of certain prevalent, high-risk chemicals – known generally as legacy chemicals. Some of these chemicals were widely used in commerce and introduced into the environment before their risks were known. In FY 2013, the CRM Program will focus on ensuring proper use of polychlorinated biphenyls (PCBs), limiting exposures to PCBs in schools and other buildings, and encouraging the use of non-mercury products both domestically and through international mercury use reduction partnerships.

FY 2013 Activities and Performance Plan:

Polychlorinated Biphenyls (PCBs)

In FY 2013, the EPA will be reducing the PCB program activities within the CRM program in order to focus efforts on other environmental priorities. It will focus PCB efforts on reducing potential risks from exposure to PCBs found in caulk[129] and fluorescent light ballasts.[130] These materials were used in some schools and other buildings from the 1950s through the 1970s and may contain PCBs that could pose risks to exposed children and adults over time. To minimize any potential health risks, the EPA will continue to provide school administrators and building managers with information and recommendations about managing PCBs in caulk and ballasts together with tools to help avoid or minimize human exposure. The PCBs program reduction will impact guidance on light ballasts and building caulk containing PCBs in schools, as well as the program's ability to provide direction to school administrators and other building managers in determining how to respond to the presence of PCBs in their facilities. The Agency also will assist communities as well as building and facility managers in identifying potential problems and, if necessary, will assist with the development of plans for PCB testing and removal. The EPA also will update existing guidance for school administrators and building managers as research on cost-effective remediation and abatement measures is completed.

[129] http://www.epa.gov/pcbsincaulk/
[130] http://www.epa.gov/epawaste/hazard/tsd/pcbs/pubs/ballasts.htm.

Please see the Chemical Risk Review and Reduction (CRRR) program for information on EPA's work on reviewing existing authorizations for specific uses of PCBs.

Mercury

Within the CRM program, the EPA's work in FY 2013 to reduce mercury risks will focus on actions to facilitate use of non-mercury thermometers in industrial settings and on continuation of international mercury partnerships to promote voluntary reductions in mercury use.

Specifically, the Agency will continue working in collaboration with the National Institute for Standards and Technology (NIST) and the American Petroleum Institute to field test the use of non-mercury thermometers in the petroleum sector. In addition, EPA will continue to work with ASTM to update test methods to allow for the use of alternatives to mercury measuring devices.

The Agency will continue to support voluntary global reductions in the use of mercury through existing international partnerships formed under auspices of the United Nations Environment Programme (UNEP). International action to reduce mercury will benefit U.S. citizens because the majority of the mercury deposition within our borders originates abroad. In FY 2013, the Agency will continue to implement a range of partnerships to address the use, storage, and disposal of mercury in developing countries, including partnerships to address mercury products and the storage and supply of mercury. Particular emphasis will be placed on reductions of mercury use in health care settings and schools and the development of options for proper mercury waste storage in those institutions. The program will continue to track mercury reductions from the UNEP mercury partnerships and build from successful pilots and lessons learned from these projects. For more information, please see http://www.epa.gov/mercury/.

Please see the Chemical Risk Review and Reduction (CRRR) program for information on EPA's work on developing regulations to control mercury use in switches, relays, and measuring devices.

Asbestos/Fibers

In FY 2013, the EPA will be eliminating the fibers program. However, some parts of the fibers program are administered in some states; and EPA will continue to encourage additional states to implement programs that meet the federal requirements for accrediting trainers (11 states do not yet meet this requirement). State requests to implement the asbestos in schools rule will require formal EPA delegation before taking effect (38 states have not been delegated to administer the asbestos in schools rule). EPA's worker protection rule applies in 25 states that do not have OSHA-approved health and safety plans. EPA also will continue to use existing information in responding to asbestos inquiries received by the TSCA Hotline. EPA will provide asbestos-related grants to 12 states in FY 2013 to do inspections on behalf of EPA and forward violations to EPA for follow-up.

Performance Targets:

Work under this program supports EPA's objective to manage risks from well-known chemicals. There are no specific performance measures for this program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$100.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$2,393.0/-12.5 FTE) This decrease reflects elimination of the fibers program activities and a reduction to PCBs program activities. EPA has devoted considerable resources to both PCB & fibers over many years implementing a framework aimed at mitigating those threats and must at this time redirect asbestos resources to other environmental priorities and reduce resources allocated to PCBs. The PCBs program reduction will impact guidance on light ballasts and building caulk containing PCBs in schools, as well as the program's ability to provide direction to school administrators and other building managers in determining how to respond to the presence of PCBs in their facilities. The reduced resources include 12.5 FTE and associated payroll of $1,701.0.

Statutory Authority:

Pollution Prevention Act of 1990, 42 U.S.C. et seq. -- Sections 6601-6610; Toxic Substances Control Act (TSCA), 15 U.S.C. 2601 et seq. -- Section 10.

Toxic Substances: Lead Risk Reduction Program
Program Area: Toxics Risk Review and Prevention
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$14,140.9***	***$13,798.0***	***$14,698.0***	***$900.0***
Total Budget Authority / Obligations	$14,140.9	$13,798.0	$14,698.0	$900.0
Total Workyears	83.4	84.8	85.8	1.0

Program Project Description:

Recent data show significant progress in the continuing effort to eliminate childhood lead poisoning as a public health concern. The EPA has historically measured progress by tracking reductions in the number of children with elevated blood lead levels of 10 micrograms per deciliter or higher. Data released in 2010 by the Centers for Disease Control and Prevention (CDC) indicate that the incidence of childhood blood lead levels at or exceeding 10 micrograms per deciliter has declined from approximately 1.6 percent of children in 2002 to 0.9 percent of children through 2006, the most recent time frame for which the CDC data are capable of supporting a statistically reliable estimate due to the extremely low number of children with blood lead levels of 10 micrograms per deciliter or higher in subsequent sampling periods.[131] These results, together with other recent data,[132] suggest that the federal government's goal of eliminating the incidence childhood blood lead concentrations at that level by 2010 has essentially been achieved.[133]

Results of recent studies, however, indicate adverse health effects to children at extremely low blood levels, below 10 micrograms per deciliter.[134] In response to this new information and the fact that approximately 38 million homes in the U.S. have lead-based paint,[135] the EPA is now targeting reductions in the number of children with blood lead levels of 5 micrograms per

[131] Federal Interagency Forum on Child and Family Statistics .*America's Children: Key National Indicators of Well-Being, 2011* http://www.childstats.gov/americaschildren/phenviro4.asp.
[132] For example, the median blood lead concentration for children ages 1–5 dropped from about 15 µg/dL in 1976–1980 to about 1 µg/dL in 2005–2008. (U.S. Environmental Protection Agency. (2008). America's children and the environment. Measure B1: Lead in the blood of children, available at http://www.epa.gov/envirohealth/children/body_burdens/b1-graph.html.)
[133] "President's Task Force on Environmental Health Risks and Safety Risks to Children" http://www.cdc.gov/nceh/lead/about/fedstrategy2000.pdf
[134] U.S.EPA. Air Quality Criteria for Lead (September 29, 2006) http://cfpub.epa.gov/ncea/CFM/recordisplay.cfm?deid=158823
Rogan WJ, Ware JH. Exposure to lead in children – how low is low enough? N Engl J Med.2003;348(16):1515-1516 http://www.precaution.org/lib/rogan.nejm.20030417.pdf
Lanphear BP, Hornung R, Khoury J, et al. Low-level environmental lead exposure and children's intellectual function: an international pooled analysis. Environ Health Perspect. 2005; 113(7):894-899 http://www.pubmedcentral.nih.gov/articlerender.fcgi?doi=10.1289/ehp.7688
[135] Jacobs, D.E.; Clickner, R.P.; Zhou, J.Y.; Viet, S.M.; Marker, D.A.; Rogers, J.W.; Zeldin, D.C.; Broene, P.; and Friedman, W. (2002). The prevalence of lead-based paint hazard in U.S. housing. Environmental Health Perspectives, 110(10): A599-A606

deciliter or higher. The lead program also tracks the disparities in blood lead levels between low-income children and non-low-income children. The program uses these performance measures to track progress toward eliminating childhood lead poisoning in vulnerable populations.

EPA's Lead Risk Reduction program contributes to the goal of eliminating childhood lead poisoning by:

- Establishing standards governing lead hazard identification and abatement practices and maintaining a national pool of professionals trained and certified to implement those standards;

- Providing information to housing occupants so they can make informed decisions and take actions about lead hazards in their homes; and

- Establishing a national pool of certified firms and individuals who are trained to carry out renovation and repair and painting projects while adhering to the lead-safe work practice standards and to minimize lead dust hazards created in the course of such projects.

For more information, please see http://www.epa.gov/lead.

FY 2013 Activities and Performance Plan:

In FY 2013, EPA plans to continue implementing the lead-based paint abatement program and the Renovation, Repair, and Painting (RRP) Rule; work to fulfill a federal court settlement agreement to issue a final rule for renovations on the exteriors of public and commercial buildings by February 15, 2014; determine whether renovations on the interior of public and commercial buildings; create lead-based paint hazards and, if so, issue a proposed rule regulating these renovations; begin updating the residential dust lead hazard standard, as needed; and continue providing education and outreach on the hazards of lead and lead-based paint and on EPA's lead rules.

Information on state and tribal grants for implementation of lead programs is presented in the Categorical Grant: Lead budget justification narrative.

Revise and Implement the Renovation, Repair, and Painting (RRP) Rule

In FY 2013, EPA will continue to implement the Renovation, Repair and Painting (RRP) Rule to address lead hazards created by renovation, repair, and painting activities in homes and child-occupied facilities.[136] Through calendar year 2011, twelve states have been authorized to enforce and administer this program. In the remaining non-authorized states, tribes, and territories, EPA continues to accredit training providers, track training class notifications (i.e., classes scheduled, classes cancelled and renovators certified), and certify renovation firms. EPA also will assist in the development and review of state and tribal applications for authorization to administer training and certification programs, provide information to renovators and homeowners, provide oversight and guidance to all authorized programs, and disseminate model training courses for

[136] http://www.epa.gov/lead/pubs/faq2.htm

lead-safe work practices. Through calendar year 2011, EPA has accredited 600 training providers and more than 116,900 renovation firms have been certified.

Shortly after its promulgation, several petitions were filed challenging the RRP rule. On August 24, 2009, EPA signed an agreement with environmental and children's health advocacy groups in settlement of their petitions.[137] The agreement called for the Agency to undertake two rulemakings to revise certain provisions of the RRP rule and two additional rulemakings, including an Advanced Notice of Proposed Rulemaking (ANPR), to address work in public and commercial buildings not covered by the RRP rule. The first two rules – known as the "Opt Out Rule" and "Clearance Rule" -- have been issued.[138] In FY 2013, EPA will continue work on the two remaining rules covering public and commercial buildings:

- *"Exterior Rule"*: As noted in the Settlement Agreement, the Agency anticipates issuing an NPRM to establish work practice requirements for renovations on the exterior of public and commercial buildings other than child-occupied facilities by June 15, 2012 with final action on the Exterior NPRM by February 15, 2014. In FY 2013, the Agency will be responding to public comments on the NPRM and conducting the analysis necessary to take final action by that date.

- *"Interior Rule"*: The Agency consulted with the EPA Science Advisory Board (SAB) on a risk assessment methodology to evaluate the hazards posed by renovations in the interior of public and commercial buildings not covered by the final RRP rule. In FY 2013, the Agency will evaluate the results of the SAB review and conduct additional analysis necessary to determine whether it is necessary to issue proposed work practice requirements for this category of renovations.

Revisit the Lead Dust Standard and Definition of Lead-Based Paint

On August 10, 2009, EPA received a petition requesting the Agency to lower lead dust hazard standards and to modify the definition of lead-based paint in its regulations promulgated under Sections 401 and 403 of the Toxic Substances Control Act (TSCA). EPA responded to the petition on October 22, 2009, agreeing to revisit the current lead dust hazards standard and to work with the U.S. Department of Housing and Urban Development (HUD) to reconsider the definition of lead-based paint in its regulations.[139] In FY 2013, the Agency will continue analysis in support of the dust lead hazard standards rulemaking and work with HUD to determine if the definition of lead-based paint should be modified.

[137] "Lead; Amendment to the Opt-out and Recordkeeping Provisions in the Renovation, Repair, and Painting Program: Lead, Final Rule." *Federal Register 74* (28 October 2009): 55506-55524. Print. http://www.epa.gov/fedrgstr/EPA-TOX/2009/October/Day-28/t25986.pdf

[138] http://epa.gov/lead/pubs/regulation.htm
[139] http://www.epa.gov/opptintr/chemtest/pubs/petitions.html

Provide Education & Outreach

In FY 2013, the Agency will continue to provide education and outreach to the public on the hazards of lead-contaminated paint, emphasizing compliance assistance and outreach to support implementation of the RRP rule and to increase public awareness about preventing childhood lead poisoning.

Particular attention will be devoted to educating low-income communities on lead hazards in support of the program's goal to reduce disparities in blood lead levels between low-income children and other children. Finally, EPA will continue to provide support to the National Lead Information Center (NLIC) to disseminate information to the public through a telephone hotline and in electronic form.

Performance Targets:

Measure	(008) Percent of children (aged 1-5 years) with blood lead levels (>5 ug/dl).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					3.5	No Target Established	1.5	No Target Established	Percent
Actual					Data Avail 11/2012	Biennial			

Measure	(009) Cumulative number of certified Renovation Repair and Painting firms								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target					100,000	100,000	140,000	152,000	Firms
Actual					59,143	114,834			

Measure	(10D) Percent difference in the geometric mean blood level in low-income children 1-5 years old as compared to the geometric mean for non-low income children 1-5 years old.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	29	No Target Established	29	No Target Established	28	No Target Established	13	No Target Established	Percent
Actual	35.6	Biennial	23.5	Biennial	Data Avail 10/2012	Biennial			

Measure	(10A) Annual percentage of lead-based paint certification and refund applications that require less than 20 days of EPA effort to process.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target		90	91	92	92	92	95	95	Percent
Actual		92	91	92	96	95			

Nationally, lead-based paint exposure from deteriorated paint or renovation, repair and painting activities is the single largest source of lead poisoning. However, recent studies indicate adverse health effects to children at blood lead levels lower than previously recognized. EPA is now targeting reductions in the number of children with blood lead levels of 5 micrograms per deciliter or higher.

EPA will work towards reducing the percentage of children with blood lead levels above 5 ug/dL to 1.5 percent. Data are collected from the Centers for Disease Control and Prevention's (CDC) National Health and Nutrition Examination Survey (NHANES). NHANES is recognized as the primary database in the United States for national blood lead statistics.

The Lead Program also tracks the disparities in blood lead levels between low-income children and non-low-income children. The program uses this performance measure to track progress toward eliminating childhood lead poisoning in vulnerable populations. EPA's long-term goal, as reflected in the FY 2011-2015 EPA Strategic Plan, is to close the gap between the geometric mean blood lead levels among low income children versus non-low-income children, from a baseline percentage difference of 43.6 percent (1999-2002) to a difference of 10 percent by FY 2015, with an interim target for FY 2012 of 13 percent. According to the NHANES data, an overall downward trend with some variation has been observed with recent data showing a percent difference of 35.6 percent from 2003-2006 and 23.4 percent from 2005-2008.

In FY 2010, the Lead program introduced a supporting output measure that tracks the number of firms certified in Renovation, Repair and Painting activities. This measure will not be subject to the data lags of the biomonitoring measures described above. It shows the total programmatic impact as the number of firms certified. EPA's goal is to increase the number of certified firms from zero in FY 2009 to 152,000 in FY 2013.

The Lead program's annual efficiency measure tracks improvements in processing time for certification applications for lead-based paint professionals and for refund applications. Certification work represents a significant portion of the lead budget and overall efficiencies in management of certification activities will result in numerous opportunities to improve program management effectiveness. Since 2004, the percent of certification applications processed under 20 days has increased from 77 to 92 percent, with most recent progress in FY 2011 at 95 percent. The FY 2013 targets sustain this high level of achievement.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$164.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$736.0/+1.0 FTE) This reflects an increase to improve the EPA's ability to implement the Lead Renovation, Repair and Painting (RRP) rule, which took effect April 22, 2010, and to fulfill a federal court settlement agreement and an Agency response to a TSCA citizen's petition binding the EPA to undertake several additional Lead rulemaking actions. The additional resources will enable the EPA to keep pace in its rulemaking actions being conducted under the court settlement and to increase efforts to inform the

public of the need to use trained and certified RRP contractors when conducting renovation projects in the presence of lead-based paint. This increase includes 1.0 FTE and associated payroll of $141.0.

Statutory Authority:

Toxic Substances Control Act (TSCA), 15 U.S.C. 2601 et seq. – Sections 401-412.

Program Area: Underground Storage Tanks (LUST / UST)

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$11,622.7***	***$12,846.0***	***$12,283.0***	***($563.0)***
Leaking Underground Storage Tanks	$13,926.8	$11,962.0	$11,490.0	($472.0)
Total Budget Authority / Obligations	$25,549.5	$24,808.0	$23,773.0	($1,035.0)
Total Workyears	120.6	132.0	130.0	-2.0

Program Project Description:

These funds support EPA staff and extramural expenses used for preventing releases from underground storage tanks (USTs). The EPA works with state[140], tribal and inter-agency partners to prevent releases from USTs from occurring, thereby reducing cleanup costs while protecting human health and the environment. Potential adverse effects from the use of contaminants of concern such as benzene, methyl-tertiary-butyl-ether (MTBE), alcohols, or lead scavengers in gasoline and the concurrent cost associated with cleaning up these contaminants underscore the emphasis on promoting compliance with UST requirements[141].

As of September 30, 2011, there were approximately 590,000 federally-regulated active USTs at approximately 212,000 sites across the country, which are regulated by the UST technical regulations, and of these active tanks, 70.9 percent were in significant operational compliance with both the release prevention and leak detection requirements[142]. This means that almost 30 percent of tanks were not in compliance and a considerable amount of work remains. Preventing petroleum releases into the environment has been one of the primary goals of the Underground Storage Tank (UST) program since its inception. The EPA and its partners have made major progress in reducing the number of new releases, but thousands of new releases are still discovered each year. A main cause of these releases is the lack of proper operation and maintenance of UST systems, which is why the EPA proposed revisions to the UST regulations in FY 2012 that address these and other important issues[143].

The EPA provides national support and guidance to the UST program and oversight of associated state and tribal grant funding to ensure performance goals are achieved.

[140] States as referenced here also include Territories as described in the definition of "State" in the Solid Waste Disposal Act.
[141] See Statutory Authority section.
[142] See definition of significant operational compliance http://www.epa.gov/oust/cat/PMDefinitions.pdf
[143] See http://www.gpo.gov/fdsys/pkg/FR-2011-11-18/pdf/2011-29293.pdf

FY 2013 Activities and Performance Plan:

A primary focus of the UST program in FY2013 will be to maintain efforts to meet the statutory mandate for EPA or the states to inspect every tank at least once every three years, and to implement other leak prevention requirements such as operator training, prohibition of delivery for non-complying facilities, and secondary containment or financial responsibility for tank manufacturers and installers.[144]

Any changes that result from a final rule[145] will require subsequent state adoption, applicable updates to state regulations, and updates to state program approval once implemented.

In FY 2013, the EPA will work closely with its partners to continue core program priorities to bring UST systems into compliance and keep them in compliance. These activities include continuing to support core development and implementation of state and tribal UST programs; assisting states in conducting inspections, providing training to promote and enforce violations discovered during the inspections; and assisting other federal agencies to improve their compliance at UST facilities. The EPA will also provide technical and compliance assistance and expert consultation to its partners in the states, tribes and other agencies on both policy and technical matters to strengthen the network of its federal, state and local partners, specifically communities and vulnerable populations. The EPA will provide training opportunities and assistance tools to better prepare UST inspectors and better inform UST owners.

The EPA is working to strengthen its efforts to ensure the effectiveness of required financial assurance mechanisms,[146] and to create incentives for improved compliance by tank owners and operators. In FY2013, EPA will continue to work toward better ensuring compliance with these requirements through a workgroup of EPA, state and other interested stakeholders. This workgroup is tasked to improve the effectiveness of the two most common financial assurance mechanisms in the tanks program, insurance and state funds, as well as other mechanisms that the workgroup finds to be important.

The EPA has the primary responsibility to implement the UST program in Indian country and to maintain information on USTs located in Indian country. Most tribes do not have independent programmatic resources. Thus, the EPA's role is critical in implementing the UST prevention and compliance program in Indian country.

To ensure an effective and safe transition to alternative fuels and to identify potentially widespread and avoidable environmental and health impacts, the EPA will continue to work with states and tribes to assess and ensure UST compatibility with alternative fuels. This issue is particularly important given the EPA's approval of additional ethanol mixtures, such as E15 for use in certain vehicles, which will result in certain petroleum retailers storing E15 and/or E85 in

[144] For more information on these and other activities please refer to http://www.epa.gov/oust/fedlaws/epact_05.htm.
[145] See footnote 3
[146] See http://www.epa.gov/oust/fedlaws/280_h.pdf

their USTs.[147] In FY 2013, the EPA will focus resources on responding to the increased use of biofuels by assessing and ensuring biofuel compatibility[148].

Additionally, there are many petroleum brownfields sites that are predominately old gas stations that blight the environmental and economic health of surrounding neighborhoods. EPA works to enable communities to bring formerly contaminated properties into productive use. While the UST program and the Brownfields program jointly focus attention and resources on the cleanup and reuse of petroleum-contaminated brownfield sites, the UST program provides technical expertise on petroleum-specific brownfields efforts. The UST program contributes to area-wide planning approaches that can help communities revitalize areas that include petroleum sites. For the last few years, EPA has been implementing a petroleum brownfield three-year action plan produced in 2008. Update and implementation of a revised three-year action plan is a program priority in FY 2013.

Performance Targets:

Work under this program also supports performance results in Categorical Grant: Underground Storage Tanks Program Project and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$273.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$836.0 / -0.6 FTE) This change reflects both a decrease in EPA FTE and $81.0 in associated payroll and a decrease in extramural funding that provides grants to organizations who support states and tribes with training and other technical assistance and development.

Statutory Authority:

Solid Waste Disposal Act, as amended by the Energy Policy Act, 42 U.S.C. 6901 et seq. – Section 8001 and Sections 9001 -9011.

[147] Ethanol fuel mixtures have "E" numbers which describe the percentage of ethanol in the mixture by volume, for example, E85 is 85% anhydrous ethanol and 15% gasoline.
[148] See compatibility requirement at 40 CFR 280.32

Program Area: Water: Ecosystems

National Estuary Program / Coastal Waterways
Program Area: Water: Ecosystems
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$31,528.9***	***$27,014.0***	***$27,304.0***	***$290.0***
Total Budget Authority / Obligations	$31,528.9	$27,014.0	$27,304.0	$290.0
Total Workyears	44.9	48.6	48.7	0.1

Program Project Description:

The goal of the National Estuary/Coastal Waterways program is to restore the physical, chemical, and biological integrity of estuaries of national significance and coastal watersheds by protecting and restoring water quality and living resources.[149] Major project efforts include:

- Aligning National Estuary Program (NEP)/Coastal Waterways policy with Executive Order 13547 that directs federal agencies to assume stewardship responsibility for our nation's ocean, our coasts, and the Great Lakes; integrating the National Estuary Program/Coastal Waterways program into the EPA's implementation of the Nine National Priority Objectives of the National Ocean Policy, a new framework for all Federal agencies to work together to protect ocean resources; and maintaining and forming partnerships with other federal agencies responsible for implementing the National Policy;[150]
- Supporting the 28 National Estuary Programs' continued implementation of Comprehensive Conservation and Management Plans as well as implementation of Clean Water Act core programs in their estuarine watersheds;
- Monitoring and assessing coastal water quality conditions in the estuary and the associated upstream waters of the estuary to be addressed by the Comprehensive Conservation and Management Plans, results of which are described in the National Coastal Condition Reports;
- Identifying healthy and impaired watershed components, including significant impairments that are outside the area addressed by the Comprehensive Conservation and Management Plans that could affect the water quality and ecological integrity of the estuary; and
- Supporting enhancement of the National Estuary Programs' capacity to develop and implement climate change adaptation strategies.

[149] For more information, visit http://www.epa.gov/owow/estuaries.
[150] For more information visit http://www.whitehouse.gov/administration/eop/ceq/initiatives/oceans. The nine National Priority Objectives are on page 6.

FY 2013 Activities and Performance Plan:

Estuarine and coastal waters are among the most environmentally and economically valuable natural resource in the nation. Resources in FY 2013 will support: (1) continued implementation of the National Policy for the Stewardship of the Ocean, Coasts, and Great Lakes; (2) the EPA's goal of protecting estuaries of national significance and other estuarine/coastal watersheds; and (3) protecting and restoring additional acres of habitat in National Estuary Program study areas covered by each National Estuary Program's Comprehensive Conservation Management Plan. This work will be undertaken in partnership with states, tribes, coastal communities, and other partners.

The National Estuary Program

In FY 2013, the EPA will continue support of the National Estuary Program by providing $16.8 million in Clean Water Act Section 320 grants for the 28 NEPs ($600 thousand per NEP). This flagship watershed protection program will help address continuing and emerging threats to the nation's estuarine resources. The EPA will continue support of NEP Comprehensive Conservation and Management Plan implementation as well as implementation of Clean Water Act core programs. Specifically, the EPA's activities include:

- Supporting the 28 NEPs' continued efforts to exercise local and regional leadership by targeting protection and restoration of estuarine resources and promoting environmental sustainability, including sustainable land practices, through Comprehensive Conservation and Management Plan implementation. The EPA oversight of NEP Comprehensive Conservation and Management Plan implementation includes the ongoing review of the NEPs' environmental programs, projects, and results, and of the NEP leveraging of partner resources; and

- Supporting efforts to achieve the EPA's goal of protecting and restoring 100 thousand additional acres of habitat in FY 2013, and promoting alignment of NEP restoration goals with those of federal, Tribal, state, regional, and local agencies. Since 2002, over one million acres of habitat have been protected or restored within National Estuary Program study areas.

The effects of climate change, such as rising sea levels, changes in precipitation patterns, increases in intensity of and damage from storms, and changes in commercially-and ecologically-significant species' distribution, as well as the impacts of coastal development, are a growing concern in U.S. coastal watersheds. The EPA will continue working with our NEP and non-NEP partners to identify, develop, and promote strategies aimed at: (1) improving the resilience of coastal watershed communities and ecosystems and (2) enhancing those communities' capacity to adapt to emerging climate change impacts.

The program will continue implementing its enhanced NEP data reporting and tracking system. The system tracks progress in NEP efforts to meet ambitious annual and long-term habitat protection and restoration targets.

Coastal Monitoring and Assessment

In FY 2013, the program will lead the effort to strengthen knowledge of our coasts and oceans by monitoring and assessing the nation's coastal waters. Along with federal, state, and local partners, the EPA will continue to track and report on coastal waters' health and progress toward meeting NEP/Coastal Watershed strategic targets by issuing future editions of a National Coastal Condition Report, supporting efforts to monitor and assess U.S. coastal waters, and developing additional indicators of coastal ecosystem health. The National Coastal Condition Report is the only statistically-significant measure of coastal water quality that covers both national and regional scales. The National Coastal Condition Report includes indicators covering coastal water quality, sediment quality, benthic condition, coastal habitat, and fish tissue contamination. The fourth National Coastal Condition Report, based largely on the EPA's Research and Development Program's National Coastal Assessment's data from 2003–2006, is expected to be released in FY 2012.

Information on coastal ecological conditions, generated by the National Coastal Condition Report, can be used by resource managers to efficiently and effectively target water quality actions and manage those actions to maximize benefits. The National Coastal Condition Report is based on data gathered by various federal, state, and local sources using a probability design that allows extrapolation to represent all coastal waters of a state, region, and the entire U.S.

Other Coastal Watersheds

In FY 2013, the EPA will continue other coastal watershed work, including:

- *National Ocean Policy:* The EPA will support the implementation of the Nine National Priority Objectives of the National Ocean Policy, with a particular focus on the Water Quality and Sustainable Practices on Land, Climate Change and Ocean Acidification and Ecosystem Based Management Priority Objectives.

- *Large Aquatic Ecosystems*: The EPA will foster collaboration among the Agency's ecosystem-based efforts, such as the Chesapeake Bay and the Great Lakes, and national water programs with the goal of improving the health of the nation's large aquatic ecosystems and strengthening links among these programs and to the national water programs. These coordination activities complement resources in other programs for individual ecosystems (e.g. Great Lakes, Long Island Sound, Puget Sound, and San Francisco Bay).

- *Climate Ready Estuaries*: The EPA will continue to strengthen the capacity of NEPs and other coastal watershed entities to lead coastal communities' adaptation to the impacts of climate change. The agency will provide technical assistance to the NEPs as they: (1) develop and implement "Climate-Ready Estuary" models assessing watersheds' vulnerabilities to climate change; (2) develop and implement climate adaptation strategies; (3) engage and educate stakeholders about climate change impacts in their coastal areas; and (4) share lessons learned with other coastal managers. The agency also will help promote increased resilience among NEPs and enhance the climate adaptation

capacity of NEPs and other coastal watershed communities through partnerships with other federal agencies. The partnerships will provide tools, training, and scientific expertise to communities working to build their capacity to prepare for and manage climate change impacts.

- *Gulf Hypoxia*: The EPA's role in implementing the *Action Plan for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico* will not only require overall leadership in coordinating activities among federal and state agencies, but also places the EPA in the lead role for actions in the plan. A key goal is to improve water quality in the Mississippi River Basin and the Gulf of Mexico by implementing approaches to reduce nitrogen and phosphorus pollution into the Basin and to the Gulf. Effective nutrient reduction in the Gulf will be coordinated with other Hypoxia Task Force agencies (e.g. U.S. Department of Agriculture and U.S. Geological Survey) in high priority watersheds. Resources in this program are particularly focused on support for the Gulf Hypoxia Task Force and complement other coordination and implementation resources in the Geographic Program: Gulf of Mexico and Surface Water Protection Program.

Performance Targets:

Measure	(202) Acres protected or restored in National Estuary Program study areas.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	25,000	50,000	50,000	100,000	100,000	100,000	100,000	100,000	Acres
Actual	140,033	102,462.9	83,490	125,410	89,985	62,213			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$162.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$15.0 / +0.1 FTE) This increase provides additional resources to enhance estuarine/coastal watersheds support. The additional resources include 0.1 FTE and associated payroll of $15.0.

- (+$113.0) This increase reflects support for protecting and enhancing water quality and living resources in estuaries and coastal watersheds.

Statutory Authority:

1990 Great Lakes Critical Programs Act; 2002 Great Lakes and Lake Champlain Act; Clean Water Act; Estuaries and Clean Waters Act of 2000; Protection and Restoration Act of 1990; North American Wetlands Conservation Act; Water Resources Development Act; 1909 The Boundary Waters Treaty; 1987 Great Lakes Water Quality Agreement; 1987 Montreal Protocol on Ozone Depleting Substances; 1996 Habitat Agenda; 1997 Canada-U.S. Great Lakes Bi-national Toxics Strategy; Coastal Wetlands Planning; U.S.-Canada Agreements.

Wetlands

Program Area: Water: Ecosystems
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$28,297.6***	***$21,160.0***	***$27,685.0***	***$6,525.0***
Total Budget Authority / Obligations	$28,297.6	$21,160.0	$27,685.0	$6,525.0
Total Workyears	168.1	162.5	161.9	-0.6

Program Project Description:

The Environmental Protection Agency's Wetlands Protection Program is divided into two programmatic areas: the Clean Water Act Section 404 regulatory program and the state, tribal, and local government program, which includes a focus on wetland scientific, outreach, financial support, and coordination efforts. Both areas rely on authorities established under the Clean Water Act intended to ensure effective, scientifically based, and coordinated efforts to protect the nation's water resources. The Wetlands Program operates under the broad national goal of "no net loss" of wetlands in the Section 404 regulatory program and also works to increase the quality and quantity of wetlands nationwide. Major activities of the Wetlands Protection Program include development and dissemination of guidance, information, and scientific tools to improve management and public understanding of wetland programs and legal requirements; review of Section 404 permit applications submitted by the U.S. Army Corps of Engineers or authorized states; and management of financial assistance to support development of state and tribal wetland protection programs under the Clean Water Act.

Wetlands provide numerous functions that are critical to the nation's public health and environmental integrity. They improve water quality; recharge water supplies, including public drinking water; provide many recreational opportunities, including hunting and fishing; reduce flood risks; provide fish and wildlife habitat; and support valuable recreational and commercial fishing and shellfish industries. The EPA's Wetlands Protection Program relies on partnerships with other programs within the EPA and with other federal agencies; state, tribal, and local governments; private landowners; and the general public to improve protection of our nation's valuable wetland resources. Working with our partners, the EPA works to provide a consistent and effective national approach to wetlands protection.

FY 2013 Activities and Performance Plan:

Improve Clean Water Act Review of Surface Coal Mining: Beginning in FY 2009, the EPA significantly enhanced collaboration with the Department of the Interior and the Army Corps of Engineers to implement a Memorandum of Understanding to reduce the harmful environmental consequences of Appalachian surface coal mining operations. In October 2011, the United States District Court for the District of Columbia set aside the Enhanced Coordination Procedures

developed by the EPA and the Department of the Army to review 79 pending permit applications associated with Appalachian surface coal mining discharges. In response to the Court's decision, the EPA and the Corps have ceased using the Enhanced Coordination Procedures pending potential appeal.

Consistent with the Clean Water Act and existing regulations and memoranda, the EPA will continue in FY 2013 to collaborate with the Army Corps of Engineers, as appropriate, to review proposed discharges of dredged or fill material pursuant to Clean Water Act Section 404. It is through this regular interaction that both the EPA and the Army Corps of Engineers work together most effectively to share information, identify issues of concern, and reach environmentally responsible permit outcomes. This results in more timely reviews and allows projects which meet the requirements of the law and minimize avoidable delays to proceed. The EPA also continues to coordinate with other EPA and state programs, including the Section 402 permitting, Section 303 water quality standards, and Section 401 water quality certification programs, to assure more effective and coordinated review of new surface coal mining projects. The request reflects EPA's continuous analysis of program priorities and needs in light of current program levels and supports the full range of wetlands protection activities. Full funding of the program will enable the Agency to assist the Corps of Engineers and permit applicants in reviewing proposed projects, identifying environmental concerns, minimizing impacts, and working together toward timely and defensible permit decisions that meet the requirements of the law.

The EPA also will work to strengthen the scientific basis for Section 404 permit reviews, including efforts to work with companies, the Corps, and States to encourage mine designs that result in lower impacts to aquatic resources and water quality. The Agency also will work to develop and disseminate improved technical information regarding the environmental and public health effects of pollutants from mining-related discharges to waters of the U.S. Based on its review in 2010 of existing regulatory authorities and procedures, the EPA will improve interagency coordination and collaboration and strengthen watershed-scale and cumulative impact assessment of proposed surface coal mines. The agency also will work to promote rigorous analysis of these operations under the National Environmental Policy Act and Environmental Justice Executive Order 12898 in order to better reduce the harmful environmental consequences of proposed surface coal mining projects.

Improve Efforts to Compensate for Unavoidable Wetlands Impacts: In FY 2013, the Agency, working with the Army Corps of Engineers and other partners, will continue to implement the joint Army Corps of Engineers-EPA Compensatory Mitigation Rule finalized in FY 2008, which was designed to: (1) improve the effectiveness of compensatory mitigation to replace lost aquatic resource functions and area; (2) expand public participation in compensatory mitigation decision making; and (3) increase the efficiency and predictability of the mitigation project review process. The EPA's primary goal is to avoid or minimize aquatic resource losses. Where unavoidable losses of functions through restoration and enhancement must occur, the EPA promotes using a watershed approach and flexible tools such as mitigation banking to help offset lost aquatic resource functions. The EPA will place greater emphasis on assessment and monitoring of aquatic resource function, in order to develop functionally based crediting and debiting protocols and achieve ecological performance standards at compensation sites. The EPA

will continue to focus on wetland and stream corridor restoration to regain lost aquatic resources. In addition, the EPA and the Army Corps of Engineers will provide technical training in targeted regions, in addition to providing our annual training course on mitigation banking and in-lieu fee programs for interagency review teams.

Strengthen State and Tribal Wetlands Program Efforts: In FY 2013, the EPA will work with its state and tribal partners to strengthen their wetland programs in the areas of monitoring and assessment, voluntary restoration and protection, regulatory programs (including Clean Water Act Section 401 certification), and wetland water quality standards. The Agency will assist states and tribes to develop and implement broad-based and integrated monitoring and assessment programs that improve wetland data for decision-making on wetlands within watersheds, address significant stressors, report on conditions, and geo-locate wetlands on the landscape. In addition, the EPA will continue to work with states and tribes interested in assuming administration of the Clean Water Act Section 404 program and approve state programs consistent with the Section 404 program requirements. In support of state and tribal wetland programs, the EPA will continue to administer Wetland Program Development Grants under Clean Water Act 104(b)(3), with a focus in FY 2013 on working more efficiently with states and tribes to achieve specific program development outcomes, and providing targeted technical assistance to states and tribes. The EPA is encouraging states and tribes to prepare wetland program plans to prioritize capacity-building activities. The EPA also works in partnership with non-governmental organizations and state, tribal, and local agencies to conserve and restore wetlands and other waters through watershed planning approaches, voluntary and incentive-based programs, improved scientific methods, information and education, and building the capacity of state and local programs.[151]

Continue the National Wetland Condition Assessment: The National Wetland Condition Assessment is one of a series of National Aquatic Resource Surveys designed to assess the condition of our nation's waters while advancing state capacity to monitor and assess aquatic resources. Development of the National Wetland Condition Assessment builds on the accomplishments of the U.S. Fish and Wildlife Service and their production of national reports on status and trends in wetland acreage. When taken together, the National Wetland Condition Assessment and the U.S. Fish and Wildlife Service *Wetland Status and Trends* results will, over time, be used to measure progress toward attainment of the national goal to increase the quantity and quality of the nation's wetlands. The National Wetland Condition Assessment will be published in FY 2014 and will represent the first ever statistically valid comprehensive survey of national wetland condition.

Clarify Scope of Clean Water Act Protections for Waters of the U.S.: Another key activity in FY 2013 will be the EPA's continued work, in coordination with the Army Corps of Engineers, to clarify the geographic scope of waters protected under the Clean Water Act. Over the past decade, interpretations of Supreme Court rulings have removed some critical waters from federal protection and have caused confusion about which waters and wetlands are protected from pollution. The EPA and the Army Corps of Engineers are exploring opportunities for providing additional clarity that are consistent with the Clean Water Act and court decisions; understandable, predictable, and fair; and protect waters important for public health, water

[151] For more information, visit http://www.epa.gov/owow/wetlands/ or http://www.cfda.gov.

quality, and the environment. On a day-to-day basis, the EPA will continue to assist the Army Corps of Engineers in jurisdictional determinations, including site visits.

Lead Interagency Team to Study and Address Coastal Wetlands Loss: The EPA leads an Interagency collaboration with other federal agencies, including U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, the United States Department of Agriculture, United States Geological Survey, the Army Corps of Engineers, and Federal Highway Administration, to better understand the factors contributing to wetland losses and identify actions that could reduce or reverse trends in coastal wetland loss. In FY 2013, the EPA will use the Agency's wetland program resources and authorities to improve coastal wetland resource protection and restoration collaboration with other agencies. The Gulf of Mexico also will remain an area of emphasis and attention, in light of documented wetland losses. Although wetland acreage is increasing nationally, wetlands in coastal watersheds are declining. The U.S. Fish and Wildlife Service reports the loss of 84.1 thousand acres of coastal wetlands between 2004 and 2009.[152] This is a concern because wetlands are nurseries for many fish and shellfish of commercial and recreational importance and play key roles as storm buffers and floodwater storage.

Strengthen Wetlands Information: In FY 2013, the EPA will work with our federal partners to increase development of data and information for the digital Wetlands Data Layer in the National Spatial Data Inventory. This baseline data is essential for local, state, tribal, regional and federal agencies so they can better manage and conserve wetlands in the face of challenges posed by climate change and other stressors.

Performance Targets:

Measure	**(4E) In partnership with the U.S. Army Corps of Engineers, states, and tribes, achieve no net loss of wetlands each year under the Clean Water Act Section 404 regulatory program.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	Acres
Actual	Data Not Available	Data Not Available	Data Not Available	No Net Loss	No Net Loss	No Net Loss			

Measure	**(4G) Number of acres restored and improved under the 5-Star, NEP, 319, and great water body programs (cumulative).**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target			75,000	88,000	110,000	150,000	170,000	180,000	Acres
Actual			82,875	103,507	130,000	154,000			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$664.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

[152] Status and Trends of Wetlands in the Conterminous United States 2004 to 2009, available at: http://www.fws.gov/wetlands/StatusAndTrends/index.html.

- (-$82.0 / -0.6 FTE) This reduction reflects reduced support for development and implementation of the Wetlands Program. The reduced resources include 0.6 FTE and associated payroll of $82.0.

- (+$5,943.0) The request reflects EPA's continuous analysis of program priorities and needs in light of current program levels and will allow the EPA to maintain progress and regain momentum on high priority activities constrained in 2012. Funds will support the EPA's implementation of core Clean Water Act responsibilities under Section 404, including timely review of Section 404 permits, science reviews needed for defensible permits and support for state efforts to establish and implement effective wetlands protection programs.

Statutory Authority:

1990 Great Lakes Critical Programs Act; Great Lakes and Lake Champlain Act; Clean Water Act; Coastal Wetlands Planning, Restoration and Restoration Act of 2002; Estuaries and Clean Waters Act of 2000; North American Wetlands Conservation Act; Wetlands Resources Development Act; 1909 The Boundary Waters Treaty; Great Lakes Water Quality Agreement of 1978; 1996 Habitat Agenda; 1997 Canada-U.S. Great Lakes Bi-national Toxics Strategy; U.S.-Canada Agreements.

Program Area: Water: Human Health Protection

Beach / Fish Programs
Program Area: Water: Human Health Protection
Goal: Protecting America's Waters
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$2,896.2***	***$2,552.0***	***$702.0***	***($1,850.0)***
Total Budget Authority / Obligations	$2,896.2	$2,552.0	$702.0	($1,850.0)
Total Workyears	7.8	7.5	3.9	-3.6

Program Project Description:

These programs support the Agency's efforts to protect people from health risks from swimming in contaminated recreational waters and eating contaminated fish and shellfish. Recreational waters, especially beaches in coastal areas and the Great Lakes, provide recreational opportunities for millions of Americans. However, swimming in some recreational waters, or eating locally caught fish or shellfish, can pose a risk of illness as a result of exposure to microbial pathogens, mercury, or other pollutants.

Beach Program:
The Beach Program has protected human health by reducing exposure in coastal and Great Lakes recreational waters to fecal pathogens or pathogen indicators. Agency activities have included: 1) issuing guidance to improve state beach monitoring and public notification programs, including effective strategies to communicate public health risks to the public; 2) developing and disseminating sound scientific risk assessment methods and criteria for use in evaluating recreational water quality, prioritizing beach waters for monitoring, and notifying beach users of health risks or closure of beaches; and 3) providing publicly accessible Internet-based information about local beach monitoring and notification activities.[153]

Fish Contamination Program:
The Fish Contamination Program includes fish advisories and fish tissue contamination studies. The Fish Advisory Program provides sound science, guidance, technical assistance, and nationwide information to state, tribal, and federal agencies on the human health risks associated with eating locally caught fish with contaminants at levels of concern. The Agency pursues the following activities to support this program: 1) publishing criteria guidance that states and tribes can use to adopt health-based water quality standards, assess their waters, and establish permit limits; 2) developing and disseminating sound scientific risk assessment methodologies and guidance that states and tribes can use to sample, analyze, and assess fish tissue in support of waterbody-specific or regional consumption advisories, or to determine that no consumption advice is necessary; 3) developing and disseminating guidance that states and tribes can use to communicate the risks of consuming chemically contaminated fish; and 4) gathering, analyzing,

[153] For more information, visit http://water.epa.gov/type/oceb/beaches/.

and disseminating information to the public and health professionals that inform decisions on when and where to fish and how to prepare fish caught for recreation and subsistence.

Mercury contamination in fish and shellfish is a special concern and the EPA and Food and Drug Administration issued a joint advisory concerning eating fish and shellfish. Mercury contamination of fish and shellfish occurs locally as well as in ocean-caught fish. At higher levels, it causes adverse health effects, especially in developing fetuses and young children.

The fish tissue contaminant studies sample and analyze fish tissue in different types of waterbodies – in fish caught and consumed by recreational and subsistence fishers – for chemicals that are of concern for human health. The program tracks the concentrations of persistent, bio-accumulative, and toxic compounds (PBTs) that are known to be present in U.S. waters. The studies also are a surveillance tool for detecting contaminants of emerging concern (CECs), such as pharmaceuticals, polybrominated diphenyl ethers (PBDEs), and perfluorinated compounds (PFC). Agency activities include: 1) designing and implementing independent or collaborative statistically-representative human health fish tissue studies; 2) analyzing data and preparing reports; and 3) disseminating reports and data that help to inform the public (especially recreational and subsistence fishers) and the states, where states might decide to conduct additional monitoring to determine if fish have contamination levels that warrant issuing a fish consumption advisory.

FY 2013 Activities and Performance Plan:

Beach Program:

- To help meet the fiscal challenges of FY 2013, the EPA has reviewed its programs for areas where any potential efficiencies and streamlining can yield savings and is eliminating the Beach Program. Over the course of the Beach Program, the EPA has provided important guidance and significant funding which successfully supported states and local governments in establishing their own programs. These state programs now have the technical expertise and procedures to continue beach monitoring without federal support.

Fish Contamination Program:

In FY 2013, the EPA will continue to:

- Address total blood mercury concentrations through collaboration and redirection of ongoing work, where possible, to the Food and Drug Administration on joint guidance issued to the public and encourage and support the states' implementation of their Fish Advisory Programs;

- Update science and public policy to assess and manage the risks and benefits of fish consumption, including updating national guidance for assessing the safety of consuming recreationally and subsistence caught seafood; and

- Provide technical support to states in the operation of their monitoring programs, determining acceptable levels of contaminant concentrations, and developing and managing fish advisories.

Performance Targets:

Measure	(fs1) Percent of women of childbearing age having mercury levels in blood above the level of concern.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target			5.5	5.2	5.1	4.9	4.9	4.9	Percent Women
Actual			Data Unavailable	2.8	Data Unavailable	Data Unavailable			

As a result of this disinvestment, the Agency will no longer be able to support the following performance measures:

- SS-1: Number of waterborne disease outbreaks attributable to swimming in or other recreational contact with coastal and Great Lakes waters measured as a 5-year average.

- SS-2: Percent of days of beach season that coastal and Great Lakes beaches, monitored by State beach safety programs, are open and safe for swimming.

In addition, the Agency's Environmental Justice Strategies will need to be revised to reflect the diminished scope of the fish advisory program.

EPA also will deactivate the IT systems associated with these activities and archive the historical data from these systems.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$2.0) This decrease reflects the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$544.0 / -3.6 FTE) This decrease reflects a reduction to the Fish Advisory Program. The EPA will not be able to maintain the National Listing of Fish Advisories (NLFA) database and report on the amount of rivers and lakes that have fish advisories. The Agency will redirect ongoing work, where possible, to the Food and Drug Administration on joint guidance issued to the public and also will encourage and support the states' implementation of their Fish Advisory Programs. The reduced resources include 3.6 FTE and associated payroll of $544.0.

- (-$1,304.0) This reduction reflects the elimination of the Beach Program. The Agency is proposing to eliminate certain mature program activities that are well-established, well-understood, and where there is the possibility of maintaining some of the human health benefits through implementation at the local level.

Statutory Authority:

Clean Water Act; Beaches Environmental Assessment and Coastal Health Act of 2000; 33 U.S.C. 1313.

Drinking Water Programs
Program Area: Water: Human Health Protection
Goal: Protecting America's Waters
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$104,689.8***	***$98,547.0***	***$104,613.0***	***$6,066.0***
Science & Technology	$3,724.2	$3,782.0	$3,639.0	($143.0)
Total Budget Authority / Obligations	$108,414.0	$102,329.0	$108,252.0	$5,923.0
Total Workyears	566.0	583.2	581.7	-1.5

Program Project Description:

The EPA's Drinking Water Program is based on a multiple-barrier approach to protect public health from unsafe drinking water. Under this approach, the EPA protects public health through: (1) source water assessment and protection programs; (2) promulgation of new or revised, scientifically sound National Primary Drinking Water Regulations; (3) training, technical assistance, environmental outreach and financial assistance programs to enhance public water systems' capacity to comply with existing and new regulations; (4) underground injection control programs; (5) and the implementation of National Primary Drinking Water Regulations by state and tribal drinking water programs through regulatory, non-regulatory, and voluntary programs and policies to ensure safe drinking water.[154]

FY 2013 Activities and Performance Plan:

Safe drinking water is critical to protecting human health. More than 300 million Americans rely on the safety of tap water provided by public water systems that are subject to national drinking water standards.[155] In FY 2013, the EPA will continue to protect sources of drinking water from contamination by: (1) developing new and revising existing drinking water standards; (2) supporting states, tribes, and water systems in implementing standards; (3) promoting sustainable management of drinking water infrastructure; and (4) implementing the underground injection control program. For FY 2013, the Agency's goal is that 92 percent of the population served by community water systems will receive drinking water that meets all applicable health-based standards. Since FY 2008, the Agency has met or surpassed its community water system goals. In FY 2011, 93.2 percent of the population served by community water systems (CWSs) received drinking water meeting all applicable health-based drinking water standards, surpassing that year's performance target of 91 percent. In addition, CWSs in FY 2011 provided safe drinking water 97.4 percent of person months (all persons served by community water systems times 12 months), surpassing the performance target of 95 percent.

[154] For more information, please see http://www.epa.gov/safewater and https://www.cfda.gov for more information.
[155] U.S. Environmental Protection Agency Safe Drinking Water Information System (SDWIS/FED), http://water.epa.gov/scitech/datait/databases/drink/sdwisfed/index.cfm.

As part of the Administrator's priority to protect America's waters, the Agency will continue to implement the Drinking Water Strategy in FY 2013.[156] The Strategy is the EPA's approach to expand public health protection for drinking water. In FY 2013, the Agency will continue to use the input provided by stakeholders in FY 2011 and FY 2012 to identify better ways to:

- Address contaminants in groups rather than one at a time to accelerate advancement of drinking water protection;
- Foster development of new innovations in drinking water technologies (especially those applicable to small systems) to address health risks posed by a broad array of contaminants;
- Use the authority of multiple statutes to help protect drinking water; and
- Partner with the states to share more complete data from monitoring at public water systems (PWSs).

Drinking Water Implementation

In FY 2013, the Agency will continue to work with states to implement requirements for risk-based rules to ensure that systems install appropriate levels of treatment. These include requirements to protect against *Cryptosporidium* (Long-Term 2 Enhanced Surface Water Treatment Rule or "LT2"), to control disinfection byproducts (Stage 2 Disinfectants and Disinfection Byproducts Rule or "Stage 2"), and to ensure quality water from groundwater sources (Ground Water Rule). The EPA will assist states in implementing public water system health requirements for drinking water contaminants, including those addressed by the Arsenic Rule and the Lead and Copper Rule.

While most small systems consistently provide safe, reliable drinking water to their customers, many small systems face a number of challenges in their ability to achieve and maintain system sustainability. These challenges include: aging infrastructure, increased regulatory requirements, workforce shortages/high-turnover, increasing costs, and declining rate bases. Difficulties achieving compliance are reflected in recent performance trends. For example, in FY 2011, 81.2 percent of the Indian Country population served by CWSs received drinking water that met all applicable health-based standards, missing the performance target of 87 percent. The EPA will continue to implement its small systems approach to help these systems, which includes the following principles: (1) every person served by a PWS should receive safe drinking water; (2) provide small systems a hand-up and not a hand-out; (3) employ a variety of strategies to address the full spectrum of needs; (4) ensure long-term sustainability of small systems; and (5) target assistance to those small systems that are most in need.

The EPA, in concert with the states and other stakeholders, will focus on rule compliance and system sustainability to ensure clean and safe water. This will be accomplished by working with the states to improve their capacity development and operator certification programs and

[156] For more information, please see http://water.epa.gov/lawsregs/rulesregs/sdwa/dwstrategy/index.cfm for additional information.

continuing to partner with the United States Department of Agriculture's (USDA) Rural Utilities Service to promote water and wastewater system sustainability, water sector workforce opportunities in rural America, and coordinate infrastructure funding, as appropriate. The EPA also will further promote water system partnerships, including voluntary restructuring or combining of systems unable to provide the necessary technical, managerial, or financial resources to achieve compliance and long-term sustainability.

The EPA will continue work, initiated in FY 2012, to replace obsolete and expensive-to-maintain drinking water information system technology. The Agency is requesting an increase of $1.2 million to upgrade the EPA's Safe Drinking Water Information System/Federal (SDWIS/Fed). These funds will:

- Support efficient sharing of drinking water data between states and the Agency;
- Enable states to more effectively and efficiently allocate resources and technical assistance to systems in non-compliance and most in need, including those serving less than 10 thousand people;
- Reduce the EPA's total cost of system ownership;
- Decrease costs that states currently have to maintain individual data systems so they can utilize those funds to support systems; and
- Enable faster implementation of drinking water rules and provide tools to ensure consistent determinations for compliance with drinking water rules.

In addition, the EPA will be able to develop the capability to post more drinking water data on the Internet. This increased transparency will instill confidence that America's drinking water meets stringent EPA standards and is safe for public consumption. The investment also will allow for better targeting of federal and state funding and technical assistance resources. Specifically, the EPA will be able to review data related to existing drinking water regulations with reduced burden on its regulatory partners.

Also, a companion increase in Public Water System Supervision Grant Program (PWSS) resources is requested to replace the EPA developed, state-operated Safe Drinking Water Information System (SDWIS/State) with a new and more efficient system. The EPA estimates that replacing SDWIS/Fed and SDWIS/State will save $15 million over 10 years. These cost efficiencies and system improvements will enable states to acquire data more quickly and more easily target resources to programs in non-compliance. Specific activities associated with the state funding are described in the PWSS state grant narrative of the budget.

The EPA also will continue the following activities in order to facilitate compliance with rules:

- Support states in their efforts to assist small systems in attaining and maintaining the technical, managerial, and financial capacity to consistently meet regulatory requirements and achieve long-term sustainability through the use of cost-effective treatment

technologies, proper disposal of treatment residuals, and compliance with contaminant requirements, including monitoring under the arsenic and radionuclide rules and rules controlling microbial pathogens and disinfection byproducts;

- Oversee the national Public Water System Supervision (PWSS) program efforts by establishing priorities, developing guidance, measuring program results, and administering the PWSS Grants;

- Directly implement the Aircraft Drinking Water Rule, which affects over 5,000 aircraft;

- Carry out the Drinking Water Program where the EPA has primacy (*e.g.*, Wyoming, the District of Columbia, and tribal lands) and where states have not yet adopted new regulations;

- Provide guidance, training (including webcasts and on-line training), and technical assistance to states, tribes, laboratories, and utilities on the implementation of drinking water regulations, especially the Ground Water Rule and the Lead and Copper Rule, and begin to provide guidance and technical assistance to implement the newly Revised Total Coliform Rule. The EPA also will work with states to promote best practices related to the operation and maintenance of small systems in support of long-term compliance with existing regulations;

- Provide training and technical assistance to states and to water systems that need to increase their treatment to comply with Stage 2 and LT2. Compliance with new health-based requirements for water systems serving at least 50,000 people under LT2 and Stage 2 begins March 31, 2012 and continues through October 1, 2012;

- Work with other programs, through an intra-agency workgroup, to create educational resources to disseminate information to the public and increase transparency about America's drinking water standards, pollution runoff, and improving water quality. Other outreach activities include community training through issuance of grants, innovative awards, and collaboration with national environmental organizations. These resources will be available to educate the public about water quality issues and support EPA's core mission to expand the conversation on environmentalism; and

- Develop technical guidance and other follow-up activities related to the Revised Total Coliform Rule, which the Agency plans to promulgate in 2012.

Drinking Water Standards

To assure the American people that their water is safe to drink, the EPA's drinking water regulatory program monitors for a broad array of contaminants, evaluates whether contaminants are of public health concern, and regulates, where needed. As part of the Drinking Water Strategy, the Agency will continue to focus on regulating groups of drinking water contaminants to more effectively address potential risks. In addition, the EPA will expand its communication

with states, tribes, and communities, thereby improving confidence in the quality of drinking water.

The Agency will continue to assess the available information on health effects and occurrence data in drinking water to determine which Contaminant Candidate List (CCL 3) contaminants have sufficient information to make a determination whether to regulate the contaminant under SDWA. SDWA requires the Agency to make regulatory determinations on at least five CCL contaminants every five years in addition to reviewing existing rules every six years. To meet this statutory requirement, the EPA expects to make preliminary determinations for at least five CCL 3 contaminants in 2012 and, after taking public comment, will make final regulatory determinations in 2013. If the Agency identifies any contaminant(s) for regulation, the EPA will start any proposed regulation in 2013 to meet the SDWA requirement that the EPA must propose the regulation(s) within 24 months after making the final regulatory determination. The Agency also will continue to evaluate and address drinking water risks through other activities to implement the Safe Drinking Water Act (SDWA) including:

- Proposing a regulation, in 2013, to address a group of carcinogenic volatile organic compounds (cVOCs) as part of the Drinking Water Strategy announced by the Administrator in March 2010. This group will include tetrachloroethylene and trichloroethylene, which were announced as candidates for revised regulations in the Agency's second Six Year Review. The group also may include additional regulated and unregulated cVOCs. EPA will propose a regulation to address these contaminants as a group rather than individually in order to provide public health protection more quickly and also allow utilities to more effectively and efficiently plan for improvements;

- Proposing a perchlorate regulation in 2013, evaluating public comments on the proposed perchlorate regulation, analyzing new information provided by commenters, and beginning to prepare the final perchlorate regulation for promulgation;

- Developing revisions to the Lead and Copper Rule. Input has been sought through expert panels, public workshops, Agency work groups, and other stakeholder meetings, as well as the peer reviewed scientific literature. In FY 2013, the Agency will continue to evaluate the long-term issues identified in the national review of the revised Lead and Copper Rule with an expectation to publish proposed revisions to the Lead and Copper Rule in 2014;

- Developing the fourth Contaminant Candidate List (CCL 4) of unregulated contaminants with the greatest potential to occur in public water systems and which may require regulation due to the potential for human health concerns. The EPA expects to publish the proposed CCL 4 in 2013 and the final CCL 4 in 2014;

- Continuing, under the SDWA requirement, to review each existing national primary drinking water regulation (NPDWR) no less than every six years (Six-Year Review) and revise the NPDWR(s), if appropriate. The EPA will continue to identify those NPDWRs for which current health effects assessments, changes in technology, and/or other factors provide a health or technical basis to support a regulatory revision that will maintain or

strengthen public health protection. The EPA expects to complete the third Six-Year Review in 2016; and

- Collaborating with stakeholders to better understand water quality issues in distribution systems.

In accordance with the EPA's Final Plan for Periodic Retrospective Review of Existing Regulations, the Agency will: (1) Review the Lead and Copper Rule to seek ways to simplify and clarify requirements imposed on drinking water systems to maintain safe levels of lead and copper in drinking water; (2) Review the Consumer Confidence Report (CCR) Rule and issue technical guidance on alternative methods for CCR delivery; and (3) Review the Long-Term 2 Enhanced Surface Water Treatment Rule by assessing and analyzing new data/information regarding occurrence, treatment, analytical methods, health effects and risk from all relevant waterborne pathogens to evaluate whether there are new or additional ways to manage risk while assuring equivalent or improved public health protection.

Sustainable Infrastructure and Sustainable Systems

With the aging of the nation's infrastructure and a growing need for investment, the drinking water and wastewater sectors face a significant challenge to maintain and advance the achievements attained in protecting public health and the environment. The EPA's water and wastewater sustainability efforts are designed to promote more effective management of water utilities in order to continuously improve their performance and achieve long-term sustainability in their infrastructure, operations, and other facets of their business.

The EPA will continue to encourage drinking water utilities to be sustainable through successful business practices by providing funding, technical assistance, and training including the following:

- Providing states with funds, through the Drinking Water State Revolving Fund (DWSRF) capitalization grants, for low-interest loans to assist utilities with financing drinking water infrastructure needs. In FY 2013, the EPA will continue to work in concert with the states to ensure federal financial assistance supports utility compliance with SDWA standards and achieves public health protection objectives of SDWA. The EPA also will work with states, tribes, and utilities to promote technical, financial, and managerial capacity as a critical means to meet infrastructure needs, to further enhance system performance and efficiency, and to ensure compliance;

- Continuing to provide effective oversight of the DWSRF funds;

- Partnering with states and utility associations as part of the Agency's Clean Water and Safe Drinking Water Infrastructure Sustainability Policy to promote upfront planning processes to help ensure that projects are environmentally and financially sustainable, as well as partnership relationships between more capable and less capable utilities, where appropriate;

- Continuing to partner with states to leverage capacity development programs to facilitate the voluntary adoption of sustainable practices by drinking water utilities including asset management programs, water and energy efficiency, and source water protection approaches to manage water resources; and

- Continuing to work with states, other federal agencies, and stakeholders to address operator workforce issues, promote water and energy efficiency, and identify options for utilities in response to climate change impacts and water resource limitations.

Additionally, in FY 2013, the Agency will publish the required fifth DWSRF Needs Survey. The survey reports infrastructure needs that are required to protect public health, such as projects to ensure compliance with the Safe Drinking Water Act (SDWA). The survey will document 20-year capital investment needs of public water systems that are eligible to receive DWSRF monies – approximately 53,000 community water systems and 21,400 not-for-profit non-community water systems. The EPA also will publish data concerning the drinking water infrastructure needs of tribes and Alaskan Native Villages as a special focus of this survey. As directed by the SDWA, the EPA will use the results of the survey to set the state DWSRF allocations beginning in FY 2014.

Source Water Protection

The EPA will continue supporting state and local efforts to identify and address current and potential sources of drinking water contamination. These efforts are integral to the sustainable infrastructure effort because source water protection can reduce the need for additional drinking water treatment and the associated additional infrastructure costs and energy usage. Success has resulted from these efforts, as in FY 2011, 90.7 percent of CWSs met all applicable health-based standards through approaches that included source water protection, surpassing the performance target of 90 percent. In FY 2013, the Agency will:

- Continue to work to promote source water protection for better management of sources of contamination (e.g. sources of nutrients, on-site wastewater systems) by providing training, technical assistance, and technology transfer capabilities to states and localities;

- Continue to work with national, state, and local stakeholder organizations and the multi-partner Source Water Collaborative to encourage collaboration at the state and watershed levels to protect drinking water sources. The EPA also will work with other federal agencies to support state and local source water protection actions; and

- Continue working with states and other stakeholders to characterize current and future pressures on Water Availability, Variability and Sustainability (WAVS), including the potential effects of climate change.

Underground Injection Control (UIC)

The UIC program safeguards current and future drinking water from the underground injection of contaminants. The UIC program regulates the construction, operation, permitting, and closure

of injection wells that place fluids underground for storage, disposal, enhanced recovery of oil and gas, and minerals recovery. In FY 2013, the Agency will:

- Work to meet emerging permitting demands:
  - Injection of fluids for aquifer storage and recovery, stormwater, and desalination associated with water supply needs; and
  - Injection of uranium solution mining fluids and of produced water disposal associated with energy exploration activities;

- Ensure proper oversight of hydraulic fracturing operations where diesel fuel is used by:
  - Implementing permitting guidance under SDWA's Class II UIC program for hydraulic fracturing injection activities using diesel fuels which will be final in 2012; and
  - Working with our state and tribal representative organizations to develop and implement voluntary strategies for encouraging the use of alternatives to diesel in hydraulic fracturing and improving compliance with other Class II regulations, including risks from induced seismic events and radionuclides in disposal wells;

- Implement the new Class VI Geologic Sequestration (GS) rulemaking:

  - Conduct webinars for the regulated community and implementing authorities to facilitate rule implementation and comprehension of guidance recommendations, and prepare additional implementation materials for the rule;
  - Review and process (by rulemaking) Class VI primacy applications from states and tribes; and
  - Provide technical assistance to states to analyze complex modeling, monitoring, siting, and financial assurance data for new GS projects

- Continue to direct national UIC program efforts to protect underground sources of drinking water (USDW) by establishing priorities, developing guidance, measuring program results, administering the UIC Grants; and

- Continue activities to work with the states to populate the UIC database with all inventoried wells (approximately 700 thousand in that year) for all states and tribes (69 UIC programs).

Performance Targets:

Measure	**(E) Percent of the population in Indian Country served by community water systems that receive drinking water that meets all applicable health-based drinking water standards.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	90	87	87	87	87	87	87	87	Percent Population
Actual	86.6	87	83	81.2	87.2	81.2			

Measure	(aa) Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	93	94	90	90	90	91	91	92	Percent Population
Actual	89	91.5	92	92.1	92	93.2			

Measure	(aph) Percent of community water systems that have undergone a sanitary survey within the past three years (five years for outstanding performance).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	95	95	95	95	95	95	95	95	Percent CWSs
Actual	94	92	87	88	87	92			

Measure	(apm) Percent of community water systems that meets all applicable health-based standards through approaches including effective treatment and source water protection.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	93.5	89	89.5	90	90	90	90	90	Percent Systems
Actual	89.3	89	89	89.1	89.6	90.7			

Measure	(dw2) Percent of person months during which community water systems provide drinking water that meets all applicable health-based standards.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target			95	95	95	95	95	95	Percent Months
Actual			97	97.2	97.3	97.4			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$707.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$217.0 / -1.6 FTE) This reduces resources dedicated to regulatory development and implementation assistance to the states and systems. The reduced resources include 1.6 FTE and associated payroll of $217.0.

- (+$114.0) This reflects an increase for program support costs.

- (+$1,200.0) This increase will support upgrading the Safe Drinking Water Information System (SDWIS) to improve compliance monitoring and data flow and quality. This also will enable states to more efficiently receive drinking water data, thereby improving program management and support statutorily required reviews of existing regulations. Specifically, the EPA will be able to review data related to existing drinking water regulations with reduced burden on its regulatory partners.

- (+$3,387.0) This increase will allow the EPA to fund a wide range of activities to protect drinking water that were delayed due to reductions in FY 2012. Key elements include developing and providing technical assistance and tools to states to facilitate small system compliance, performing oversight of state drinking water programs (program reviews were reduced from 16 to 8 in FY 12) to identify problems and improve the quality of drinking water program data in SDWIS, and enabling work associated with regulating a group of carcinogenic volatile organic compounds.

- (+$875.0) This increase is to provide resources to integrate environmental outreach activities through an intra-agency workgroup to increase transparency about America's drinking water standards, pollution runoff, improving water quality and other critical environmental issues. These environmental outreach activities will support EPA's core mission to expand the conversation on environmentalism.

Statutory Authority:

SDWA; CWA.

Program Area: Water Quality Protection

Marine Pollution
Program Area: Water Quality Protection
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$15,570.5***	***$12,898.0***	***$11,587.0***	***($1,311.0)***
Total Budget Authority / Obligations	$15,570.5	$12,898.0	$11,587.0	($1,311.0)
Total Workyears	44.5	43.7	43.7	0.0

Program Project Description:

The goals of the Marine Pollution Program are to ensure marine ecosystem protection by controlling point source and vessel discharges, managing dredged material and ocean dumping, developing regional and international collaborations, monitoring ocean and coastal waters, and managing other marine issues, such as marine debris, invasive species, and the marine transportation system. The Environmental Protection Agency works to integrate its management of the oceans and coasts across federal agencies and with state, tribal, and local governments.[156]

Major areas of effort include:

- Developing and implementing regulations and technical guidance to control pollutants from vessel operational discharges and point source ocean discharges and issuing permits for materials to be dumped in ocean waters;

- Designating, monitoring, and managing ocean dumping sites and implementing provisions of the National Dredging Policy;

- Participating with other federal agencies (including: U.S. Coast Guard, U.S. Army Corps of Engineers, Department of State, U.S. Department of the Interior, National Oceanic and Atmospheric Administration, and Navy) in international marine protection programs, to develop international standards that address vessel-related transport of aquatic invasive species, harmful antifoulants, operational discharges from vessels, dumping of wastes and other matter at sea, and marine debris. The EPA is Head of the U.S. Delegation for the London Convention/London Protocol Scientific Groups, Alternate Head of the U.S. Delegation for the London Convention/London Protocol Consultative Meeting of the Parties, and a member of the U.S. Delegation to the Marine Environmental Protection Committee; and

- Working with a wide variety of stakeholders to develop and implement ecosystem-based management tools, strategies, and plans for coastal ecosystems in order to restore and

[156] See http://water.epa.gov/type/oceb/index.cfm for more information.

maintain the health of coastal aquatic communities on a priority basis, including promotion of dredged material management in a watershed context.

FY 2013 Activities and Performance Plan:

Ocean and coastal waters are environmentally and economically valuable to the nation. To protect and improve water quality on a watershed basis, the EPA will support implementation of the National Policy for Stewardship of the Ocean, Our Coasts, and Great Lakes[157] by working with states, tribes, agencies, and stakeholders on enhancing the quality of our valuable coastal and ocean resources and applying sustainable marine and land use practices. The health of ocean and coastal waters, as well as progress toward meeting strategic targets, will be tracked through periodic issuance of National Coastal Condition reports, which are a cooperative project with federal and state agencies and by identifying monitoring efforts to increase our knowledge of our oceans and coasts.

Key FY 2013 actions include:

Controlling Vessel Operational Discharges

- Develop management practices and associated performance standards for discharges incidental to the normal operation of recreational vessels;

- Evaluate and respond to rulemaking requests to revise the EPA vessel sewage standards under the Clean Water Act;

- Support implementation and reissuance of the Vessel General Permit (Clean Water Act, Section 402);

- Coordinate with the U.S. Coast Guard and with other EPA offices on activities related to the control of sewage discharges from vessels;

- Participate on the U.S. delegation to the Marine Environment Protection Committee of the International Maritime Organization to develop international standards and guidance under the International Convention for the Prevention of Pollution from Ships and other International Maritime Organization conventions addressing operational discharges from ships; and

- Support a nationally consistent policy for the designation of no discharge zones for vessel sewage. Increase awareness and understanding of the no discharge zone program by making maps of no discharge zones available on the EPA's website.

Managing the Marine Protection, Research, and Sanctuaries Act / Ocean Dumping Management Program (including Dredged Material)

[157] http://www.whitehouse.gov/the-press-office/executive-order-stewardship-ocean-our-coasts-and-great-lakes

The Agency will monitor active dredged material ocean dumping sites to ensure the achievement of environmentally acceptable conditions, as reflected in Site Management and Monitoring Plans:

- On an annual basis, the EPA regional offices will determine whether dredged material ocean dumping sites are achieving environmentally acceptable conditions, as defined by each Site Management and Monitoring Plan. Corrective actions will be taken by the appropriate parties should a site not achieve acceptable conditions.

- As co-chair of the National Dredging Team, the EPA will continue working with the Army Corps of Engineers to implement a tracking system for beneficial use of dredged materials (as an alternative to dumping in ocean or coastal waters).

- Work with other federal agencies and the international community to develop guidance on sub-seabed carbon sequestration and address any requests for carbon sequestration in the sub-seabed or by ocean fertilization, including any required permitting under MPRSA.

- Ensure that U.S. policy and procedures regarding ocean dumping are consistent with the London Convention of 1972 and 1996 London Protocol.

- Work with other federal agencies to draft proposed amendments to Title I of the Marine Protection, Research, and Sanctuaries Act, also known as the Ocean Dumping Act, to enable Congress to ratify the 1996 London Protocol, which the U.S. signed in 1998.

- Manage the ocean dumping vessels tracking system that is used to determine compliance with a general permit under Marine Protection, Research and Sanctuaries Act for ocean dumping of vessels in the United States.

Monitoring and Assessment

During FY 2013, the EPA will collect environmental data from several offshore areas for use in the designation of: (1) dredged material disposal sites and (2) monitor, as required, the 67 active dredged material ocean disposal sites.

In FY 2012, the EPA will initiate an analysis of the Ocean Dumping Program, including the monitoring requirements. The anticipated completion date of the analysis is in FY 2013.

Reducing Marine Debris

- Work with other members of the Interagency Marine Debris Coordinating Committee to assess, reduce, and prevent marine debris per the Marine Debris Research, Prevention, and Reduction Act of 2006.

- Lead an EPA workgroup tasked with developing a comprehensive approach to address the types, sources, movement, and impacts of marine debris.

Interagency Collaborations for Ocean and Coastal Protection

- Continue to participate in the implementation of the objectives laid out in the Final Recommendations of the Interagency Oceans Policy Task Force, which were adopted by Executive Order 13547. The National Policy for the Stewardship of the Ocean, Our Coasts, and Great Lakes, and the Framework for Coastal and Marine Spatial Planning strengthen the work that the federal government conducts with states, tribes, and stakeholders to protect vital resources in our waters.

- Continue to participate on the U.S. Coral Reef Task Force by supporting coral reef ecosystem protection through ongoing efforts to reduce impacts from land-based sources of pollution, rising water temperatures, ocean acidification, and vessel discharges.

- Participate on the Cabinet-level Committee on the Marine Transportation System to identify strategic goals and actions required to meet the present and future needs of the users of the marine transportation system. The EPA promotes the environmentally sound integration of marine transportation with other modes of transportation and with other ocean, coastal, and Great Lakes uses, such as dredging and dredged material management, reducing pollutant sources during operations and cargo handling, reducing environmental impacts, and responding to accidents.

- Participate on an interagency work group tasked to review and make recommendations in a report to Congress on best management practices for the storage and disposal of obsolete vessels owned or operated by the federal government.

Performance Targets:

Measure	**(co5) Percent of active dredged material ocean dumping sites that will have achieved environmentally acceptable conditions (as reflected in each site's management plan).**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target			95	98	98	98	95	95	Percent Sites
Actual			99	99	90.1	93			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$159.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$1,470.0) This reduction reflects limits in ocean monitoring and assessment to those activities that are required by regulation.

Statutory Authority:

Certain Alaskan Cruise Ship Operations Act (PL 106-554); Clean Boating Act (PL 110-288); Clean Water Act; Coastal Zone Act Reauthorization Amendments of 1990; Federal Insecticide,

Fungicide and Rodenticide Act; Liberty Ship Act (16 U.S.C. §§ 1220, et seq.); Marine Debris Research, Prevention and Reduction Act of 2006; Marine Plastic Pollution Research and Control Act of 1987; Marine Protection, Research, and Sanctuaries Act; National Defense Authorization Act for Fiscal Year 2004, Section 3516; National Environmental Policy Act, Section 102; NISA of 1996; North American Free Trade Agreement; Ocean Dumping Ban Act of 1988; Olympic Air Pollution Control Authority; Pension Protection Act; Resource Conservation and Recovery Act; Safe Drinking Water Act; Shore Protection Act; Toxic Substances Control Act; Water Resources Development Act; Wet Weather Water Quality Act of 2000.

Surface Water Protection
Program Area: Water Quality Protection
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$217,119.1***	***$203,856.0***	***$211,574.0***	***$7,718.0***
Total Budget Authority / Obligations	$217,119.1	$203,856.0	$211,574.0	$7,718.0
Total Workyears	1,100.3	1,093.8	1,095.7	1.9

Program Project Description:

The Surface Water Protection Program, under the Clean Water Act, directly supports efforts to protect, improve, and restore the quality of our nation's rivers, lakes, and streams. The EPA works with states and tribes to make continued progress toward the clean water goals identified in the Agency's Strategic Plan by implementing core clean water programs, including accelerating innovations that implement programs on a watershed basis. The program also integrates environmental outreach and training activities to educate the public on improving water quality.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will focus its work with states, interstate agencies, tribes and others in key areas of the National Water Program. The main components and requested funding levels are: water quality standards and technology ($49 million); National Pollutant Discharge Elimination System (NPDES) ($42 million); water monitoring ($23 million); TMDLs ($28 million); watershed and nonpoint source management ($31 million); sustainable infrastructure management ($19 million); water infrastructure grants management ($13 million); and Clean Water Act Section 106 program management ($7 million).

Water Quality Criteria and Standards:
Water quality criteria and standards provide the scientific and regulatory foundation for water quality protection programs under the Clean Water Act. The criteria define which waters are clean and which waters are impaired, and thereby serve as benchmarks for decisions about allowable pollutant loadings into waterways.[158]

In FY 2013, the EPA will continue to support state and tribal programs by providing scientific water quality criteria information, which will include conducting scientific studies and developing or improving criteria for nutrients, pathogens, and chemical pollutants in ambient water. The EPA will continue to work with state and tribal partners to help them develop standards that are "approvable" under the Clean Water Act, including providing advance

[158] For more information, visit http://www.epa.gov/waterscience/.

guidance and technical assistance, where appropriate, before the standards are formally submitted to the EPA.

Excessive nutrients continue to be one of the leading causes for impaired waters. A key element to making progress is the development of numerical nutrient water quality standards. However, many states lack the technical and financial resources to develop them. The EPA will continue its efforts to work with states to accelerate adoption of state numerical nutrient standards.

National Pollutant Discharge Elimination System and Effluent Guidelines:
In FY 2013, the EPA will continue to implement and support the core water quality programs that control point source discharges. The NPDES program requires point source dischargers to be permitted and requires pretreatment programs to control discharges from industrial and other facilities to the nation's wastewater treatment plants. The EPA will continue to work with states to structure the permit program to better support comprehensive protection of water quality on a watershed basis and also support the recent increases in the scope of the program arising from court orders and environmental issues. The EPA will focus on several other key strategic objectives for the NPDES and effluent guideline programs, such as:

- Conduct regional program assessments and permit quality reviews to ensure the health and integrity of the NPDES program. The EPA is transitioning state program assessments and permit quality reviews of state permits to the EPA regional offices while integrating permitting and enforcement oversight in the regions and headquarters and promoting transparency of these integrated NPDES reviews. The EPA will continue to address workload concerns in permit issuance, focus resources on priority permits that have the greatest benefit for water quality, encourage trading and watershed-based permitting, and foster efficiency in permitting program operations through the use of electronic reporting and other streamlining tools. The foundation of these efforts is to reinforce nationally the importance of strong science and the adherence to the law;

- Collaborate with partner organizations to promote the use of green infrastructure in stormwater permits and in plans to control overflows in combined and separate sanitary sewer systems;

- Implement strategies to improve management of pretreatment programs. Strategies include: implementation of pretreatment program results; promotion of a Measures Handbook for Publicly Owned Treatment Works that will be finalized in FY 2012 to discuss the environmental links between the regulation, their oversight activities, and their watershed impact; and updated checklists and guidance for Publicly Owned Treatment Works' program development;

- Assist states to address permitting issues arising from unconventional oil and gas extraction, such as shale gas and coal-bed methane, in a timely manner that is consistent with state water quality standards and CWA technology requirements;

- Continue to work with states and permittees to resolve issues related to overflows in separate sanitary sewer systems and bypasses at the treatment plant to ensure that water quality is protected during wet weather events;

- Provide assistance to states to develop technology and water quality-based permit conditions that address new waste streams, such as those from flue gas desulfurization;

- Continue to develop a final effluent guideline to address Flue Gas Desulfurization wastewater on a consistent, national basis; and

- Continue to develop effluent guidelines to address on a consistent, national basis discharges from shale gas. Issue a proposed rule that will address discharges from coal-bed methane extraction wells on a consistent, national basis.

In FY 2013, the EPA also will continue to focus on a number of wet weather and other NPDES program areas. These areas of increased environmental concern emphasize the need to engage the network of federal, state, and local partners to take actions that are needed to protect the environment.

- The Clean Water Act regulations for Concentrated Animal Feeding Operations (CAFOs) were revised in 2003 and further revised in 2008 in response to a 2nd Circuit Court ruling. In the fall of 2011, the EPA proposed a regulation to obtain basic facility information from all CAFOs, pursuant to a settlement agreement on litigation arising from the 2008 regulatory revisions. In 2013, the EPA expects to continue to develop implementation guidance and work with states and tribes to fully implement the 2008 CAFO and the facility information rule to assure that all CAFOs that discharge pollutants obtain NPDES permit coverage. The EPA also will work with permitting authorities to identify which CAFOs need to obtain permit coverage and provide the tools and information needed to prevent discharges. In addition, the EPA will monitor the number of facilities covered by stormwater and CAFO permits.

- The Agency is developing a rule to strengthen stormwater regulations. This rulemaking will propose requirements for stormwater discharges from, at minimum, newly developed and redeveloped sites. In late 2008, the National Academies of Sciences/National Research Council issued an assessment of the national stormwater program and made recommendations to better address pollution from stormwater. Stormwater is a main contributor of nutrients and sediments, which are two of the top three pollutants impairing waters in the United States. The proposed rule will consider the following actions:

    - Development of performance standards for discharges from newly developed and redeveloped sites to better address stormwater management as projects are built;

    - Consideration of options for expanding the protections of the municipal separate storm sewer systems (MS4) program; and

- Consideration of options for establishing and implementing a municipal program to reduce discharges from existing development.

- In response to the Chesapeake Bay Executive Order 13508 and settlement agreement, the EPA will conduct significant new regulatory, permitting, modeling, reporting, and planning efforts to protect and restore the water quality in the Chesapeake Bay watershed. Examples of these actions include development of a national stormwater regulation, which will address the type of water quality problems prevalent in the Bay watershed and elsewhere. In addition, the EPA will continue to support states in effectively implementing the NPDES program to improve the health of the watershed.

- As a result of a 2006 court ruling, approximately 70 thousand vessels that were previously exempt from permitting are now covered by an NPDES permit. On December 18, 2008, the EPA issued a new NPDES general permit, the Vessel General Permit (VGP), to regulate 26 types of discharges, including ballast water from vessels operating in U.S. waters. The EPA is developing tools and training to implement the VGP and to provide outreach to the regulated community. Ballast water discharges have introduced numerous aquatic invasive species, resulting in severe degradation of many ecosystems and billions of dollars of economic impacts.

- The EPA is beginning research and development of the next Vessel General Permit. The current VGP expires on December 19, 2013. The EPA proposed a new VGP in November 2011, and plans to take final action by November 30, 2012, a full year before the expiration of the existing VGP. In order to better inform the EPA's understanding of ballast water discharges, the Agency jointly commissioned two scientific studies with the U.S. Coast Guard. Information from both reports (with National Academy of Sciences and Science Advisory Board) will be considered by the EPA in developing appropriate ballast water limits in the next VGP.

- As a result of a court ruling, in 2011, the EPA issued a general permit to pesticide applicators that discharge to waters of the U.S. The EPA must assist and oversee 44 authorized states in developing their own general permits and assist in a national effort to educate the pesticides application industry regarding how to comply with the new permits. The EPA also must develop and assist states in implementing changes to their enforcement programs for pesticides. Pesticides that are applied to water—or that enter water as a result of off-target application of specific pesticides—may be highly toxic and may cause fish kills, die-offs of crabs, lobsters, bird deaths, and human illnesses.

Monitoring and Assessment:

In FY 2013, the EPA will continue working with the states and tribes to implement the Monitoring Initiative, begun in 2005, which includes enhancements to state and interstate monitoring programs consistent with their individual monitoring strategies and collaboration on statistically-valid surveys of the nation's waters. Through the Monitoring and Assessment Partnership, the EPA will work with states to develop and apply innovative and efficient monitoring tools and techniques to optimize availability of high-quality data to support Clean Water Act program needs and to expand the use of monitoring data and geo-spatial tools for

water resource protection to set priorities and evaluate effectiveness of water protection. This will allow the EPA, states, and tribes to continue to report on the condition of the nation's waters, and make significant progress toward assessing trends in water condition in a scientifically-defensible manner.

As part of the National Survey effort, the EPA, states and tribes will collaborate to conduct field sampling for the second National Rivers and Streams Assessment to determine changes since 2008 and 2009. This rivers-and-streams survey will be conducted in FY 2013 and 2014, and the report will be completed in FY 2016. A report for the National Wetland Condition Assessment will be issued in calendar year 2014. A portion of the FY 2013 Clean Water Act Section 106 Monitoring Initiative funds will be allocated for the second year of sampling for the National Rivers and Streams Assessment in 2014.

In FY 2013, the EPA will work closely with states as they continue to enhance their monitoring programs. The EPA stresses the importance of using statistical surveys to generate statewide water quality assessments, targeted monitoring approaches to develop and evaluate local protection and restoration activities and the transmission of water quality data to the national storage and retrieval warehouse using the new Water Quality Exchange protocol. The publicly accessible Storage and Retrieval (STORET) data warehouse, using the Water Quality Exchange framework, makes it easier for states, tribes, and other organizations to submit water quality data and share the data over the Internet. The EPA is currently evaluating the progress states have made in establishing fluid processes for transmitting their water quality data to STORET and is considering enhancements in 2013 based on this evaluation. The EPA will assist tribes in developing monitoring strategies appropriate to their water quality programs and encourage tribes to provide data in a format accessible for storage in the EPA data systems.

The EPA's goal is to achieve greater integration of federal, regional, state, and local monitoring efforts and to connect monitoring and assessment activities across geographic scales, in a cost-efficient and effective manner, so that scientifically defensible monitoring data is available to address issues and problems from the national to the local level. The EPA will continue to work with states, tribes, and other partners to address research and technical needs related to sampling methods, analytical approaches, and data management. The EPA will continue to promote application of monitoring and assessment tools to support state and Tribal management of nutrient pollution.

Total Maximum Daily Loads:

Development and implementation of TMDLs for 303(d) listed impaired waterbodies is a critical tool for meeting water quality restoration goals. TMDLs focus on clearly defined environmental goals and establish a pollutant budget, which is then implemented via permit requirements and through local, state, and federal watershed plans and programs. In FY 2013, the EPA will continue to encourage states to organize schedules for TMDLs to address all pollutants on an impaired segment, when possible. Where multiple impaired segments are clustered within a watershed, the EPA encourages states to organize restoration activities across the watershed (i.e., apply a watershed approach). To assist in the development of watershed TMDLs, the EPA has developed two resources: 1) a Draft *Handbook for Developing Watershed Total Maximum Daily*

Loads;[159] and 2) a draft memorandum on Developing Multi-jurisdictional TMDLs.[160] To assist in developing TMDLs for waters impaired by stormwater-source pollutants, the EPA released a number of documents, including: 1) Incorporating Green Infrastructure Concepts into Total Maximum Daily Loads,[161] and 2) updated guidance on how to more effectively address stormwater impairments under two Clean Water Act Programs: 303(d) TMDLs and NPDES Stormwater. The updated guidance will assist in the translation of TMDLs wasteload allocations into NPDES Stormwater permits, as well as support innovative approaches, such as Impervious Cover Total Maximum Daily Loads, to address the considerable number of waterbodies polluted by stormwater discharges. To assist states in developing TMDLs for waters impaired by Polychlorinated Biphenyls (PCBs), the EPA released the PCB TMDL Handbook. EPA also is working with partners to develop and implement activities and watershed plans to restore certain waters outside the TMDL process where appropriate (e.g., TMDLs alternatives). Cumulatively, states and the EPA have made significant progress in the development and approval of Total Maximum Daily Loads and have completed more than 49 thousand TMDLs through FY 2011.

Nonpoint Source Management:

Nonpoint source management is the integral piece to addressing most of the remaining water quality problems and threats in the United States. Protection and restoration of water quality on a watershed basis requires a careful assessment of the nature and sources of pollution, the location and setting within the watershed, the relative influence on water quality, and the amenability to preventive or control methods. In FY 2013, the EPA will support efforts of states, tribes, other federal agencies, and local communities to develop and implement watershed-based plans that successfully address all of these factors to restore waters through the national Nonpoint Source Program (Section 319) while also continuing to protect those waters that are healthy.

In FY 2013, the EPA will continue to provide nonpoint source program leadership and technical support to states, municipalities, watershed organizations, and concerned citizens by:

- Continuing coordination with the U.S. Department of Agriculture (USDA) to ensure that federal resources, including grants under Section 319 and Farm Bill funds, are managed and targeted to collaboratively agreed-upon watersheds to maximize water quality improvement in impaired waters and protection in all others. Also, the EPA will continue to work with the U.S. Forest Service, Bureau of Land Management, and other federal agencies with land management responsibilities to address water quality impairments;

- Creating, supporting, and promoting technical tools that states and tribes need to accurately assess water quality problems and analyze and implement solutions;

- Implementing a Web-based tool to support watershed planning, "Watershed Central," including the integration of the Watershed Plan Builder within Watershed Central.[162] Watershed Central is an outreach tool designed to assist users to develop and implement effective watershed management programs. The site includes guidance, tools, case

[159] www.epa.gov/owow/tmdl/pdf/ draft_handbook.pdf
[160] www.epa.gov/owow/tmdl/pdf/document_mercury_tmdl__elements.pdf
[161] www.epa.gov/owow/tmdl/stormwater/pdf/tmdl_lid_final.pdf
[162] For more information, visit http://www.epa.gov/watershedcentral

studies, and data sets to help share information, analyze data, and identify opportunities to initiate or strengthen watershed efforts;

- Assuring accountability for results through (1) use of the EPA's nonpoint source program grants tracking system (GRTS), which will continue to track the nationwide pollutant load reductions achieved for phosphorus, nitrogen, and sediment and (2) tracking the remediation of waterbodies that had been primarily impaired by nonpoint sources and that were subsequently restored so that they may be removed from the Section 303(d) list of impaired waters;[163]

- Focusing on the development and dissemination of new tools to promote Low-Impact Development (LID), thereby preventing new nonpoint sources of pollution, particularly including analyses designed to assist in the EPA's efforts to promulgate an effective stormwater rule designed to minimize post-development runoff. Low-Impact Development is an innovative, comprehensive land planning and engineering design approach with a goal of maintaining and enhancing the pre-development water quality and flow in urban and developing watersheds.[164] LID can be used as part of an integrated Smart Growth strategy; to reduce stormwater runoff;

- Implementing the Healthy Watersheds Strategy, in cooperation with states, academia and non-governmental organizations, which focuses on protection of the watersheds of healthy waters (as well as healthy components of other watersheds). This strategy includes the publication of a guide to protect aquatic ecosystems, the publication of a detailed Healthy Watersheds agenda with both short- and long-term components, and enhancement of the EPA's Healthy Watersheds Website,[165] which is replete with tools for assessment of healthy watersheds and implementation of approaches to maintain their health, as well as information on successful state and local approaches that are already underway;

- Targeting efforts within critical watersheds to implement effective strategies that can yield significant progress in addressing nonpoint source nutrient pollution. Specifically, the EPA will continue to support state efforts to design and implement nutrient reduction strategies and to design watershed plans; promote sustainable agricultural practices; collaborate to leverage and focus the most effective nutrient and sediment reduction practices; work to leverage resources of federal and state partners to address development and wetland restoration; and support critical monitoring needs to inform decision-making.

In 2011, the EPA completed a detailed evaluation of how states are using Section 319 resources, including for implementation of Total Maximum Daily Loads and restoring impaired waters. In FY 2012, the EPA began implementing program refinements based on this study with emphasis on improving program accountability and ensuring that states are using cost effective approaches to protect and restore their waters. In FY 2013, the EPA will continue to implement program

[163] For more information, visit www.epa.gov/nps/success.
[164] For more information, visit www.epa.gov/owow/nps/lid/lidlit.html
[165] For more information, visit www.epa.gov/healthywatersheds

reforms and accountability to provide assistance to states to revise their nonpoint source programs in order to accelerate water quality improvements and restoration with a focus on increased accountability and enhanced targeting of the funds to ensure timely implementation of nonpoint source controls. As part of this effort, EPA will issue revised Section 319 grant guidance by November 2012 that will require States to update their nonpoint source plans and implement monitoring in selected high priority watersheds.

Sustainable Infrastructure:
The EPA will continue to implement its Sustainable Infrastructure Strategy and work with its partners to facilitate the voluntary adoption of effective management practices by water sector utilities. The EPA will provide a limited amount of training and technical support to water and wastewater utilities, local communities, and municipalities as they strive to achieve the long-term sustainability of their operations and infrastructure. The Agency will work with other key partners, such as local officials and academia, to help increase public understanding and support for sustaining the nation's water infrastructure.

The program will work with other EPA programs, through an intra-agency workgroup, to create educational resources to disseminate information to the public and increase transparency about the Clean Water Act and pollution runoff. The purpose of these activities will be to ensure that the American public is educated about water quality issues. Other outreach activities include community training through issuance of grants, innovative awards, and collaboration with national environmental organizations. These resources will be available to educate the public, specifically teachers, informal educators, and parents. These environmental outreach activities will support EPA's core mission to expand the conversation on environmentalism.

One of the key components of the Agency's broader efforts to ensure long-term sustainable water infrastructure is its water-efficiency labeling effort called WaterSense. WaterSense gives consumers a reference tool to identify and select water-efficient products with the intent of reducing national water and wastewater infrastructure needs by reducing water demand and wastewater flow, allowing for deferred or downsized capital projects. Through January 2012, the Agency had issued voluntary specifications for three water-efficient service categories (certification programs for irrigation system auditors, designers, and installation and maintenance professionals) and five product categories (residential toilets, bathroom faucets and accessories, residential showerheads, commercial flushing urinals, and weather-based irrigation controllers). The program also has a new homes specification that provides benchmark criteria for water-efficient new homes, designed to save water indoors as well as outdoors. Product specifications include water efficiency as well as performance criteria to ensure that products not only save water but also work as well as standard products in the marketplace. Products may only bear the WaterSense label after being independently certified to ensure that they meet WaterSense specifications.

In FY 2013, the Agency expects to release a final specification for commercial pre-rinse spray valves (in collaboration with ENERGY STAR). The Agency will continue to research other product and service categories including residential plumbing and irrigation, commercial kitchens, and laboratories, and may move to develop specifications based on the outcome of that

research. The program also will promote best management practices developed to support the commercial and institutional sector.

In a short timeframe, WaterSense has become a national symbol for water efficiency among utilities, plumbing manufacturers, and consumers. Awareness of the WaterSense label is growing every day. As of January 2012, more than nine hundred different models of high-efficiency toilets, more than three thousand faucet models and accessories, 90 models of flushing urinals, and five hundred models of showerheads had earned the WaterSense label. Cumulative savings in the program due to products shipped through the end of 2010 (the most recent year for which there is data) exceeds 125 billion gallons and $2.0 billion in water, sewer, and energy bill savings. The program is continuing to build participation in its labeling program for residential new homes. As of January 2012, the program had signed up more than one hundred builders and labeled more than 83 homes. The program anticipates that the market for water-efficient homes will improve as market surveys indicate that construction of green homes is recovering from the economic downturn more quickly than standard homes.

In addition to working with manufacturers, retailers, and builders to deliver labeled products and homes to consumers, the EPA continues to partner with utilities, irrigation professionals, and community organizations to educate consumers on the benefits of switching to water-efficient products. As of January 2012, the program had more than 2.4 thousand partners, including utilities from across the country, that are adopting WaterSense as a key component of their water-efficiency, energy efficiency, and climate adaptation efforts. A strong network of stakeholders across the nation will build awareness of the need for efficient use of water. WaterSense also is working within the federal government to ensure that it leads by example through the use of water-efficient products and practices as part of supporting efforts to implement Executive Order 13154, Federal Leadership in Environmental, Energy, and Economic Performance.

Policy and oversight of the Clean Water State Revolving Funds, which provide low-interest loans to help finance wastewater treatment facilities and other water quality projects, also are supported by this program. In managing the Clean Water State Revolving Funds, the EPA continues to work with states to meet several key objectives:

- Fund projects designed as part of an integrated watershed approach to sustain communities, encourage and support green infrastructure, and preserve and create jobs;

- Link projects to environmental results through the use of water quality and public health data;

- Maintain the excellent financial condition of the funds;

- Continue to support states' efforts in developing integrated priority lists to address nonpoint source pollution, estuary protection, and wastewater projects; and

- Work with state and local partners to implement a sustainability policy including management and pricing to encourage conservation and to provide adequate long-term funding for future capital needs.

In FY 2013, states will complete voluntary submission of data and documents for review and potential inclusion in the Clean Watersheds Needs Survey (CWNS) 2012 Report to Congress. The EPA will analyze the approved data and use it to draft the CWNS 2012 Report to Congress. The EPA also will convene states at an End of Survey Meeting in the Spring of FY 2013 to review the Report to Congress. The CWNS documents capital needs and compiles technical information for publicly-owned wastewater collection and treatment facilities, combined sewer overflows (CSOs) control facilities, stormwater management facilities, decentralized wastewater (septic) treatment systems, and nonpoint source (NPS) pollution control. CWNS data supports funding prioritization and outreach activities as well as permitting and other watershed-based management activities.

The Agency also will provide oversight and support for Congressionally-mandated projects related to water and wastewater infrastructure as well as management and oversight of grant programs, such as the Section 106 grants, the Mexico Border program, and the Alaska Native Villages program.

Healthy Communities:
In FY 2013, the Agency will continue to assist communities, particularly underserved communities, to support local efforts to restore and protect the quality of their urban waters. The EPA will implement this Urban Waters program as part of the Urban Waters Federal Partnership which includes eleven federal agencies working to revitalize urban waters and the communities that surround them. This work also supports the President's America's Great Outdoors (AGO) initiative.

Many urban waters are impaired by pathogens, excess nutrients, and contaminated sediments that result from sanitary sewer and combined sewer overflows, polluted runoff from urban landscapes, and legacy contamination. The EPA will assist communities, particularly underserved communities, in restoring urban waterways and the surrounding land through partnerships with governmental and non-governmental organizations. Areas of focus may include innovative community engagement and public outreach, risk screening and communication, environmental education, sustainable financing, technical support and training, and development of a local urban waters vision plan.

The EPA will use a portion of the program funding for grants of $40 to $60 thousand and targeted technical assistance to communities to accelerate measurable improvements in water quality. Under the Urban Waters Federal Partnership, the EPA will coordinate with member agencies to deliver technical assistance to seven pilot communities to help them advance their water restoration and community revitalization goals. The Agency will use lessons learned from both the grantee projects and the federal partnership pilots to develop tools for use by other communities across the nation.

In addition, the EPA plans to address urban water issues by reorienting existing programs. The EPA will take regulatory actions to address water quality problems impacting urban waters, for example, developing recreational water quality criteria. The EPA will promote green infrastructure, such as expanding successful low-impact development and green streets pilot programs, and at the same time encourage the incorporation of skills training and employment opportunities as part of these projects. The EPA will engage both underserved communities near urban waters and the practitioners who assist them via expanded outreach efforts, using both traditional and innovative methods, such as social media.

Surface Coal Mining:

The EPA will continue to use its sections 402 and 404 authorities to significantly reduce the harmful effects of Appalachian surface coal mining operations. Section 402 and 404 activities will include interagency coordination, project reviews, training, and technical assistance. The EPA will continue its work to improve watershed-scale/cumulative impact analysis and increase its focus on identifying and reducing potential impacts on socially and economically disadvantaged communities.

Performance Targets:

Measure	**(bpp) Percent of submissions of new or revised water quality standards from states and territories that are approved by the EPA.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	90.9	85	87	85	85	85	85	87	Percent Submissions
Actual	89	85.6	92.5	93.2	90.9	91.8			

Measure	**(bps) Number of TMDLs that are established or approved by the EPA [total TMDL] on a schedule consistent with national policy (cumulative). [A TMDL is a technical plan for reducing pollutants in order to attain water quality standards. The terms "approved" and "established" refer to the completion and approval of the TMDL itself.]**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	20,275	25,274	33,801	38,978	44,560	49,375	52,218	54,773	TMDLs
Actual	22,648	26,844	35,979	41,866	46,817	49,663			

Measure	**(bpv) Percent of high-priority EPA and state NPDES permits (including tribal) that are issued in the fiscal year.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	95	95	95	95	95	100	100	80	Percent Permits
Actual	98.5	104	119	144	138	132			

Measure	**(uw1) Number of urban water projects initiated addressing water quality issues in the community.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target							3	3	Projects

Actual									

Measure	**(uw2) Number of urban water projects completed addressing water quality issues in the community.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target							0	0	Projects
Actual									

Measure	**(L) Number of water body segments identified by states in 2002 as not attaining standards, where water quality standards are now fully attained (cumulative).**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target		1,166	1,550	2,270	2,809	3,073	3,324	3,524	Segments
Actual		1,409	2,165	2,505	2,909	3,119			

Measure	**(wq2) Remove the specific causes of water body impairment identified by states in 2002 (cumulative).**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target			4,607	6,891	8,512	9,016	10,161	10,711	Causes
Actual			6,723	7,530	8,446	9,527			

Measure	**(wq3) Improve water quality conditions in impaired watersheds nationwide using the watershed approach (cumulative).**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target			40	102	141	208	312	352	Watersheds
Actual			60	104	168	271			

Measure	**(bpr) Loading (pounds) of pollutants removed per program dollar expended.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	233	285	332	368	371	377	385	385	Pounds
Actual	233	331	332	368	371	377			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$1,240.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$1,357.0) This increase reflects enhanced support to urban communities, especially underserved communities, working to achieve their water restoration goals. Support includes community-based projects such as demonstration projects as well as technical support and training related to: voluntary monitoring, risk screening and communication, green infrastructure, source water protection, community stewardship, visioning and planning, and sustainable financing. This work also supports the President's America's Great Outdoors (AGO) initiative.

- (+$4,246.0 / + 1.9 FTE) This increase reflects the EPA's advancement with work that was significantly cut-back, stopped or delayed due to funding reductions in the FY 2012 enacted budget. This includes a wide-range of activities to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. These resources will allow the Agency to uphold its side of a vital partnership with state and local governments and with the public, particularly critical at this time due to fragile financial conditions across the country. Key elements include: development and implementation of TMDLs, support the water quality monitoring program, support partnerships with states to address nonpoint source pollution, NPDES permit issuance support and oversight, WaterSense new product development, Agency efforts to promote sustainability, and strengthening of water and wastewater infrastructure. The additional resources include 1.9 FTE and associated payroll of $344.0.

- (+$875.0) This increase is based on Agency priorities to provide resources to the public and disseminate information about the Clean Water Act, watershed protection, pollution runoff, and other critical environmental issues. These environmental outreach activities will support the EPA's core mission to expand the conversation on environmentalism.

Statutory Authority:

Clean Water Act, 33 U.S.C. – Various Sections 1251 to 1387.

Program Area: National Priorities

Water Quality Research and Support Grants
Program Area: National Priorities
Goal: Protecting America's Waters
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$0.0***	***$14,975.0***	***$0.0***	***($14,975.0)***
Science & Technology	$0.0	$4,992.0	$0.0	($4,992.0)
Total Budget Authority / Obligations	$0.0	$19,967.0	$0.0	($19,967.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

In FY 2012, Congress appropriated $14.975M for an Environmental Protection: National Priority competitive grant program to provide rural and urban communities with technical assistance to improve water quality and provide safe drinking water. The EPA was instructed to award grants on a competitive basis and give priority to not-for-profit organizations that: conduct activities that are national in scope; can provide a 10 percent match, including in-kind contributions; and are supported by a majority of small community water systems, currently provide multi-state regional technical assistance, or currently provide assistance to private well owners. The Agency was directed to allocate funds to grantees within 180 days of enactment of this Act.

FY 2013 Activities and Performance Plan:

There is no request for this program in FY 2013.

Performance Targets:

There are no performance measures for this program in FY 2013.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$14,975.0) This eliminates congressionally directed funding provided in FY 2012. The EPA is not requesting funds to support this grant program in FY 2013.

Statutory Authority:

SDWA, 42 U.S.C. §300j-1c, Section 1442. CWA 104(b)(3).

Table of Contents - Inspector General

Environmental Protection Agency
FY 2013 Annual Performance Plan and Congressional Justification

APPROPRIATION: Inspector General
Resource Summary Table

(Dollars in Thousands)

	FY 2011 Actuals[1]	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Inspector General				
Budget Authority	$46,627.9	$41,933.0	$48,273.0	$6,340.0
Total Workyears	292.8	293.0	300.0	7.0

*For ease of comparison, Superfund transfer resources for the audit and research functions are shown in the Superfund account.

Bill Language: Office of the Inspector General

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $48,273,000, to remain available until September 30, 2014. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012.)

Program Projects in IG

(Dollars in Thousands)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Audits, Evaluations, and Investigations				
Audits, Evaluations, and Investigations	$46,627.9	$41,933.0	$48,273.0	$6,340.0
Subtotal, Audits, Evaluations, and Investigations	$46,627.9	$41,933.0	$48,273.0	$6,340.0
TOTAL, EPA	$46,627.9	$41,933.0	$48,273.0	$6,340.0

*For ease of comparison, Superfund transfer resources for the audit and research functions are shown in the Superfund account.

[1] The FY 2011 Actuals exclude $3,664.8 thousand in American Recovery and Reinvestment Act of 2009 resources.

Program Area: Audits, Evaluations And Investigations

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals[2]	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Inspector General	***$46,627.9***	***$41,933.0***	***$48,273.0***	***$6,340.0***
Hazardous Substance Superfund	$8,943.7	$9,939.0	$10,864.0	$925.0
Total Budget Authority / Obligations	$55,571.6	$51,872.0	$59,137.0	$7,265.0
Total Workyears	342.7	358.1	365.8	7.7

Program Project Description:

The EPA's Office of Inspector General (OIG) provides audit, program evaluation, and investigative services and products that fulfill the requirements of the Inspector General Act, as amended, by identifying fraud, waste, and abuse in Agency, grantee and contractor operations, and by promoting economy, efficiency, and effectiveness in the operations of the Agency's programs. OIG activities add value and enhance public trust by providing the Agency, the public, and Congress with independent analyses and recommendations that help the EPA management resolve risks and challenges, achieve opportunities for savings, and implement actions for safeguarding the EPA resources and accomplishing the EPA's environmental goals. OIG activities also prevent and detect fraud in the EPA programs and operations, including financial fraud, laboratory fraud, and cyber crime. The OIG consistently provides a significant positive return on investment to the public in the form of recommendations for improvements in the delivery of the EPA's mission, reduction in risks, costs savings, efficiencies, recoveries, and integrity through law enforcement.

In addition, the EPA Inspector General serves as the IG for the U.S. Chemical Safety and Hazard Investigation Board (CSB) providing the full range of audit, evaluation and investigative services specified by the Inspector General Act, as amended. Specifically, the OIG will conduct financial audits of the CSB and express an opinion on whether the financial statements are presented in accordance with generally accepted accounting principles. The OIG will also perform program evaluations to determine whether the CSB's recommendations achieve positive change on trends in chemical safety, and follow-up on recommendations made to the CSB by the General Accountability Office. Further, we will follow-up on recommendations made by the CSB to the EPA as well as conduct investigations as needed.

[2] The FY 2011 Actuals exclude $3,664.8 thousand in American Recovery and Reinvestment Act of 2009 resources.

FY 2013 Activities and Performance Plan:

The EPA OIG will assist the Agency and the CSB in their efforts to reduce environmental and human health risks by making recommendations to improve program operations, save taxpayer dollars, and resolve previously identified major management challenges and internal control weaknesses. In FY 2013, the OIG will continue focusing on areas associated with risk, fraud, waste, and cyber intrusions, and will expand its attention to making recommendations that improve operating efficiency, transparency, secured and trustworthy systems, and the cost effective attainment of the EPA's strategic goals and positive environmental impacts. As the Agency is increasingly challenged to do more with less, the elevated risk of fraud, waste and abuse and need to find greater efficiencies within the Agency significantly magnifies the role, tasks and challenges of the OIG to help protect EPA's program and operational integrity. Historically, the EPA OIG provides a significantly positive return on investment in terms of monetary, program improvement and loss prevention benefits.

OIG plans will be implemented through audits, evaluations, investigations, and follow-up reviews in compliance with the Inspector General Act, applicable Professional Standards of the U. S. Comptroller General, and the Quality Standards for Federal Offices of Inspector General of the Council of Inspectors General on Integrity and Efficiency. The following types of audits are conducted: (1) program performance audits of Agency operations, including those focused on the award and administration of grants and contracts; (2) financial statement audits; (3) financial audits of grantees and contractors; (4) efficiency audits, and (5) information resources management audits. In addition, program evaluations will be conducted in the areas of the EPA's mission objectives for improving and protecting the environment and public health via reviews of: (1) air and research; (2) water and enforcement; (3) cross-media, and (4) special reviews generated by Hotlines or Congressional requests. The OIG will also conduct investigations of, and seek prosecution for, criminal activity and serious misconduct in the EPA programs and operations that undermine Agency integrity, the public trust, and create imminent environmental risks, as well as, seek civil judgments to obtain recovery and restitution of financial losses. Major areas of investigative focus include: financial fraud, infrastructure/terrorist threat, program integrity, employee integrity, and theft of intellectual or sensitive data.

A significant portion of audit resources will be devoted to mandated work assessing the financial statements of the EPA and the CSB as required by the Chief Financial Officers Act. OIG work also will include assessing the information security practices of the EPA and the CSB as required by the Federal Information Security Management Act and oversight of audits of the EPA assistance agreement recipients conducted pursuant to the Single Audit Act. The OIG will examine the delivery of national programs, as well as specific cross-regional and single region issues in response to stakeholder concerns.

Based on prior work, cross-Agency risk assessment, Agency challenges, including those associated with the Chemical Safety Board, future priorities, and extensive stakeholder input, the OIG will concentrate its resources on efforts in the following themes and prospective assignment areas during FY 2013:

Sound And Economical Financial Management

- improper payments/ institutional controls;
- annual financial statements;
- examination of progress in establishing cost accounting systems;
- financial audits of costs claimed by grantees and contractors, including those with ARRA funds;
- effectiveness of cost recovery and cost determination/estimating;
- fee collections (e.g., lead and radon);
- grant and contract administration; and
- information technology capital investments.

Efficient Processes and Use of Resources

- management of the EPA's process improvement activities;
- Working Capital Fund;
- examination of the operational efficiency opportunities at the EPA;
- consolidation of functions including hotlines, labs, etc.
- facilities management;
- organizational structure;
- partnering or coordination with other agencies to maximize efficiencies; and
- information technology enterprise architecture management.

Ensuring the Integrity of Science and Information

- protection from advanced persistent threats to steal/modify data;
- Federal Information Security Act compliance;
- assuring integrity of research processes by the EPA's Office of Research and Development;
- Agency efforts to enhance its capability to respond to cyber-attacks;
- data quality and databases;
- information technology and data management (governance, service delivery and analytic capacity);
- cyber security/infrastructure development; and
- assessment of processes to ensure protection and security of information systems from fraud, waste and abuse.

Addressing At-Risk Populations, Chronic and Emerging Environmental Health Challenges

- children's health agenda and national ambient air quality standards;
- progress in advancing the EPA's environmental justice program;
- assessment of scientific research on environmental etiology of autism;
- addressing ozone and particulate matter health risks in major urban areas;

- energy and natural resources (exploration/extraction of oil, natural gas, and coal);
- blood lead levels;
- adoption of innovative pollution control techniques/strategies;
- air pollution in major urban areas;
- reducing diesel emissions;
- implementation of multi-pollutant strategies for air pollution;
- protecting estuaries and coastal waters; and
- the EPA's international responsibilities.

Assessing Risk Management and Performance Measurement

- the EPA measurement and reporting on long-term safety/site reuse;
- implementation of Federal Managers Integrity Act, Federal Information Security Management Act and Government Performance and Results Act;
- fish consumption advisories;
- accuracy of air quality models;
- disaster response; and
- homeland security and emergency preparedness and response including the Chemical Safety and Hazard Investigation Board.

Reviewing Effectiveness of Stewardship, Sustainability and Prevention

- use of waivers from secondary treatment requirements of the Clean Water Act;
- land reuse and revitalization; and
- sustainability importance in relationship to Agency decision-making processes including Tribal programs.

Assessing Program Integrity, Oversight, Enforcement and Efficient Rulemaking

- oversight of delegated program/data systems/relationships with states/regions;
- regulatory reform and elimination of duplicative programs;
- grant/contract results in the achievement of intended environmental objectives (Clean Water State Revolving Fund and Drinking Water State Revolving Fund);
- data systems/requirements for state oversight;
- use of interim guidance by the EPA;
- the EPA's relationships with regions and states.

Investigations

OIG investigations focus on identifying criminal activity pertaining to Agency programs. The OIG will conduct investigations into allegations, and seek prosecution for: 1) fraudulent practices in awarding, performing, and paying the EPA contracts, grants, or other assistance agreements; 2) program fraud or other acts that undermine the integrity of, or confidence in Agency programs,

and create imminent environmental risks; 3) laboratory fraud relating to data, and false claims for erroneous laboratory results that undermine the bases for decision-making, regulatory compliance, or enforcement actions, and 4) intrusions into and attacks against the EPA's network supporting program data, as well as incidents of computer misuse and theft of intellectual property or sensitive/proprietary data. Special attention will be directed towards identifying the tactics, techniques, and procedures that are being utilized by cyber criminals to obtain the EPA's information for their own motives. The OIG will directly assist the EPA senior leadership as well as federal cyber criminal, counterintelligence, and counterterrorism communities through collaboration with the OIG counterparts in other federal agencies. Analyzing the intruded systems along with known national intelligence data will allow the OIG to help the Agency determine if systems are under attack and whether key information has been exfiltrated. It will enable the OIG to understand and anticipate acts of intelligence gathering to recommend risk reduction techniques and products to the EPA and other federal law enforcement agencies, and to pursue judicial remedies. OIG investigations will also pursue civil actions for recovery and restitution of financial losses, and administrative actions to prevent unscrupulous persons and businesses from participating in the EPA's programs.

Follow-up and Policy/Regulatory Analysis

To further promote economy, efficiency and effectiveness, the OIG will conduct follow-up reviews of Agency responsiveness to OIG recommendations to determine if appropriate actions have been taken and intended improvements have been achieved. This process will serve as a means for keeping the EPA leadership apprised of accomplishments, opportunities for needed corrective actions, and facilitate greater accountability for results from OIG operations.

OIG also conducts reviews and analysis of proposed and existing policies, rules, regulations and legislation to identify vulnerability to waste, fraud and abuse. These reviews also consider possible duplication, gaps or conflicts with existing authority, leading to recommendations for improvements in their structure, content and application.

Performance Targets:

Measure	**(35B) Environmental and business recommendations or risks identified for corrective action.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	925	925	971	903	903	903	903	950	Recommendations
Actual	1,024	949	624	983	945	2011			

Measure	**(35D) Criminal, civil, administrative, and fraud prevention actions.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	80	80	80	80	75	80	85	85	Actions
Actual	121	103	84	95	115	160			

Measure	(35A) Environmental and business actions taken for improved performance or risk reduction.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	303	318	334	318	334	334	334	375	Actions
Actual	407	464	463	272	391	315			

Measure	(35C) Return on the annual dollar investment, as a percentage of the OIG budget, from audits and investigations.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	150	150	150	120	120	120	110	120	Percent
Actual	1610	189	186	150	36	151			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$2,392.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$3,948.0 / +7.0FTE) This increase is required to perform vital audits and investigations. These resources include 7.0FTE and associated payroll of $1,064.0 to adequately support audits and evaluations and address the increased risk of vulnerabilities to fraud waste and abuse.

Statutory Authority:

Inspector General Act, as amended; Inspector General Reform Act; Reports Consolidation Act; Single Audit Act; CFO Act; GMRA; PRIA; RCRA; FFMIA; FISMA; FQPA; TSCA.

Inspector General Reform Act:

The following information is provided pursuant to the requirements of the Inspector General Reform Act:

- the aggregate budget request from the Inspector General for the operations of the OIG is $59,137,000 ($48,273,000 Inspector General; $10,864,000 Superfund Transfer);
- the aggregate request in the President's Budget for the operations of the OIG is $59,137,000 ($48,273,000 Inspector General; $10,864,000 Superfund Transfer);
- the portion of the aggregate request in the President's Budget needed for training is $850,000 ($695,000 Inspector General; $155,000 Superfund Transfer);
- the portion of the aggregate request in the President's Budget needed to support the Council of the Inspectors General on Integrity and Efficiency (CIGIE) is $168,807 ($138,422 Inspector General; $30,385 Superfund Transfer).

"I certify as the Inspector General of the Environmental Protection Agency that the amount I have requested for training satisfies all OIG training needs for FY 2013".

Table of Contents - Buildings and Facilities

Environmental Protection Agency
FY 2013 Annual Performance Plan and Congressional Justification

APPROPRIATION: Building and Facilities
Resource Summary Table

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Building and Facilities				
Budget Authority	$38,523.8	$36,370.0	$41,969.0	$5,599.0
Total Workyears	0.0	0.0	0.0	0.0

Bill Language: Buildings and Facilities

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $41,969,000, to remain available until expended. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012.)

Program Projects in B&F

(Dollars in Thousands)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Homeland Security				
Homeland Security: Protection of EPA Personnel and Infrastructure	$8,269.1	$7,044.0	$8,038.0	$994.0
Operations and Administration				
Facilities Infrastructure and Operations	$30,254.7	$29,326.0	$33,931.0	$4,605.0
Subtotal, Facilities Infrastructure and Operations	$30,254.7	$29,326.0	$33,931.0	$4,605.0
TOTAL, EPA	$38,523.8	$36,370.0	$41,969.0	$5,599.0

Program Area: Homeland Security

Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$6,497.0	$5,966.0	$5,999.0	$33.0
Science & Technology	$592.0	$578.0	$579.0	$1.0
Building and Facilities	***$8,269.1***	***$7,044.0***	***$8,038.0***	***$994.0***
Hazardous Substance Superfund	$669.1	$1,170.0	$1,172.0	$2.0
Total Budget Authority / Obligations	$16,027.2	$14,758.0	$15,788.0	$1,030.0
Total Workyears	7.3	3.0	3.0	0.0

Program Project Description:

This program ensures that mandated physical security measures are in place to safeguard the Agency's workforce, facilities, assets, and mission. The program also protects classified national security information through construction and build-out of Secure Access Facilities (SAFs) and Sensitive Compartmented Information Facilities (SCIFs). The work under the Building and Facilities appropriation supports larger physical security improvements to leased and owned space.

FY 2013 Activities and Performance Plan:

In FY 2013, EPA will continue to mitigate physical vulnerabilities in EPA facilities; incorporate physical security measures in new construction, new leases, and major renovations; and provide a full range of security improvements, all in accordance with the Interagency Security Committee Physical Security Criteria for federal facilities. EPA will continue to install upgraded Physical Access Control Systems (PACS) as mandated by Homeland Security Presidential Directive 12 (HSPD -12) and its implementing standards. Additionally, the Agency will expand or realign existing laboratories for homeland security support activities and protect critical infrastructures. Construction and build-out of SAFs and SCIFs will be carried out as needed.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$994.0) This reflects an increase to incorporate physical security measures in new construction, new leases, and major renovations.

Statutory Authority:

Executive Order 13526; 32 CFR 2001; Interagency Security Committee Physical Security Criteria for Federal Facilities.

Program Area: Operations and Administration

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$320,540.2	$319,777.0	$331,316.0	$11,539.0
Science & Technology	$69,436.1	$72,019.0	$75,485.0	$3,466.0
Building and Facilities	***$30,254.7***	***$29,326.0***	***$33,931.0***	***$4,605.0***
Leaking Underground Storage Tanks	$903.0	$915.0	$843.0	($72.0)
Oil Spill Response	$519.5	$535.0	$513.0	($22.0)
Hazardous Substance Superfund	$80,056.2	$80,541.0	$79,622.0	($919.0)
Total Budget Authority / Obligations	$501,709.7	$503,113.0	$521,710.0	$18,597.0
Total Workyears	405.0	417.4	416.5	-0.9

Program Project Description:

Buildings and Facilities (B&F) appropriation activities include design, construction, repair, and improvement projects for buildings occupied by the EPA, whether federally owned or leased. Construction and alteration projects costing more than $150 thousand must use B&F funding.

FY 2013 Activities and Performance Plan:

In FY 2013, B&F resources will be used for facility-related construction and repair and improvement (R&I) of the EPA's real estate inventory. The EPA's inventory includes WWII era buildings, such as research facilities (most being 30 or more years old) that have been modified to meet evolving research requirements and other programmatic needs, and which continue to deteriorate with time. Good stewardship practices ensure that physical conditions, functionality, and research capabilities are not compromised.

In addition, resources will be used to comply with various requirements and Agency goals set out in Executive Orders (EO) 13514 and 13423[1], the Energy Policy Act of 2005, the Energy Independence and Security Act of 2007 (EISA), new alternative fuel regulatory requirements, and regulatory mandates associated with soil and water pesticides testing. The Agency will apply funds to meet Federal facility environmental objectives related to energy efficiency (annual

[1] Information is available at http://www.fedcenter.gov/programs/eo13514/, Federal Leadership in Environmental, Energy, and Economic Performance; and http://www.fedcenter.gov/programs/eo13423/, Strengthening Federal Environmental, Energy, and Transportation Management.

energy use reductions of three percent per year through FY 2015), water conservation (annual water use reductions of two percent per year through FY 2020), advanced metering, stormwater management, upgrading 15 percent of EPA's existing real estate portfolio to meet the standards of "high performance sustainable" green building standards by FY 2015, and reducing fossil fuel use in new buildings.

Agency Building and Facility projects for FY 2013 include the following multi-year efforts:

- **National Vehicle and Fuel Emissions Lab (NVFEL) Modernization, Ann Arbor, MI.** This project enables the EPA to meet the demands of new science testing and research methods. EISA legislation requires the Agency to test four-wheel-drive vehicles and heavy duty vehicles. Only by making significant modifications to the NVFEL Lab will the Air and Radiation program be able to meet these new testing requirements while still maintaining their other mandated testing programs.

- **Andrew W. Breidenbach Environmental Research Center (AWBERC), Cincinatti, OH. Infrastructure Replacement Project Phase 5 - the final phase of the mechanical system replacement.** This project will provide all new fume hoods and mechanical fans and ductwork which will serve the AWBERC facility for the next 30 years. It also will renovate outdated casework and laboratory systems to meet current research functions of the Agency.

- **Build-out of the new Region 9 office lease, San Francisco, CA.** Mission-related improvements of the new Regional office in San Francisco such as conferencing facilities, emergency operations center, teleworking center, public information center and library, as well as the use of commissioning and other energy and water reduction strategies.

- **Renovations at the Main Laboratory, Research Triangle Park (RTP), NC.** This project will reallocate lab and office space to allow researchers in the Reproductive Toxicology Division to move out of a leased facility and into owned labs adjacent to their fellow researchers. This move will save the Agency over $2 million annually in rent and utility costs and will make a full return on investment in 10 years.

- **Retrofitting the air handling system and infrastructure in a wing of the Environmental Effects Research Lab, Narragansett, RI.** The current air handling system is at the end of its useful life and, if not addressed, will potentially impact science research and the health and safety of staff. The required additional funds will permit continuity in quality research by the Program and Regional Offices so as to comply with regulatory and enforcement missions. This project also will reduce energy usage to help the Agency meet its target of 3 percent energy reduction per year pursuant to EO 13514.

- **Replacement of fume hoods and air handlers at the Air and Radiation lab, Montgomery, AL**. This project will significantly reduce energy usage.

- **Improving operating efficiency and sustaining safe work environments at facilities in Corvallis, OR, Narragansett, RI, and RTP, NC.** These projects will lower energy usage and the emission of greenhouse gases.

The funding requested is essential to the Agency's ability to comply with the relevant Executive Orders, EISA, and the Energy Policy Act.

Performance Targets:

Work under this program also supports performance results in the Facilities Infrastructure and Operations program project under the EPM appropriation and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$4,605.0) This increase supports facility-related construction and repair and improvement (R&I) of the EPA's real estate inventory. In addition, resources will be used to comply with various requirements and Agency goals set out in Executive Order (EO) 13514 and 13423.

Statutory Authority:

Federal Property and Administration Services Act; Public Building Act; Annual Appropriations Act; Robert T. Stafford Disaster Relief and Emergency Assistance Act; CWA; CAA; RCRA; TSCA; NEPA; CERFA; D.C. Recycling Act of 1988; Energy Policy Act of 2005; Executive Orders 10577, 12598, 13150, 13423, and 13514; Emergency Support Functions (ESF) #10 Oil and Hazardous Materials Response Annex; Homeland Security Presidential Decision Directive 63 (Critical Infrastructure Protection).

Table of Contents - Superfund

APPROPRIATION: Hazardous Substance Superfund
Resource Summary Table

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Hazardous Substance Superfund				
Budget Authority	$1,450,268.3	$1,213,808.0	$1,176,431.0	($37,377.0)
Total Workyears	3,181.0	3,159.4	3,104.3	-55.1

*For ease of comparison, Superfund transfer resources for the audit and research functions are shown in the Superfund account.

Bill Language: Hazardous Substance Superfund
(including transfers of funds)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,176,431,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2012, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,176,431,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, $10,864,000 shall be paid to the "Office of Inspector General" appropriation to remain available until September 30, 2014, and $23,225,000 shall be paid to the "Science and Technology" appropriation to remain available until September 30, 2014. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012.)

Program Projects in Superfund

(Dollars in Thousands)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Indoor Air and Radiation				
Radiation: Protection	$2,478.4	$2,468.0	$2,637.0	$169.0
Audits, Evaluations, and Investigations				
Audits, Evaluations, and Investigations	$8,943.7	$9,939.0	$10,864.0	$925.0
Compliance				

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Compliance Incentives	$5.6	$0.0	$0.0	$0.0
Compliance Monitoring	$1,192.5	$1,221.0	$1,223.0	$2.0
Subtotal, Compliance	$1,198.1	$1,221.0	$1,223.0	$2.0
Enforcement				
Environmental Justice	$1,128.7	$583.0	$613.0	$30.0
Superfund: Enforcement	$179,163.7	$165,534.0	$166,309.0	$775.0
Superfund: Federal Facilities Enforcement	$9,271.8	$10,296.0	$8,592.0	($1,704.0)
Civil Enforcement	$4.4	$0.0	$0.0	$0.0
Criminal Enforcement	$7,845.9	$7,903.0	$7,680.0	($223.0)
Enforcement Training	$20.6	$0.0	$0.0	$0.0
Forensics Support	$2,456.2	$2,419.0	$1,214.0	($1,205.0)
Subtotal, Enforcement	$199,891.3	$186,735.0	$184,408.0	($2,327.0)
Homeland Security				
Homeland Security: Critical Infrastructure Protection	$9.1	$0.0	$0.0	$0.0
Homeland Security: Preparedness, Response, and Recovery				
Decontamination	$6,557.0	$5,898.0	$5,868.0	($30.0)
Laboratory Preparedness and Response	$5,710.4	$5,626.0	$5,644.0	$18.0
Homeland Security: Preparedness, Response, and Recovery (other activities)	$32,036.8	$29,075.0	$29,257.0	$182.0
Subtotal, Homeland Security: Preparedness, Response, and Recovery	$44,304.2	$40,599.0	$40,769.0	$170.0
Homeland Security: Protection of EPA Personnel and Infrastructure	$669.1	$1,170.0	$1,172.0	$2.0
Subtotal, Homeland Security	$44,982.4	$41,769.0	$41,941.0	$172.0
Information Exchange / Outreach				
Congressional, Intergovernmental, External Relations	$2.1	$0.0	$0.0	$0.0
Exchange Network	$1,431.0	$1,431.0	$1,433.0	$2.0
Subtotal, Information Exchange / Outreach	$1,433.1	$1,431.0	$1,433.0	$2.0
IT / Data Management / Security				
Information Security	$847.2	$728.0	$728.0	$0.0
IT / Data Management	$17,640.0	$15,339.0	$14,855.0	($484.0)
Subtotal, IT / Data Management / Security	$18,487.2	$16,067.0	$15,583.0	($484.0)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Legal / Science / Regulatory / Economic Review				
Alternative Dispute Resolution	$814.9	$844.0	$877.0	$33.0
Legal Advice: Environmental Program	$711.9	$682.0	$755.0	$73.0
Subtotal, Legal / Science / Regulatory / Economic Review	$1,526.8	$1,526.0	$1,632.0	$106.0
Operations and Administration				
Facilities Infrastructure and Operations				
Rent	$43,776.9	$47,032.0	$46,005.0	($1,027.0)
Utilities	$3,320.8	$3,760.0	$3,455.0	($305.0)
Security	$7,034.5	$8,269.0	$8,594.0	$325.0
Facilities Infrastructure and Operations (other activities)	$25,924.0	$21,480.0	$21,568.0	$88.0
Subtotal, Facilities Infrastructure and Operations	$80,056.2	$80,541.0	$79,622.0	($919.0)
Financial Assistance Grants / IAG Management	$3,322.3	$3,128.0	$3,174.0	$46.0
Acquisition Management	$23,672.0	$24,111.0	$25,961.0	$1,850.0
Human Resources Management	$8,924.4	$6,346.0	$7,558.0	$1,212.0
Central Planning, Budgeting, and Finance	$30,349.3	$21,632.0	$24,066.0	$2,434.0
Subtotal, Operations and Administration	$146,324.2	$135,758.0	$140,381.0	$4,623.0
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	$21,347.9	$17,677.0	$17,798.0	$121.0
Research: Chemical Safety and Sustainability				
Human Health Risk Assessment	$3,737.6	$3,337.0	$3,316.0	($21.0)
Superfund Cleanup				
Superfund: Emergency Response and Removal	$242,375.9	$189,590.0	$188,500.0	($1,090.0)
Superfund: EPA Emergency Preparedness	$10,473.9	$9,244.0	$8,179.0	($1,065.0)
Superfund: Federal Facilities	$32,555.5	$26,199.0	$26,765.0	$566.0
Superfund: Remedial	$707,200.8	$564,998.0	$531,771.0	($33,227.0)
Superfund: Support to Other Federal Agencies	$5,908.0	$5,849.0	$0.0	($5,849.0)
Brownfields Projects[1]	$1,403.5	$0.0	$0.0	$0.0

[1] In 1995, EPA initiated the Brownfields Program via brownfield 'pilot' projects as authorized by CERCLA and funded through the Hazardous Substance Superfund appropriation. After the Small Business Liability Relief and Brownfields Act passed into law, starting with the FY 2003 Enacted Budget, funding for the Brownfields Program was appropriated out of the Environmental Programs Management and State and Tribal Assistance Grant appropriations. In FY 2011, funds originally provided under the 'pilot' projects from the Superfund appropriation were deobligated. In order to retain the same purpose as when the funds were

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Subtotal, Brownfields Projects	$1,403.5	$0.0	$0.0	$0.0
Subtotal, Superfund Cleanup	$999,917.6	$795,880.0	$755,215.0	($40,665.0)
TOTAL, EPA	$1,450,268.3	$1,213,808.0	$1,176,431.0	($37,377.0)

*For ease of comparison, Superfund transfer resources for the audit and research functions are shown in the Superfund account.

first appropriated, the deobligated funds were recertified to Brownfields Projects. Therefore, FY 2011 Actuals include $1,403.5 thousand of Superfund prior year resources.

Program Area: Indoor Air and Radiation

Radiation: Protection
Program Area: Indoor Air and Radiation
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Reduce Unnecessary Exposure to Radiation

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$11,156.0	$9,616.0	$9,760.0	$144.0
Science & Technology	$2,275.4	$2,094.0	$2,126.0	$32.0
Hazardous Substance Superfund	***$2,478.4***	***$2,468.0***	***$2,637.0***	***$169.0***
Total Budget Authority / Obligations	$15,909.8	$14,178.0	$14,523.0	$345.0
Total Workyears	79.6	75.4	76.1	0.7

Program Project Description:

This program addresses potential radiation risks found at some Superfund and hazardous waste sites. Through this program, the EPA ensures that Superfund site clean-up activities reduce and/or mitigate the health and environmental risk of radiation to safe levels. In addition, the program makes certain that appropriate clean-up technologies and methods are adopted to effectively and efficiently reduce the health and environmental hazards associated with radiation problems encountered at these sites, some of which are located near at-risk communities. Finally, the program ensures that appropriate technical assistance is provided on remediation approaches for National Priorities List (NPL) and non-NPL sites.

FY 2013 Activities and Performance Plan:

In FY 2013, EPA's National Air and Radiation Environmental Laboratory (NAREL) in Montgomery, Alabama, and Radiation and Indoor Environments National Laboratory (R&IE) in Las Vegas, Nevada, will continue to provide analytical support to manage and mitigate radioactive releases and exposures. These nationally recognized laboratories routinely provide analytical and technical support for the characterization and cleanup of Superfund and Federal Facility sites. Laboratory support focuses on providing high quality data to support Agency decisions at sites across the country. Both of these laboratories also provide specialized technical support on-site, including field measurements using unique tools and capabilities. In addition, both laboratories provide data evaluation and assessment, document review, and field support through ongoing fixed and mobile capability. Thousands of radiochemical and mixed waste analyses are performed annually at NAREL on a variety of samples from contaminated sites. NAREL is EPA's only laboratory with this in-house mixed waste analytical capability. R&IE and NAREL also provide field-based analytical capability for screening and identifying radiological contaminants at NPL and non-NPL sites across the country, including mobile scanning, in-situ analysis, and air sampling equipment and expert personnel.

Performance Targets:

Work under this program also supports performance results in the Radiation: Protection program found under the Environmental Program Management Tab and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$81.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$3.0) This reflects an increase for contract support for analysis for radiation remediation at Superfund sites.

- (+$85.0) This reflects an increase in laboratory security, operations and maintenance, and utilities fixed costs.

- (+0.1 FTE) This reflects an increase in FTE to support the radiation lab.

Statutory Authority:

CERCLA, as amended by the SARA of 1986.

Program Area: Audits, Evaluations and Investigations

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Inspector General	$46,627.9	$41,933.0	$48,273.0	$6,340.0
Hazardous Substance Superfund	***$8,943.7***	***$9,939.0***	***$10,864.0***	***$925.0***
Total Budget Authority / Obligations	$55,571.6	$51,872.0	$59,137.0	$7,265.0
Total Workyears	342.7	358.1	365.8	7.7

Program Project Description:

The EPA's Office of Inspector General (OIG) provides audit, program evaluation, and investigative services and products that fulfill the requirements of the Inspector General Act, as amended, by identifying fraud, waste, and abuse in Agency, grantee and contractor operations, and by promoting economy, efficiency, and effectiveness in the operations of the Agency's Superfund program. OIG activities add value, promote transparency and enhance public trust by providing the Agency, the public, and Congress with independent analyses and recommendations that help the EPA management resolve risks and challenges, achieve opportunities for savings, and implement actions for safeguarding the EPA resources and accomplishing the EPA's environmental goals. OIG activities also prevent and detect fraud in the EPA programs and operations, including financial fraud, laboratory fraud, and cyber crime. The OIG consistently provides a significant positive return on investment to the public in the form of recommendations for improvements in the delivery of the EPA's mission, reduction in risks, costs savings, efficiencies, recoveries, and integrity through law enforcement.

FY 2013 Activities and Performance Plan:

The EPA's OIG will assist the Agency in its efforts to reduce environmental and human health risks by making recommendations to improve Superfund program operations, save taxpayer dollars, and resolve previously identified major management challenges and internal control weaknesses. In FY 2013, the OIG will continue focusing on areas associated with risk, fraud, waste, and cyber intrusions, and will expand its attention to making recommendations that improve operating efficiency, transparency, secured and trustworthy systems, and the cost effective attainment of the EPA's strategic goals and positive environmental impacts related to the Superfund program. As the Agency is increasingly challenged to do more with less, the elevated risk of fraud, waste and abuse and need to find greater efficiencies within the Agency significantly magnifies the role, tasks and challenges of the OIG to help protect EPA's program

and operational integrity. Historically, the EPA OIG provides a significantly positive return on investment in terms of monetary, program improvement and loss prevention benefits.

OIG plans will be implemented through audits, evaluations, investigations, and follow-up reviews in compliance with the Inspector General Act, applicable Professional Standards of the U. S. Comptroller General, and the Quality Standards for Federal Offices of Inspector General of the Council of Inspectors General on Integrity and Efficiency. The following types of audits are conducted: (1) program performance audits, including those focused on the award and administration of grants and contracts; (2) financial audits of grantees and contractors; (3) efficiency audits; and (4) information resources management audits. In addition, program evaluations will be conducted in the areas of the EPA's mission objectives for improving and protecting the environment and public health via reviews of Superfund and other land issues. The OIG will also conduct investigations of, and seek prosecution for, criminal activity and serious misconduct in the EPA's Superfund program and operations that undermine Agency integrity, the public trust, and create imminent environmental risks, as well as, seek civil judgments to obtain recovery and restitution of financial losses. Areas of investigative emphasis include financial fraud, infrastructure/terrorist threat, program integrity, employee integrity, and theft of intellectual or sensitive data.

Audits and Evaluations

OIG audits and program evaluations related to Superfund will identify program and management risks and determine if the EPA is efficiently and effectively reducing human health risks; taking effective enforcement actions; cleaning up hazardous waste; restoring previously polluted sites to appropriate uses; and ensuring long-term stewardship of polluted sites. OIG assignments will include: (1) assessing the adequacy of internal controls in the EPA and its grantees and contractors to protect resources; (2) project management to ensure that the EPA and its grantees and contractors have clear plans and accountability for performance progress; (3) enforcement to evaluate whether there is consistent, adequate and appropriate application of the laws and regulations across jurisdictions with coordination between federal, state and local law enforcement activities; and (4) grants and contracts to verify that such awards are made based upon uniform risk assessment and capacity to account and perform, and that grantees and contractors perform with integrity and value.

Prior audits and evaluations of the Superfund program have identified numerous barriers to implementing effective resource management and program improvements. Therefore, the OIG will concentrate its resources on efforts in the following prospective assignment areas:

- accuracy of costs claimed by Superfund contractors to comply with contract terms and conditions;
- effectiveness of strategies and plans for implementing institutional controls at Superfund sites;
- long-term stewardship of contaminated sites to include safety and appropriate reuse of Superfund sites;
- Superfund cost management and actions for preventing cost overruns and project delays, including the use of fixed-price contracts;

- Superfund state cost share recovery;
- Superfund amounts reported in financial statements; and
- the reliability and validity of environmental data used to support actions and reported results.

The OIG also will evaluate ways to minimize fraud, waste, and abuse, and maximize results achieved from Superfund contracts and assistance agreements.

Investigations

OIG investigations focus on identifying criminal activity pertaining to the Superfund program. The OIG will conduct investigations into allegations, and seek prosecution for: 1) fraudulent practices in awarding, performing, and paying the EPA Superfund contracts, grants, or other assistance agreements; 2) program fraud or other acts that undermine the integrity of, or confidence in the Superfund program, and create imminent environmental risks; 3) laboratory fraud relating to Superfund data, and false claims for erroneous laboratory results that undermine the bases for Superfund decision-making, regulatory compliance, or enforcement actions; and 4) intrusions into and attacks against the EPA's network supporting Superfund data, as well as incidents of computer misuse and theft of intellectual property or sensitive/proprietary Superfund data. Special attention will be directed towards identifying the tactics, techniques, and procedures that are being utilized by cyber criminals to obtain the EPA's information for their own motives. The OIG will directly assist the EPA senior leadership as well as federal cyber criminal, counterintelligence, and counterterrorism communities through collaboration with the OIG counterparts in other federal agencies. Analyzing the intruded systems along with known national intelligence data will allow the OIG to help the Agency determine if systems are under attack and whether key information has been exfiltrated. It will enable the OIG to understand and anticipate acts of intelligence gathering to recommend risk reduction techniques and products to the EPA and other federal law enforcement agencies, and to pursue judicial remedies. OIG investigations will also pursue civil actions for recovery and restitution of financial losses, and administrative actions to prevent unscrupulous persons and businesses from participating in the EPA's Superfund program.

Follow-up and Policy/Regulatory Analysis

To further promote economy, efficiency and effectiveness, the OIG will conduct follow-up reviews of Agency responsiveness to OIG recommendations for the Superfund program to determine if appropriate actions have been taken, and intended improvements have been achieved. Of particular concern are recommendations for improved cost documentation for better recovery of costs from Responsible Parties. This process will keep the EPA leadership informed of accomplishments, apprised of needed corrective actions, and will facilitate greater accountability for results from OIG operations. Oversight of the Agency audit management process ensures that action on all opportunities for improvements identified through OIG reports are appropriately taken.

Additionally, as directed by the IG Act, the OIG will review and analyze proposed and existing policies, rules, regulations and legislation pertaining to the Superfund program to identify

vulnerability to waste, fraud and abuse. These reviews also consider possible duplication, gaps or conflicts with existing authority, leading to recommendations for improvements in their structure, content and application.

Performance Targets:

Work under this program also supports performance results in the Audits, Evaluations, and Investigations program project under the OIG appropriation and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from the FY 2012 Enacted Budget (Dollars in Thousands):

- (+$1,098.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$97.0 / +0.7 FTE) This increase is vital to support audits and investigations and, the increased risk of vulnerabilities to fraud waste and abuse.

- (-$270.0) This reflects a realignment of non-payroll resources to more accurately reflect actual utilization of resources.

Statutory Authority:

Inspector General Act, as amended; Inspector General Reform Act; SARA; CERCLA.

Inspector General Reform Act:

The following information is provided pursuant to the requirements of the Inspector General Reform Act:

- the aggregate budget request from the Inspector General for the operations of the OIG is $59,137,000 ($48,273,000 Inspector General; $10,864,000 Superfund Transfer);
- the aggregate request in the President's Budget for the operations of the OIG is $59,137,000 ($48,273,000 Inspector General; $10,864,000 Superfund Transfer);
- the portion of the aggregate request in the President's Budget needed for training is $850,000 ($695,000 Inspector General; $155,000 Superfund Transfer);
- the portion of the aggregate request in the President's Budget needed to support the Council of the Inspectors General on Integrity and Efficiency (CIGIE) is $168,807 ($138,422 Inspector General; $30,385 Superfund Transfer).

"I certify as the Inspector General of the Environmental Protection Agency that the amount I have requested for training satisfies all OIG training needs for FY 2013".

Program Area: Compliance

Compliance Monitoring
Program Area: Compliance
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$109,266.9	$106,707.0	$125,209.0	$18,502.0
Oil Spill Response	$111.2	$138.0	$142.0	$4.0
Hazardous Substance Superfund	***$1,192.5***	***$1,221.0***	***$1,223.0***	***$2.0***
Total Budget Authority / Obligations	$110,570.6	$108,066.0	$126,574.0	$18,508.0
Total Workyears	624.1	626.7	634.5	7.8

Program Project Description:

The Compliance Monitoring program reviews and evaluates the activities of the regulated community to determine compliance with applicable laws, regulations, permit conditions, and settlement agreements by conducting compliance inspections/evaluations, investigations, record reviews, information requests, and by responding to tips and complaints from the public. The program conducts these activities to determine whether conditions that exist at Superfund sites may present imminent and substantial endangerment to human health or the environment and to verify whether regulated sites are in compliance with environmental laws and regulations.

The Superfund portion of the Compliance Monitoring program focuses on providing information and system support for monitoring compliance with Superfund-related environmental regulations and contaminated site clean-up agreements. The program also ensures the security and integrity of its compliance information systems.

FY 2013 Activities and Performance Plan:

Superfund-related compliance monitoring activities are mainly reported and tracked through the Agency's Integrated Compliance Information System (ICIS). In FY 2013, the Compliance Monitoring program will include support and ongoing enhancements to ICIS for continued support of the federal Enforcement and Compliance Assurance program. The EPA will continue to ensure the security and integrity of these systems, and will use ICIS data to support Superfund-related regulatory enforcement program activities. In FY 2013, the Superfund portion of this program for ICIS-related work is $190 thousand.

The EPA also will continue to make Superfund-related compliance monitoring information available to the public through the Enforcement and Compliance History On-line (ECHO) website.[2] This site provides communities with information on compliance status. The EPA will continue to develop additional tools and data for public use.

[2] For more information, refer to: http://www.epa-echo.gov/echo/

Performance Targets:

Work under this program also supports performance results in the Compliance Monitoring Program Project under EPM and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$6.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$4.0) This reflects a small reduction in support for monitoring Superfund compliance.

Statutory Authority:

CERCLA as amended; RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NAAEC; LPA-US/MX-BR; NEPA.

Program Area: Enforcement

Environmental Justice
Program Area: Enforcement
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$8,407.0	$6,848.0	$7,161.0	$313.0
Hazardous Substance Superfund	***$1,128.7***	***$583.0***	***$613.0***	***$30.0***
Total Budget Authority / Obligations	$9,535.7	$7,431.0	$7,774.0	$343.0
Total Workyears	34.4	32.8	32.9	0.1

Program Project Description:

The EPA is committed to fostering public health and sustainability in communities disproportionately burdened by pollution through integrating and addressing issues of environmental justice (EJ) in the EPA's programs and policies as part of day-to-day business. Implementation of Plan EJ 2014 by the Agency's programs and Regional Offices is a key component to this commitment. The EPA's Environmental Justice program supports the implementation of Plan EJ 2014 and is the focal point for facilitating this integration by building the capacity of the Agency to address environmental justice issues, promoting accountability, promoting agency action on critical environmental justice issues, and fostering the community's voice. The EJ program conducts outreach to overburdened communities and provides technical assistance that empowers low income and minority communities to take action to protect themselves from environmental harm. The Superfund portion of the program focuses on issues that affect communities at or near Superfund sites. The Environmental Justice program complements and enhances the Agency's community outreach, like the Solid Waste and Emergency Response program's Community Engagement Initiative, and other work done under the Superfund program at affected sites. The Agency also supports state and tribal environmental justice programs and conducts outreach and technical assistance to states, local governments, and other stakeholders on environmental justice issues.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to implement environmental justice activities in support of the Superfund program consistent with the vision and commitments outlined in the Agency's FY 2011-2015 Strategic Plan Cross-Cutting Fundamental Strategy for Environmental Justice and Children's Health and Plan EJ 2014.

In FY 2013, the EJ program will continue to promote the active engagement of community groups, other federal agencies, states, local governments, and tribal governments to recognize, support, and advance environmental protection and public health for overburdened communities. The EJ program will guide the EPA's efforts to empower communities to protect themselves from environmental harms. These efforts build healthy and sustainable neighborhoods that

enable disadvantaged groups to participate in the new green economy through technical assistance.

In FY 2013, the EJ program will continue to partner with other programs within the Agency to create scientific analytical methods, a legal foundation, and public engagement practices that enable the incorporation of environmental justice considerations in the EPA's regulatory and policy decisions. Finally, the EJ program will continue to support the Agency's efforts to strengthen internal mechanisms to integrate environmental justice including communications, training, performance management, and accountability measures.

Performance Targets:

Work under this program supports activities that benefit disproportionately burdened minority, low-income, and tribal populations. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$17.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$13.0) This reflects realignments and corrections to resources for telephone, Local Area Network (LAN), and other telecommunications and IT security requirements.

Statutory Authority:

Executive Order 12898; CERCLA, as amended.

Superfund: Enforcement
Program Area: Enforcement
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Hazardous Substance Superfund	***$179,163.7***	***$165,534.0***	***$166,309.0***	***$775.0***
Total Budget Authority / Obligations	$179,163.7	$165,534.0	$166,309.0	$775.0
Total Workyears	924.2	922.5	889.4	-33.1

Program Project Description:

The EPA's Superfund Enforcement program protects communities by ensuring that responsible parties conduct cleanups, preserving federal dollars for sites where there are no viable contributing parties. The Superfund Enforcement program ensures prompt site cleanup and uses an "enforcement first" approach that maximizes the participation of liable and viable parties in performing and paying for cleanups. In both the remedial and removal programs, the Superfund Enforcement program initiates civil, judicial, and administrative site remediation cases. The Superfund Enforcement program also provides litigation, legal and technical enforcement support on Superfund enforcement actions and emerging issues. The Superfund Enforcement program develops waste cleanup enforcement policies and provides guidance and tools that clarify potential environmental cleanup liability, with specific attention to the reuse and revitalization of contaminated properties. In addition, the Superfund Enforcement program ensures that responsible parties cleanup sites to reduce direct human exposure to hazardous pollutants and contaminants by providing long-term human health protections, which ultimately make contaminated properties available for reuse.

The EPA negotiates cleanup agreements with Potentially Responsible Parties (PRP) at hazardous waste sites and, where negotiations fail, either takes enforcement actions to require cleanup or expends Superfund appropriated dollars to remediate the sites, sometimes in combination. The Department of Justice (DOJ) supports the EPA's Superfund Enforcement program through negotiations and judicial actions to compel PRP cleanup and to recover appropriated monies spent on cleanup. In tandem with this approach, the EPA has implemented various reforms to increase fairness, reduce transaction costs, promote economic development, and make sites available for appropriate reuse. The EPA also works to ensure that required legally enforceable institutional controls and financial assurance requirements are in place at Superfund sites to ensure the long-term protectiveness of Superfund cleanup remedies.

The Agency promotes the "polluter pays" principle, cleaning up more sites and preserving appropriated dollars for sites without viable PRPs. The cumulative value of private party commitments for cleanup is just over $36 billion ($30.5 billion for cleanup work and $5.8 billion in cost recovery).

FY 2013 Activities and Performance Plan:

Throughout FY 2013, the Superfund Enforcement program will ensure PRP participation in cleanups while promoting fairness in the enforcement process and will continue to recover costs from PRPs when the EPA expends appropriated funds. The Agency's goal is to maximize PRP participation by reaching a settlement or taking an enforcement action by the time a remedial action starts for at least 99 percent of non-federal Superfund sites that have viable, liable parties. The EPA has reached a settlement or taken an enforcement action on 98 percent or more of non-federal Superfund sites with viable, liable parties since FY 2010. The Agency also seeks to ensure trust fund stewardship through cost recovery efforts in order to recover response costs that have been expended from the Superfund from responsible parties.

In FY 2013, the Agency will negotiate remedial design/action cleanup agreements and removal agreements at contaminated properties to address contamination impacting local communities. When appropriated dollars are used to clean up sites, the program will seek to recover the associated cleanup costs from the PRPs. If future work remains at a site, recovered funds may be placed in a site-specific special account pursuant to the agreement. Special accounts are sub-accounts within the EPA's Superfund Trust Fund. In accordance with the terms of the settlement agreement, the EPA uses special account resources to finance site-specific CERCLA response actions at the site for which the account was established. The Agency will continue its efforts to establish and maximize the effectiveness of special accounts to facilitate cleanup by improving tracking and planning for special account funds.

Special accounts save taxpayers significant resources. In FY 2011, the EPA created approximately 106 Special Accounts, collected $352.3 million for response work and accrued $12.8 million in interest for a total of $365.1 million. The Agency disbursed or obligated $343.6 million for response work. The EPA also closed 53 Special Accounts and transferred $5.1 million from Special Accounts into the general part of the Superfund Trust Fund.

Since 1989, the EPA has created 1,129 Special Accounts, collected $3.7 billion for response work and accrued $391.4 million in interest for a total of $4.1 billion. The Agency has disbursed $1.9 billion, has obligated but not yet disbursed $287.1 million, and designated an additional $141.6 million to performing parties in settlements. The EPA has closed 137 Special Accounts and transferred $19.2 million from Special Accounts into the general part of the Superfund Trust Fund.

In FY 2013, the Agency will provide the Department of Justice with $23.65 million through an Interagency Agreement. Funding will provide support for the EPA's Superfund Enforcement program through such actions as negotiating consent decrees with PRPs, preparing judicial actions to compel PRP cleanup, and litigating to recover monies spent in cleaning up contaminated sites. The EPA's Superfund Enforcement program is responsible for case development and preparation, referral to the DOJ and post-filing actions, and for providing case and cost documentation support for the docket of current cases with the DOJ. The program also ensures that the EPA meets cost recovery statute of limitation deadlines, resolves cases, issues bills for oversight, and makes collections in a timely manner. By pursuing cost recovery settlements, the program promotes the principle that polluters should either perform or pay for

cleanups. This approach preserves appropriated resources to address contaminated sites where there are no viable, liable PRPs. The Agency's expenditures will be recouped as much as possible through administrative actions and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 107 case referrals. The Agency will continue to refer delinquent accounts receivable to the DOJ for debt collection enforcement.

In FY 2011, the Superfund Enforcement program secured private party commitments that exceeded $3.3 billion. Of this amount, PRPs have committed to future response work with an estimated value of approximately $3 billion; PRPs have also agreed to reimburse the Agency for $298.6 million in past costs; and PRPs have been billed by the EPA for approximately $74 million in oversight costs. During the past ten years, the Superfund civil enforcement investment has resulted in an average return of eight dollars for every one appropriated dollar invested in the program. The total commitments obtained from responsible parties over that ten year period exceeded $14 billion.

In consideration of budget constraints, the EPA has assessed its priorities in compliance and enforcement efforts in order to embrace new approaches that can help achieve the Agency's goals more efficiently and effectively. Reductions in the EPA's FY 2013 budget submission for the Superfund Enforcement program will be directed towards FTE for PRP searches, cleanup settlements, and cost recovery while maintaining external contract support for these activities, reflecting the Agency's priorities in compliance and enforcement efforts.

During FY 2013, the Office of the Chief Financial Officer within the EPA will continue to perform the financial management aspects of Superfund cost recovery and the collection of related debt to the federal government. These efforts include tracking and managing Superfund delinquent debt, maintaining the Superfund Cost Recovery Package Imaging and On-Line System (SCORPIOS), and using SCORPIOS to prepare cost documentation packages. The program will continue to refine and streamline the cost documentation process to gain further efficiencies, provide the DOJ case support for Superfund sites, and calculate indirect cost and annual allocation rates to be applied to direct costs incurred by the EPA for site cleanup. The program also will continue to maintain the accounting and billing of Superfund oversight costs attributable to responsible parties. These costs represent the EPA's cost of overseeing Superfund site cleanup efforts by responsible parties as stipulated in the terms of settlement agreements.

Performance Targets:

Measure	**(078) Percentage of all Superfund statute of limitations cases addressed at sites with unaddressed total past costs equal to or greater than $200,000.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target		100	100	100	100	100	100	100	Percent
Actual		98	100	100	100	100			

Measure	(285) Percentage of Superfund sites having viable, liable responsible parties other than the federal government where EPA reaches a settlement or takes an enforcement action before starting a remedial action.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	90	95	95	95	95	95	99	99	Percent
Actual	100	98	95	100	98	100			

Measure	(417) Millions of cubic yards of contaminated soil and groundwater media EPA has obtained commitments to clean up as a result of concluded CERCLA and RCRA corrective action enforcement actions.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							300	300	Million Cubic Yards
Actual									

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$2,236.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$1,345.0 / -33.1 FTE) This reflects a net reduction in resources associated with PRP searches, cleanup negotiations, litigation, and settlements. This net change will maintain contract services supporting PRP searches, settlements, and cost recovery for Superfund sites. With the reduction in program personnel, it is critical that necessary tools are available to support the remaining workforce in their enforcement efforts. The reduction in funding includes $4,535.0 associated payroll for 33.1 FTE.

- (-$900.0) This decrease reflects a reduction to CERCLA litigation support provided through an Interagency Agreement with the Department of Justice. The reduction is commensurate with the reduction in the EPA's program levels.

- (+$784.0) This net increase reflects a correction to projected costs for the Superfund Cost Recovery Package Imaging and On-Line System (SCORPIOS), to better reflect actual operations and maintenance costs and the redistribution of telecommunication resources. Offsetting this increase includes reductions in lower priority IT systems and non-systems contracts supporting A-123 Internal Controls and A-136 Financial Reporting Requirements.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act; CERCLA; SBLRBRERA; CERFA; NEPA; AEA; UMTRLWA; PHSA; Safe Drinking Water Act; CCA; FGCAA; FAIR; Federal Acquisition Regulations; FMFIA; FOIA; GMRA; IPIA; IGA; PRA; Privacy Act; CFOA; Government Performance and Results Act; The Prompt Payment Act; Executive Order 12241; Executive Order 12656.

Superfund: Federal Facilities Enforcement
Program Area: Enforcement
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Hazardous Substance Superfund	***$9,271.8***	***$10,296.0***	***$8,592.0***	***($1,704.0)***
Total Budget Authority / Obligations	$9,271.8	$10,296.0	$8,592.0	($1,704.0)
Total Workyears	55.6	66.8	54.2	-12.6

Program Project Description:

The Superfund Federal Facilities Enforcement program ensures, consistent with law, that sites with federal entities performing Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) responses and CERCLA sites with federal ownership are monitored and appropriate enforcement responses are pursued. After years of service and operation, some federal facilities contain environmental contamination, such as hazardous wastes, unexploded ordnance, radioactive wastes, or other toxic substances. To enable the cleanup and reuse of such sites, the Federal Facilities Enforcement program identifies and coordinates creative solutions that ensure the integrity of cleanup and protect both human health and the environment. These enforcement solutions help restore facilities so they can once again serve an important role in the economy and welfare of local communities and our country.

FY 2013 Activities and Performance Plan:

Pursuant to CERCLA Section 120, the EPA must enter into Interagency Agreements (IAs) with responsible federal entities to ensure protective cleanup at a timely pace. Priority areas for FY 2013 include ensuring that: 1) all federal facility sites on the National Priorities List have IAs, which provide enforceable schedules for the progression of the entire cleanup; 2) these IAs are monitored for compliance; 3) formerly utilized defense sites with federal involvement are evaluated for action; and 4) federal sites that are transferred to new owners are transferred in an environmentally responsible manner. The EPA will monitor progress (milestones) in existing IAs, resolve disputes, take appropriate enforcement actions to address noncompliance, and oversee remedial work being conducted at federal facilities. The EPA also works to ensure that required legally enforceable institutional controls and five-year review requirements are in place at Superfund sites to ensure the long-term protectiveness of cleanup actions. In addition, the EPA will continue its work with affected agencies to resolve outstanding compliance and enforcement policy issues relating to the cleanup of federal facilities.

The EPA's FY 2013 budget submission for the Superfund Federal Facilities Enforcement program reduces its cleanup oversight activities at federal facilities. However, it is critically important, especially in a time of declining resources, that we continually assess our priorities and embrace new approaches that can help achieve our goals more efficiently and effectively.

The Superfund Federal Facilities program will continue to focus its resources on the highest priority cases.

The Superfund Federal Facilities Enforcement program works closely with the EPA's Federal Facilities Cleanup and Reuse programs to support their strategic programmatic goals to clean up federal contaminated sites and make them safer for their communities and available for other economically productive uses.

Performance Targets:

Work under this program also supports performance results in the Superfund Enforcement Program Project and can be found in the Performance Eight Year Array in Appendix A.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$173.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$1,877.0 / -12.6 FTE) This reflects a reduction in support for compliance assistance and cleanup oversight activities at federal facilities. The decreased resources include $1,877.0 associated payroll for 12.6 FTE.

Statutory Authority:

CERCLA; SBLRBRERA; DBCRA; Defense Authorization Amendments; BRAC; PPA; CERFA; NEPA; AEA; UMTRLWA; PHSA; DRAA; SDWA; Executive Orders 12241, 12656 and 12580.

Criminal Enforcement
Program Area: Enforcement
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$51,623.3	$48,123.0	$51,900.0	$3,777.0
Hazardous Substance Superfund	***$7,845.9***	***$7,903.0***	***$7,680.0***	***($223.0)***
Total Budget Authority / Obligations	$59,469.2	$56,026.0	$59,580.0	$3,554.0
Total Workyears	299.9	295.4	298.2	2.8

Program Project Description:

The EPA's Criminal Enforcement program investigates and helps prosecute violations of Superfund and Superfund-related laws, which involve criminal behavior or knowing of criminal behavior on the part of the violator. EPA criminal investigators ("Special Agents") work closely with forensic scientists, attorneys, technicians, engineers, and other specialists to protect the public and the environment by uncovering and developing cases for prosecution by Federal, state, tribal, and local prosecutors. These cases include Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) violations and associated violations of Title 18 of the United States Code such as fraud, conspiracy, obstruction of justice, and false statements. Successful prosecutions deter other potential parties, eliminate the incentive for companies to "pay to pollute," and help ensure that businesses that follow the rules do not face unfair competition from those that break the rules.

The EPA's Special Agents conduct all aspects of CERCLA case development, including providing prosecutorial support. Special Agents evaluate leads, interview witnesses, serve and support search warrants, review documentary evidence (including data from environmental inspections, other databases, and files), collect field forensic evidence using specialized sampling and monitoring equipment, and testify in court. Agents also assist in plea negotiations and in planning sentencing conditions that will require defendants to undertake projects to improve environmental conditions or develop environmental management systems to enhance performance.

These efforts support environmental crimes prosecutions primarily by the United States Attorneys and the Department of Justice's Environmental Crimes Section, but occasionally by state, tribal, and local prosecutors. Criminal enforcement attorneys provide legal and policy support for all of the program's responsibilities including forensics and expert witness preparation, information law, and personnel law to ensure that program activities are carried out in accordance with legal requirements and the policies of the Agency.

The EPA Special Agents also participate in task forces and specialized training at the Federal Law Enforcement Training Center along with other federal, state, and local law enforcement

officials. These joint efforts and training help build state, local, and tribal environmental enforcement expertise, which helps them protect their communities and offer valuable leads to the EPA's program.[3]

FY 2013 Activities and Performance Plan:

In FY 2013, the Criminal Enforcement program will continue to investigate and assist in the prosecution of CERCLA related cases with significant environmental, human health, and deterrence impacts. The Criminal Enforcement program continues to "tier" significant CERCLA cases based upon categories of human health and environmental impacts (e.g., death, serious injury, human exposure, remediation), release and discharge characteristics (e.g., hazardous or toxic pollutants, continuing violations), and subject characteristics (e.g., national corporation, recidivist violators).

The Criminal Enforcement program will continue to enhance its collaboration and coordination with the Civil Enforcement program to ensure that the enforcement program responds to Superfund violations as effectively as possible. Enforcement is accomplished by employing an effective regional case screening process to identify the most appropriate civil or criminal enforcement responses for a particular violation and by taking criminal enforcement actions against long-term or repeated significant non-compliers where appropriate.

The EPA's Criminal Enforcement program is committed to fair and consistent enforcement of federal laws and regulations, balanced with the flexibility to respond to region-specific environmental problems. In FY 2013, criminal enforcement will continue to use management oversight controls and national policies to ensure that violators in similar circumstances receive similar treatment under federal environmental laws. Consistency is promoted by evaluating all investigations from the national perspective, overseeing all investigations to ensure compliance with program priorities, conducting regular "docket reviews" (detailed review of all open investigations in each Regional Office), and periodically reviewing and revising policies and programs.

In FY 2013, the program will continue to use data from the electronic Criminal Case Reporting System (CCRS). The program also seeks to deter Superfund-related environmental crime by increasing the volume and quality of leads reported to the EPA by the public through the tips and complaints link on the EPA's website.[4] The EPA's fugitive website enlists the public and law enforcement agencies help in apprehending defendants who have fled the country, are in hiding to avoid prosecution for alleged environmental crimes, or are in hiding to avoid sentencing for crimes for which they have been found guilty. During FY 2011, two fugitives were added to the website and two former fugitives who were captured in prior years were sentenced.

It is critically important, especially in a time of declining resources, that we continually assess our priorities and embrace new approaches that can help achieve our goals more efficiently and effectively. The EPA's FY 2013 budget submission for the Criminal Enforcement program

[3] For more information visit: http://www.epa.gov/compliance/criminal/index.html
[4] For more information visit: http://www.epa.gov/fugitives/

reduces administrative and legal positions. The program will continue to focus all of its criminal investigative resources on the highest priority cases.

Performance Targets:

Work under this program also supports performance results in the Criminal Enforcement Program Project under EPM and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$129.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$352.0 / -3.7 FTE) This reduction is taken from support for lower priority casework. The reduced resources include $617.0 associated payroll for 3.7 FTE.

Statutory Authority:

CERCLA; EPCRA; Pollution Prosecution Act; Title 18 General Federal Crimes (e.g., false statements, conspiracy); Power of Environmental Protection Agency (18 U.S.C. 3063).

Forensics Support
Program Area: Enforcement
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	$16,354.3	$15,269.0	$15,593.0	$324.0
Hazardous Substance Superfund	***$2,456.2***	***$2,419.0***	***$1,214.0***	***($1,205.0)***
Total Budget Authority / Obligations	$18,810.5	$17,688.0	$16,807.0	($881.0)
Total Workyears	99.7	104.2	96.2	-8.0

Program Project Description:

The Forensics Support program provides specialized scientific and technical support for the nation's most complex Superfund civil and criminal enforcement cases, as well as technical expertise for Agency compliance efforts. The EPA's National Enforcement Investigations Center (NEIC) is a fully accredited environmental forensics center under International Standards Organization 17025, the main standard used by testing and calibration laboratories, as recommended by the National Academy of Sciences.[5] Laboratory accreditation is the recognition of technical competence through a third-party assessment of a laboratory's quality, administrative, and technical systems. It also provides the general public and users of laboratory services a means of identifying those laboratories which have successfully demonstrated compliance with established international standards. The NEIC's accreditation standard has been customized to cover both laboratory and field activities.

The NEIC maintains a sophisticated chemistry laboratory and a corps of highly trained media experts, inspectors, and scientists. The NEIC works closely with the EPA Criminal Investigation Division to provide technical support to criminal investigations (e.g., sampling, analysis, consultation, and testimony). The NEIC also works closely with the regional offices to provide technical assistance, consultation, on-site inspection, investigation, and case resolution services in support of the Agency's Civil Enforcement program.

FY 2013 Activities and Performance Plan:

The NEIC will continue to support the Agency's national enforcement priorities and support the technical aspects of criminal investigations. In order to stay at the forefront of environmental enforcement the NEIC continues using customized laboratory methods to identify potentially responsible parties. In response to Superfund case needs, the NEIC conducts applied research and development to identify and deploy new capabilities and to test and/or enhance existing methods and techniques involving environmental measurement and forensic situations.

[5] Strengthening Forensic Science in the United States: A Path Forward, National Academy of Sciences, 2009, available at http://www.nap.edu/catalog.php?record_id=12589

In FY 2013, the NEIC will continue to function under rigorous International Standards Organization 17025 requirements for environmental data measurements to maintain its accreditation. The program utilizes advanced technologies to support field measurement and laboratory analyses, as well as identification of pollution sources at Superfund and other waste sites. In addition, the NEIC provides expert consultation in support of regional and Department of Justice Superfund cost recovery efforts.

It is critically important, especially in a time of declining resources, that we continually assess our priorities and embrace new approaches that can help achieve our goals more efficiently and effectively. The EPA's FY 2013 budget submission for the Forensics program includes a decrease in support for NEIC in order to focus its limited resources in support of the highest priority cases.

Performance Targets:

Work under this program supports the objective to improve compliance under Goal 5. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands)

- (+$50.0) This increase is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$1,264.0 / -8.9 FTE) This decrease is a reduction for NEIC support. This change includes a reduction of $1,264.0 associated payroll for 8.9 FTE.

- (+$9.0) This reflects an increase for fixed costs in NEIC's lab operations.

Statutory Authority:

CERCLA; EPCRA.

Program Area: Homeland Security

Homeland Security: Preparedness, Response, and Recovery
Program Area: Homeland Security
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Restore Land

Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$1,272.8	$0.0	$0.0	$0.0
Science & Technology	$41,536.8	$30,034.0	$29,708.0	($326.0)
Hazardous Substance Superfund	***$44,304.2***	***$40,599.0***	***$40,769.0***	***$170.0***
Total Budget Authority / Obligations	$87,113.8	$70,633.0	$70,477.0	($156.0)
Total Workyears	177.8	176.4	176.8	0.4

Program Project Description:

EPA's Homeland Security Preparedness, Response, and Recovery program develops and maintains an agency-wide capability to respond to large-scale catastrophic incidents with an emphasis on those involving chemical, biological, and radiological (CBR) agents. The program builds upon EPA's long standing emergency response and removal program, which is responsible for responding to and cleaning up both oil and hazardous substance releases. EPA's homeland security effort builds upon these responsibilities by maintaining a level of expertise, training, and preparedness specifically focused on threats associated with CBR agents. This capability, implemented as a comprehensive all-hazards approach to emergency response, is a cornerstone of national preparedness and is an essential element of national resiliency.

The Agency Homeland Security program implements a broad range of activities for a variety of internal and multi-agency efforts that are consistent with the Department of Homeland Security's (DHS') National Response Framework. As mandated in Homeland Security Presidential Directives (HSPDs) #5, #8, #9, #10, and #22, the Agency leads or supports many aspects of preparing for and responding to a nationally significant incident which may contain CBR agents. Other Federal agencies, including DHS, the Department of Defense, and the Department of Health and Human Services, rely upon EPA's unique and critical environmental response capability and expertise for CBR agents, and look to EPA to:

- sustain and operate a national environmental laboratory for chemical warfare agents and biological threats;
- provide expertise on decontamination and waste disposal methods following the release of a CBR agent;
- provide technical support and expertise during a response in evaluating environmental and human health risks associated with the release of CBR agents; and

- strengthen the Agency's own internal response capabilities, as well as coordinated Federal, state, and local emergency response efforts through training, exercises, and the maintenance of specialized field equipment.

EPA Homeland Security assets; trained personnel, laboratory capabilities, and decontamination technical expertise, provide a safety net for CBR responses, as the EPA is solely responsible for environmental sampling and decontamination during a CBR response. The agency's Decontamination Team serves as an important federal technical resource for decontamination of building infrastructures and environmental media. The Homeland Security lab resources focus on improving national environmental laboratory capabilities and capacities to be better prepared to analyze the high volume of environmental CBR samples expected during national emergencies. This program helps EPA have the capacity for understanding and responding to complex CBR incidents in a reasonable time frame as well as have a basic level of institutional expertise for advising time critical and emergency cleanups. To meet this challenge, EPA will continue to use a comprehensive approach which includes internal partnerships on research priorities and brings together agency assets to implement efficient and effective responses.

In addition, through research, development, and technical support activities, EPA's Homeland Security Research Program (HSRP) enhances the nation's preparedness, response, and recovery capabilities for homeland security large-scale catastrophic incidents involving chemical, biological, or radiological threats and attacks. When terrorist attacks and natural disasters occur, sustainable environmental approaches enhance the resiliency and speed of recovery of the communities that are affected. The HSRP will continue to develop and validate environmental sampling, analysis, and human health risk assessment methods for known and emerging biological, chemical, and radiological threat agents.

FY 2013 Activities and Performance Plan:

In FY 2013, the Agency's homeland security emergency response and preparedness program will continue to concentrate on four core areas:

1) maintaining a highly skilled, well-trained, and well-equipped response workforce that has the capacity to respond to simultaneous incidents as well as threats involving CBR substances;
2) developing more effective site characterization, decontamination, and clearance options for site reoccupation, to ensure that the nation can quickly recover from nationally significant incidents;
3) ensuring maintenance of capability to analyze Chemical Warfare Agent (CWA) samples while working to build and maintain EPA biological agent laboratory analyses capability and capacity; and
4) implementing the EPA's National Approach to Response (NAR) to effectively manage EPA's emergency response assets during large-scale activations.

EPA activities in support of these efforts include the following:

- Maintain the skills of EPA's On-Scene Coordinators (OSCs) through specialized training, exercises, and equipment. This professional development provides staff with information on new technologies and supports direction to optimize an efficient and cost effective response process. In FY 2013, EPA and its federal, state, and tribal homeland response partners will participate in exercises and trainings designed to test and improve EPA's response capabilities.

- Sustain the Agency's responder base during large-scale catastrophic incidents by training volunteers of the Response Support Corps (RSC) and members of Incident Management Teams (IMTs). These volunteers provide critical support to Headquarters and Regional Emergency Operations Centers and assist with operations in the field. To ensure technical proficiency, this cadre of response personnel requires initial training and routine refresher training.

- Operate the Environmental Response Laboratory Network (ERLN), sustain and operate consolidated CWA and biological labs, continue mobile capability through Portable High-Throughput Integrated Laboratory Identification Systems (PHILIS) units, and coordinate development of radio-analytical capability. The Agency will continue to participate with the DHS led Integrated Consortium of Laboratory Networks to leverage federal, state, and commercial capabilities.

- EPA is frequently responsible for the decontamination phase of a significant incident. Decontamination is not possible without sampling and lab analyses to delineate and characterize the site, to confirm successful decontamination, and for decisions on clearance to re-enter the site. To assist with site characterization, EPA fixed and mobile lab capabilities are needed; mobile labs, such as PHILIS, for deploying to sites for high volume analyses, and fixed labs for providing added capacity and quality assurance.

- Implement the NAR to maximize regional interoperability and to ensure that EPA's OSCs will be able to respond to terrorist threats and large-scale catastrophic incidents in an effective and nationally consistent manner.

- Continue to maintain one Airborne Spectral Photometric Environmental Collection Technology (ASPECT) aircraft. ASPECT provides direct assistance to first responders by detecting chemical and radiological vapors, plumes, and clouds with real time data delivery. ASPECT is especially needed when other assets cannot be deployed to a release (road and/or infrastructure damage, personnel concerns, etc.). ASPECT assistance is often requested by other agencies and is a rapid response resource, with sample data being available within five minutes.

- Maintain the Emergency Management Portal (EMP) modules. EMP ties together prevention, preparedness, and response information to allow EPA's emergency management community access to information they need to respond to and efficiently store decontamination related data and track field personnel, equipment, and reconnaissance data from large and small sites. During large-scale incidents, the public can view site related data on a daily basis.

- Maintain Environmental Response Team (ERT) personnel and equipment in a state of readiness for response to potential homeland security incidents. As the agency inland scientific support coordinator, the ERT also will maintain the capacity to provide required health and safety and response readiness training to federal, state, local, and tribal responders.

- Continue to develop and validate environmental sampling, analysis, and human health risk assessment methods for known and emerging chemical, biological, and radiological threat agents. These sampling and analysis methods are critical to ensuring appropriate response and recovery actions and developing necessary laboratory support capacity. The human health risk assessment methods also are extremely important to decision makers who are faced with determining when decontaminated facilities and equipment can be returned to service. This decontamination and consequence management research will produce data, information, and technologies to further assist EPA in developing standards, protocols, and capabilities to recover from and mitigate the risks associated with biological attacks.

In FY 2013, EPA will begin to plan and implement a Regional Center of Expertise for CWA Laboratories to support response and recovery. The Agency will conduct an analysis to determine how to most effectively maintain this capability and capacity at selected Regional laboratories. EPA will be evaluating the most effective and efficient means of consolidating facilities and equipment and developing a highly skilled and mobile staff with the appropriate expertise. This consolidation is expected to result in better performance with the ability to work on response strategies for novel/non-traditional agents, the efficient maintenance of response capability during non-event periods, and the development of a viable, cost-effective surge strategy to sustain operations for extended response periods.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+ $280.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$128.0) This reflects an increase for research to develop and test cleanup technologies for radiological contamination that could result from terrorist attacks or nuclear disasters. This research will give the response community better information on performance and cost of remediation technologies, thereby supporting improved decision-making.

- (+$23.0) This reflects the net result of realignments of infrastructure FTE and resources such as equipment purchases and repairs, travel, contracts, and general expenses that are proportionately allocated across programs to better align with programmatic priorities.

- (+$2,000.0) This increase is for planning and implementing a Regional Emergency Response Center of Expertise for CWA. This increase reflects funds needed to implement the selected approaches resulting from the review of options and requirements for Center(s) of Expertise for CWA laboratories.

- (-$2,261.0 / -0.3 FTE) This reflects delays in planned training and participation in exercises and also reflects delays in equipment upgrades. The reduced resources include 0.3 FTE and associated payroll of $45.0.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA), 42 U.S.C. 9601 et seq. – Sections 104, 105, 106; Clean Water Act (CWA) 33 U.S.C. 1251 et seq.; Oil Pollution Act, 33 U.S.C. 40.

Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$6,497.0	$5,966.0	$5,999.0	$33.0
Science & Technology	$592.0	$578.0	$579.0	$1.0
Building and Facilities	$8,269.1	$7,044.0	$8,038.0	$994.0
Hazardous Substance Superfund	***$669.1***	***$1,170.0***	***$1,172.0***	***$2.0***
Total Budget Authority / Obligations	$16,027.2	$14,758.0	$15,788.0	$1,030.0
Total Workyears	7.3	3.0	3.0	0.0

Program Project Description:

This program's activities ensure that EPA's physical structures and assets are secure and operational and that certain physical security measures are in place to help safeguard staff in the event of an emergency. The program also includes the personnel security clearance process, the protection of any classified information, and the provision of necessary secure communications.

EPA's policy is to have a comprehensive continuity of operations program (COOP) in place to ensure continuity of its essential functions under all emergency circumstances. Under Homeland Security Presidential Directive 20 (HSPD-20), EPA is required to designate an Agency Continuity Coordinator charged with ensuring that EPA's continuity program is consistent with federal policies. The Solid Waste and Emergency Response Program's Emergency Management program is responsible for developing EPA's Continuity Plan.

FY 2013 Activities and Performance Plan:

In FY 2013, the Agency will continue to follow the requirements outlined in the Department of Homeland Security/Federal Emergency Management Agency's (FEMA) Federal Continuity Directive (FCD) 1. FCD-1 requires EPA to develop a continuity plan that ensures its ability to accomplish its mission-essential functions from an alternative site, with limited staffing and without access to resources available during normal activities.

Consistent with a review of its needs and priorities pursuant to the directive, EPA will undertake a number of activities, including but not limited to the following:

- Conduct annual reviews of the Headquarters and Regional COOP plans and update the plans, as needed, to reflect current operations;
- Conduct exercises of COOP deployment, activation of essential personnel to the COOP site, and implementation of its essential functions from its remote alternate site(s), including interagency operations. In FY 2013, EPA plans to support training activities and participate in a major interagency COOP exercise and an EPA internal COOP exercise with Headquarters and Regional offices; and
- Show progress toward meeting the requirements of National Communications System Directive (NCSD) 3-10 through the purchase, installation, and maintenance of secure communications equipment.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$2.0) This reflects an increase to support general Headquarters COOP activities.

Statutory Authority:

Public Health Service Act Amendments, 42 U.S.C. 201 et seq. - Section 2801; Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 et seq. - Sections 104, 105, and 106.

Program Area: Information Exchange / Outreach

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$17,816.6	$17,724.0	$23,008.0	$5,284.0
Hazardous Substance Superfund	***$1,431.0***	***$1,431.0***	***$1,433.0***	***$2.0***
Total Budget Authority / Obligations	$19,247.6	$19,155.0	$24,441.0	$5,286.0
Total Workyears	37.3	29.6	31.0	1.4

Program Project Description:

The Exchange Network (EN) is a standards-based, secure approach for the EPA and its state, Tribal and territorial partners to exchange and share environmental data. The EN facilitates and streamlines electronic reporting, sharing, integration, analysis and use of environmental data from many different sources to support the Superfund program. Through its use of technology and data standards, open source software, shared services and reusable tools and applications, the EN offers its partners tremendous potential for environmental data management and analysis.

The Central Data Exchange[6] (CDX) is the largest component within the EN program. CDX is the electronic gateway through which environmental data enters the Agency. It enables fast, efficient and more accurate environmental data submissions from state and local governments, industry and tribes to the EPA. It also provides a set of core services rather than each agency program building its own duplicative services. The reuse of existing central services like CDX promotes a leaner and more cost-effective enterprise architecture for the Agency, enables more robust central services and provides a common way to promote data integration and sharing with states since CDX serves as the EPA's connection to the EN. CDX resources support infrastructure for development, testing and production; sophisticated hardware and software; data exchange and Web form programs; built-in data quality checks; standards-setting projects with states, Tribes and territories for e-reporting; and significant security and quality assurance activities. By reducing the data management burden on EPA programs, CDX helps environmental programs focus their resources on enforcement and Superfund programmatic work, rather than data collection and manipulation.

Other tools and services in the EN program include the Facility Registry System (FRS) and the other registries within the System of Registries (SoR). The FRS is a widely used source of

[6] For more information on the Central Data Exchange, please visit: http://www.epa.gov/cdx/

mapping and environmental data about facilities. It allows a multimedia display and integration of environmental information keyed to single or multiple facilities. It also shows Superfund cleanup sites and links to status pages about the progress of the work at the site. FRS also provides CERCLIS data locations (Superfund data from the Comprehensive Environmental Response, Compensation, and Liability Information System). The Superfund program uses FRS to improve the quality of CERCLIS data. Among other applications of FRS, users can apply the data in understanding homeland security threats, prioritizing enforcement, and integrating data across disparate datasets. FRS also serves as a key point of entry for the public interested in the EPA's data stores. The registries within the SoR provide basic management of its Information Technology (IT) assets. The registries make it possible to link data across programs including the air, water and Superfund databases and other programs, enabling the EPA to bring data together for greater understanding of environmental issues. The registries are the integrators that promote access, sharing and understanding of the EPA's information and assets.

FY 2013 Activities and Performance Plan:

Several new enhancements to CDX are underway and will continue to be rolled out in FY 2013. Major activities include a complete redesign of the CDX interface to comply with new usability standards, improving the quality of user registration data and raising the efficiency of the EPA's user identity management. The program also will complete the automated process for validating identities of individuals registering with CDX, resulting in a reduction in cost to the Agency from $30 to $.60 per user and additional resource and time savings to the regulated community. CDX also is conducting a complete review of its existing architecture and preparing a three-year plan to achieve additional efficiencies through consolidation and standardization of services and leveraging new technology, such as cloud computing. Finally, CDX is primed to serve as the data publishing engine for the Agency by providing the transport of data from the EPA, not only to trusted partners, but potentially the public. This role and expansion of CDX will be pursued through FY 2013 as part of the architecture redesign.

In FY 2013, the EN program will develop services that encourage innovative data sharing and analysis while lowering the cost and reporting burden. The program will pilot projects that transform the EN from a closed partnership with states and Tribes to a more open platform of services that the public or third parties can use to develop tools and applications to make environmental data reporting, sharing and analysis faster, simpler and cheaper. This also includes an expansion of CDX and EN data publishing capabilities. The EN program also will increase the amount of critical environmental data and expand the program's role in sharing data among partners, provide increased business value through reduced burden and build on prior efforts to provide better data quality, timeliness and accessibility while making the EN simpler and less costly to implement. Finally, pending the results of research in calendar years 2011 and 2012, CDX will transition its Exchange Network services to a cloud-based infrastructure environment to save money and gain added efficiencies in FY 2013.

Planned activities in FY 2013 for the Facility Registry Service include:

- Continuing to improve FRS data quality and its utilization across the EPA and states by building on initiatives in FY 2011 and FY 2012 to build a strong FRS data stewards network and community of interest;
- Improving data access by providing better tools for data stewards to correct data, and making FRS data available through multiple Web services;
- Enhancing FRS data with value-added attributes and capabilities to support improved analysis and access and adding additional spatial geographies and attributes and emerging semantic Web technologies;
- Improving synchronization with EPA program information systems to support the EPA's Enforcement and Compliance program and to offer near-real-time data feeds that will assist emergency responders; and
- Moving FRS to a public or private "cloud" to save money and gain added efficiencies, building on initiatives in FY 2011 and FY 2012 to make the FRS architecture more agile.

Planned activities in FY 2013 for the System of Registries will continue efforts to allow greater sharing and better understanding of the EPA's data. This includes metadata providing services at the system, dataset and data element levels:

- At the information system level, The Registry of EPA Applications and Databases (READ) inventories EPA data systems;
- At the dataset level, the Environmental Dataset Gateway (EDG) inventories EPA datasets and non-EPA datasets used across the EPA;
- At the data element level, the Data Element Registry Services (DERS) is a central repository for data dictionaries and code sets. DERS will enable the EPA to meet OMB requirements for conforming to a federal-wide standardization effort (National Information Exchange Model - NIEM).

Performance Targets:

Work under this program supports the performance measures in the Exchange Network Program Project under the EPM appropriation. These measures can also be found in the Eight Year Table of Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$2.0) This change reflects a small increase in contractual costs for the Central Data Exchange.

Statutory Authority:

Federal Advisory Committee Act (FACA), 42 United States Code 553 et seq. and Government Information Security Act (GISRA), 40 U.S.C. 1401 et seq. – Sections 3531, 3532, 3533, 3534, 3535 and 3536 and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9606 et seq. – Sections 101-128, 301-312 and 401-405 and Clean Air Act

(CAA) Amendments, 42 U.S.C. 7401 et seq. – Sections 102, 103, 104 and 108 and Clean Water Act (CWA), 33 U.S.C. 1314 et seq. – Sections 101, 102, 103, 104, 105, 107, and 109 and Toxic Substances Control Act (TSCA), 15 U.S.C. 2611 et seq. – Sections 201, 301 and 401 and Federal Insecticide Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. 36 et seq. – Sections 136a – 136y and Food Quality Protection Act (FQPA), 7 U.S.C. 136 et seq. – Sections 102, 210, 301 and 501 and Safe Drinking Water Act (SDWA) Amendments, 42 U.S.C. 300 et seq. – Sections 1400, 1401, 1411, 1421, 1431, 1441, 1454 and 1461 and Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346 et seq. and Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. 11001 et seq. – Sections 322, 324, 325 and 328 and Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6962 et seq. – Sections 1001, 2001, 3001 and 3005 and Government Performance and Results Act (GPRA), 39 U.S.C. 2803 et seq. – Sections 1115, 1116, 1117, 1118 and 1119 and Government Management Reform Act (GMRA), 31 U.S.C. 501 et seq. – Sections 101, 201, 301, 401, 402, 403, 404 and 405 and Clinger-Cohen Act (CCA), 40 U.S.C. 1401 et seq. – Sections 5001, 5201, 5301, 5401, 5502, 5601 and 5701and Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq. – Sections 104, 105, 106, 107, 108, 109, 110, 111, 112 and 113 and Freedom of Information Act (FOIA), 5 U.S.C. 552 et seq. and Controlled Substances Act (CSA), 21 U.S.C. 802 et seq. – Sections 801, 811, 821, 841, 871, 955 and 961; Privacy Act; Electronic Freedom of Information Act, Security and Accountability of Every (SAFE) Port Act, Executive Order 13439. Exchange Network Program funding has been provided by the annual appropriations for EPA: FY 2002 (Public Law 107-73), FY 2003 (Public Law 108-7), FY 2004 (Public Law 108-199) FY 2005 (Public Law 108-447) and FY 2006 (Public Law 109-54), FY 2007 (Public Law 110-5), FY 2008 (Public Law 110-161), and FY 2009 (Public Law 111-8).

Program Area: IT / Data Management / Security

Information Security
Program Area: IT / Data Management / Security

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$7,831.2	$6,786.0	$6,868.0	$82.0
Hazardous Substance Superfund	***$847.2***	***$728.0***	***$728.0***	***$0.0***
Total Budget Authority / Obligations	$8,678.4	$7,514.0	$7,596.0	$82.0
Total Workyears	14.5	15.2	15.3	0.1

Program Project Description:

Information is a strategic resource to the EPA. It allows each program office to fulfill its mission in support of the protection of human health and the environment. The Agency's Information Security program is designed to protect the confidentiality, availability and integrity of the EPA's information assets. The protection strategy for the Superfund program includes, but is not limited to, policy, procedure and practice management; information security awareness, training and education; risk-based governance and system assessments; weakness remediation; operational security management; incident response and handling; and Federal Information Security Management Act (FISMA) compliance and reporting.

FY 2013 Activities and Performance Plan:

Effective information security faces new challenges every day. Agency information security practitioners are constantly responding to increasingly creative and sophisticated attempts to breach protections. In FY 2013, the EPA's integrated efforts will allow the Agency's Information Security program to take a more proactive role in dealing with these threats under the Superfund program.

In FY 2013, the EPA will continue to protect, defend and sustain its information assets related to the Superfund program through continued improvement to the Information Security program. The Agency will continue to focus on training and awareness, asset definition and management, compliance, incident management, knowledge and information management, risk management and technology management. Secondary activities in FY 2013 include, but are not limited to, access management, measurement and analysis, and service continuity. These efforts will strengthen the Agency's ability to ensure operational resiliency resulting in an information security program that can rely on effective and efficient processes and documented plans when threatened by disruptive events.

Concurrently, the EPA will continue its performance-based information security activities with a particular emphasis on risk management, incident management and information security architecture. These three areas are critical to the Agency's Information Security program. They are also key components of federal requirements, such as the Office of Management and Budget (OMB) information security initiatives, including: Trusted Internet Connection (TIC); Domain Name Service Security (DNSSec); and the Federal Desktop Core Configuration (FDCC). Controls implementing these requirements, which will be operational throughout FY 2013, are rapidly enhancing the Agency's security requirements for information policy, technology standards and practices.

The EPA will support and expand continuous monitoring to detect and remediate Advanced Persistent Threats to the Agency's Information Technology (IT) networks. The EPA will enhance our internal Computer Security Incident Response Capability (CSIRC) to ensure the rapid identification, alerting and reporting of suspicious activity. CSIRC's primary function is to detect unauthorized attempts to access, destroy, or alter EPA data and information resources. The incident response capability includes components such as tool integration, detection and analysis, forensics, and containment and eradication activities. To help ensure tools, techniques, and practices are current, CSIRC monitors new trends in information security and threat activity. Additionally, the EPA will continue implementing Homeland Security Presidential Directive 12 (HSPD-12) requirements for logical access as identified in the Federal Information Processing Standards (FIPS) 201, *Personal Identity Verification (PIV) of Federal Employees and Contractors*.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

Federal Information Security Management Act (FISMA), 44 United States Code 3541 et seq. – Sections 301, 302, 303, 304, 305, 401 and 402 and Government Performance and Results Act (GPRA), 39 U.S.C. 2803 et seq. – Sections 1115, 1116, 1117, 1118 and 1119 and Government Management Reform Act (GMRA), 31 U.S.C. 501 et seq. – Sections 101, 201, 301, 401, 402, 403, 404 and 405 and Clinger-Cohen Act (CCA), 40 U.S.C. 1401 et seq. – Sections 5001, 5201, 5301, 5401, 5502, 5601 and 5701and Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq. – Sections 104, 105, 106, 107, 108, 109, 110, 111, 112 and 113 and Freedom of Information Act (FOIA), 5 U.S.C. 552 et seq. and Electronic Freedom of Information Act (EFOIA), 5 U.S.C. 552 et seq. – Sections 552(a)(2), 552 (a)(3), 552 (a)(4) and 552(a)(6).

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$96,614.1	$87,939.0	$88,893.0	$954.0
Science & Technology	$3,483.7	$3,652.0	$4,047.0	$395.0
Leaking Underground Storage Tanks	$47.7	$0.0	$0.0	$0.0
Hazardous Substance Superfund	***$17,640.0***	***$15,339.0***	***$14,855.0***	***($484.0)***
Total Budget Authority / Obligations	$117,785.5	$106,930.0	$107,795.0	$865.0
Total Workyears	493.4	490.7	488.3	-2.4

Program Project Description:

High quality, readily available and usable data serves as a strategic resource that supports the Agency's mission of protecting public health and the environment. Information Technology /Data Management (IT/DM) program activities support the Administration's goals of transparency, participation, engagement and collaboration to expand the conversation on environmentalism. IT/DM also delivers essential services to Agency staff to allow them to conduct their work in support of Superfund programs.

IT/DM reflects four themes: facilitating mission activities through better information and tools; improving Agency work processes to promote efficiencies; increasing transparency and innovation in Agency work processes; and supporting the work force with reliable tools and services. This program houses the entire critical IT infrastructure needed for: 1) rapid and efficient communication; 2) exchange and storage of data, analysis and computation; and 3) access to the scientific, regulatory and best-practice infrastructure needed by Agency staff, the regulated community and the public. These functions are integral to the implementation of Agency information technology programs and systems like the Exchange Network.

This program manages and coordinates the Agency's Enterprise Architecture and develops analytical tools to ensure sound environmental decision-making. The program implements the Agency's E-Government (E-Gov) responsibilities and it designs, and develops and manages the Agency's Internet and intranet resources.

More specifically, the IT/DM program: (1) supports development, collection, management and supports the Agency in strategic planning at the national, program and regional levels; (2) provides a secure, reliable and capable information infrastructure based on a sound enterprise

architecture which includes data standardization, integration and public access; (3) manages the Agency's Quality System ensuring the EPA's processes and data are of good quality and adhere to federal guidelines; and (4) supports regional information technology infrastructure, telecommunications and administrative and environmental programs.

FY 2013 Activities and Performance Plan:

In FY 2013, the following IT/DM activities will be provided for the Superfund program:

- **Geospatial Information and Analysis**[7] **–** In FY 2013, the EPA will continue to expand its role in providing support for place-based analysis of human health as well as environmental conditions and trends across the country. Geospatial information and analysis play a critical role in the Agency's ability to respond rapidly and effectively in times of emergency, in addition to meeting everyday program and region-specific business needs.

  The Agency provides a core set of central/enterprise, reusable Geospatial IT services encompassing data, analytics, infrastructure, hosting and development via the EPA GeoPlatform and associated enterprise licenses for software and data. Numerous Geospatial and non-Geospatial data and applications are integrated and linked into the GeoPlatform to increase the power of place-based analytics at the Agency. In FY 2013, the Geospatial program will support several tools, including Enviromapper[8], MyEnvironment[9] and EPA Earth, which is a mapping and analysis program that will provide basic GIS capabilities to non-GIS experts across EPA.

  By implementing Geospatial data, applications and services as a holistic enterprise solution, the Agency saves time and money, assures compatibility and reduces the need for multiple subscriptions to software, data and analytical services. Throughout FY 2013, the Agency will continue to consolidate Geospatial tools and capabilities to expand the capabilities of the EPA GeoPlatform, our shared technology enterprise for Geospatial information and analysis. Additionally, EPA continues to play a leadership role in both the Federal Geographic Data Committee and the Geospatial Line of Business. In FY 2013, EPA staff will continue to work with their partners from other agencies to define shared services offerings for geospatial technology that will drive more effective and cost efficient capabilities for data and technology sharing across government. (In FY 2013, the Geospatial Program activities will be funded, under the Superfund appropriation, at $0.08 million in payroll funding and $0.75 million in non-payroll funding.)

- **Envirofacts** – Envirofacts will continue to serve as the Agency's premier single gateway to various program and facility data, including Superfund, serving stakeholders within the federal government as well as the public. Supporting approximately 3-4 million hits per month, Envirofacts offers popular queries and place-based reporting and communicates

[7] For more information on the Geospatial program, please visit: http://www.epa.gov/geospatial/
[8] For more information on Enviromapper, please visit: http://www.epa.gov/emefdata/em4ef.home
[9] For more information on MyEnvironment, please visit: http://www.epa.gov/myenvironment

environmental information to the public. (In FY 2013, the Envirofacts activities will be funded, under the Superfund appropriation, at $0.34 million in non-payroll funding).

- **IT/Information Management (IT/IM) Policy and Planning** – This category supports the EPA's Enterprise Architecture and the Capital Planning and Investment Control[10] (CPIC) process to assist the Agency in making better-informed decisions on IT/IM investments and resource allocations. In FY 2013, the EPA will continue to review information systems and data bases for redundancy, streamline and systematize planning and budgeting for all IT/IM activities, and monitor the progress and performance of all IT/IM activities and systems. Specifically, the EPA will continue to conduct structured portfolio reviews for all major IT investments following the Federal TechStat investment review model to control costs and identify efficiencies. The Agency does not currently have any high-risk IT projects. (In FY 2013, the IT/IM Policy and Planning activities will be funded, under the Superfund appropriation, at $1.05 million in payroll funding and $0.11 million in non-payroll funding.)

- **Electronic Records and Content Management** – FY 2013 activities in this area will continue to enhance systems and processes, convert paper documents into electronic documents, convert paper-based processes into systems that rely less on paper documents, and manage the electronic documents. FY 2013 activities also will create greater access to a standard set of tools to support and improve electronic discovery processes across the Agency. These activities will reduce costs, improve accessibility, improve security for all of the documents entered into the system, and support litigation efforts. Electronic documents are more efficient, because they require less storage space and do not require a filing staff to manage the paper records. A single copy of an electronic document can be accessed simultaneously by numerous individuals and from virtually any location. (In FY 2013, Electronic Records and Content Management activities will be funded, under the Superfund appropriation, at $0.33 million in non-payroll funding).

- **OneEPA Web [formerly Internet Operations and Maintenance Enhancements (IOME)]** – FY 2013 activities in this area will continue implementing and maintaining the EPA home page (www.EPA.gov) and over 200 top-level pages that facilitate access to the many information resources available on the EPA website. In addition, OneEPA Web supports Web hosting for all of the Agency's websites and pages. The EPA website is the primary delivery mechanism for environmental information to EPA staff, partners, stakeholders and the public, and is becoming a valuable resource for emergency planning and response. (In FY 2013, IOME activities will be funded, under the Superfund appropriation, at $0.36 million in non-payroll funding).

- **Information Reliability and Privacy** – In FY 2013, the EPA will continue to protect information in a manner that is consistent with its privacy needs and validate data sources are authoritative to ensure data collected by the Agency are reliable.These efforts apply to environmental information, including data that is submitted by and shared among the states, tribes and territories, as well as other types of information, such as business

[10] For more information on the Capital Planning and Investment Control Process, please visit: http://www.epa.gov/OEI/cpic/

information that is reported by various industry communities, and personal information for all EPA employees. (In FY 2013, the Information Reliability and Privacy activities will be funded, under the Superfund appropriation, at $0.30 million in non-payroll funding.)

- **IT/IM Infrastructure –** Infrastructure forms the foundation by which all EPA employees – those supporting both administrative and environmental programs – conduct Agency business. More specifically, these activities include desktop computing, network connectivity, e-mail, application hosting, remote access, telephone services and maintenance, Web and network servers, IT-related maintenance, and electronic records and data. The investment supports a distributed EPA workforce at over 100 locations, including EPA Headquarters, all ten regions, the labs and ancillary offices. Through successive strategic information technology investments the Agency will continue to ensure that the EPA's IT infrastructure is able to effectively meet burgeoning mission, reporting and administrative demands.

  Currently, the EPA is hosting more than 200 individual Agency business applications in an innovative shared hosting environment offering many of the features of private cloud services. In 2007 the EPA began an initiative to consolidate data centers and incorporate industry best management practices and virtualization across its data centers. The Agency has completed a phased virtualization program across the National Computer Center – the EPA's primary data center – including optimizing the efficient use of floor space and turning off air handlers. Virtualization efforts will be expanded in FY 2013, with efforts focused on application and desktop virtualization.

  In FY 2013, the EPA will continue to build on the use of multi-year leasing that sustains and renews technical services (e.g., desktop hardware, software and maintenance) in a stable least-cost manner as technologies change. The EPA will expand and support the Agency's cloud computing initiative in support of the Agency's 25-Point Implementation Plan and enable a mobile workforce. Guidance on cloud computing along with GSA applications and services are still in development. The Agency is committed to using cloud computing technologies and will take advantage of those technologies, where feasible, in supporting and furthering the mission of the EPA. (In FY 2013, the IT/IM Infrastructure activities will be funded at $3.20 million in payroll funding and $8.33 million in non-payroll funding.)

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$138.0) This increase reflects of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+0.1 FTE) This increase reflects current utilization rates while taking into consideration FY 2013 programmatic priorities including promoting efficiencies, increasing transparency and innovation in Agency work processes, and supporting the work force with reliable tools and services.

- (-$200.0) This change reflects a reduction in funding for Internet Operations and Maintenance Enhancements.

- (-$151.0) This reduction reflects a disinvestment in the Agency's Portal application, which has reached end of life. The OneEPA effort will provide the same services to the Agency more efficiently.

- (-$116.0) This change reflects a reduction in contract funding supporting the Agency's Enterprise Architecture program.

- (-$155.0) This reduction reflects efficiencies gained in information management support services.

Statutory Authority:

Federal Advisory Committee Act (FACA), 42 U.S.C. 553 et seq. and Government Information Security Act (GISRA), 40 U.S.C. 1401 et seq. – Sections 3531, 3532, 3533, 3534, 3535 and 3536 and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9606 et seq. – Sections 101-128, 301-312 and 401-405 and Clean Air Act (CAA) Amendments, 42 U.S.C. 7401 et seq. – Sections 102, 103, 104 and 108 and Clean Water Act (CWA), 33 U.S.C. 1314 et seq. – Sections 101, 102, 103, 104, 105, 107, and 109 and Toxic Substances Control Act (TSCA), 15 U.S.C. 2611 et seq. – Sections 201, 301 and 401 and Federal Insecticide Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. 36 et seq. – Sections 136a – 136y and Food Quality Protection Act (FQPA), 7 U.S.C. 136 et seq. – Sections 102, 210, 301 and 501 and Safe Drinking Water Act (SDWA) Amendments, 42 U.S.C. 300 et seq. – Sections 1400, 1401, 1411, 1421, 1431, 1441, 1454 and 1461 and Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346 et seq. and Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. 11001 et seq. – Sections 322, 324, 325 and 328 and Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6962 et seq. – Sections 1001, 2001, 3001 and 3005 and Government Performance and Results Act (GPRA), 39 U.S.C. 2803 et seq. – Sections 1115, 1116, 1117, 1118 and 1119 and Government Management Reform Act (GMRA), 31 U.S.C. 501 et seq. – Sections 101, 201, 301, 401, 402, 403, 404 and 405 and Clinger-Cohen Act (CCA), 40 U.S.C. 1401 et seq. – Sections 5001, 5201, 5301, 5401, 5502, 5601 and 5701and Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq. – Sections 104, 105, 106, 107, 108, 109, 110, 111, 112 and 113 and Freedom of Information Act (FOIA), 5 U.S.C. 552 et seq. and Controlled Substances Act (CSA), 21 U.S.C. 802 et seq. – Sections 801, 811, 821, 841, 871, 955 and 961 and Electronic Freedom of Information Act (EFOIA), 5 U.S.C. 552 et seq. – Sections 552(a)(2), 552 (a)(3), 552 (a)(4) and 552(a)(6).

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$1,271.2	$1,194.0	$1,477.0	$283.0
Hazardous Substance Superfund	***$814.9***	***$844.0***	***$877.0***	***$33.0***
Total Budget Authority / Obligations	$2,086.1	$2,038.0	$2,354.0	$316.0
Total Workyears	5.7	7.2	7.3	0.1

Program Project Description:

The General Counsel and Regional Counsel Offices provide environmental Alternative Dispute Resolution services (ADR). EPA utilizes ADR as a method for preventing or resolving conflicts prior to engaging in formal litigation and includes the provision of legal counsel, facilitation, mediation and consensus building advice and support. Funding supports the use of ADR in the Superfund program's extensive legal work with communities and Potentially Responsible Parties (PRP). The intent is to offer cost-effective processes to resolve disputes and improve Agency decision making.

FY 2013 Activities and Performance Plan:

In FY 2013, the Agency will continue to provide conflict prevention and ADR services to EPA headquarters and regional offices and external stakeholders on Superfund program matters. The national ADR program assists in developing effective ways to anticipate, prevent, and resolve disputes and makes neutral third parties - such as facilitators and mediators - more readily available for those purposes. As in previous years, the Agency expects to support at least 30 Superfund cases with neutral third party support in areas including: community engagement, allocation negotiations between PRPs, record of decision discussions and Environmental Justice issues related to the cleanup and restoration of Superfund sites.

Additionally, the Agency expects to provide ADR and collaboration advice and conflict coaching for at least 86 Superfund cases where headquarters programs and regions are working with stakeholders to improve environmental results. Finally, the Agency expects to provide at least 20 training events, reaching at least 500 EPA employees (Superfund and non-Superfund), to continue to build the Agency's capacity to resolve environmental issues in the most efficient way to achieve the Agency's strategic objectives. Under EPA's ADR Policy and the OMB/CEQ

memorandum on Environmental Conflict Resolution[11], the Agency encourages the use of ADR techniques to prevent and resolve disputes with external parties in many contexts, including: adjudications, rulemaking, policy development, administrative and civil judicial enforcement actions, permit issuance, protests of contract awards, administration of contracts and grants, stakeholder involvement, negotiations, and litigation.

Performance Targets:

Work under this program supports all five of the Agency's strategic goals. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$7.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$26.0) This redirection enables the Agency to continue offering cost-effective processes to resolve disputes and improve Agency decision-making. Resources will provide Superfund cases with neutral third party support and enable the delivery of ADR training. The increase in this area also provides resources to fund basic and mandatory IT and telecommunications support costs for on-board workforce.

Statutory Authority:

Administrative Dispute Resolution Act (ADRA) of 1996, 5 United States Code (U.S.C.) Sections 571, 572, and 573, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Section 1111; EPA's General Authorizing Statutes.

[11] See http://www.ecr.gov/pdf/OMB_CEQ_Joint_Statement.pdf. An updated OMB/CEQ memorandum on environmental conflict resolution is currently under final Agency review.

Legal Advice: Environmental Program
Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$42,286.6	$40,746.0	$45,840.0	$5,094.0
Hazardous Substance Superfund	***$711.9***	***$682.0***	***$755.0***	***$73.0***
Total Budget Authority / Obligations	$42,998.5	$41,428.0	$46,595.0	$5,167.0
Total Workyears	239.5	249.5	253.2	3.7

Program Project Description:

This program provides legal representational services, legal counseling and legal support for Agency environmental activities under the Comprehensive Environmental Response, Compensation and Liability Act. Funding supports legal advice needed in the Superfund program's extensive work with Potentially Responsible Parties (PRPs) and other entities and landowners involved in the program. For example, if EPA needs to know what level of a certain contaminant is acceptable under Federal law at a given Superfund site, this program provides the legal analysis and advice to inform that decision.

FY 2013 Activities and Performance Plan:

OGC will assist the Agency in its priorities, including Agency cross-cutting strategies. OGC will also assist the Agency in carrying out its environmental mission as indicated in its FY 2011-2015 Strategic Plan. The Strategic Plan represents a commitment to EPA's core values of science, transparency, and the rule of law; it identifies the measurable environmental and human health outcomes the public can expect over the next five years; and it describes how EPA plans to achieve those results.[12]

[12] The Plan identifies five strategic goals to guide the Agency's work:
Goal 1: Taking Action on Climate Change and Improving Air Quality
Goal 2: Protecting America's Waters
Goal 3: Cleaning Up Communities and Advancing Sustainable Development
Goal 4: Ensuring the Safety of Chemicals and Preventing Pollution
Goal 5: Enforcing Environmental Laws

In FY 2013, OGC will continue to provide full legal support for all EPA programs, to respond to Agency needs, to advance the Administrator's priorities[13], and in support of the Strategic Plan Goals. This support will require additional contract and IT and telecommunications assistance for Lexis and Westlaw for research and general expenses. In FY 2013, the Agency anticipates an increased need for legal support in its efforts to assist the Agency in its mission to protect human health and the environment.

The following chart contains examples from FY 2011 of the types of support that OGC provides to the Agency and how that support lines up with EPA's Strategic Plan Goals. OGC expects to provide similar support in FY 2013, which includes analyzing defensibility of Agency actions, drafting significant portions of Agency actions, and actively participating in litigation. These examples illustrate OGC's important role in implementing the Agency's core priorities and mission.

EPA Strategic Plan Goal	Specific EPA OGC Activities
Goal 3 (cleaning up communities); Goal 5 (enforcing environmental laws)	Successfully defended against a constitutional challenge, up to the US Supreme Court, by General Electric (GE) to the Agency's authority to issue orders under CERCLA section 106.
Goal 3 (cleaning up communities)	Successfully defended a challenge to the Agency's decision to list the US Magnesium site to the National Priorities List.

Performance Targets:

Work under this program supports all five of the Agency's strategic goals. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$6.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$67.0) This increase provides resources to fund OGC's Lexis and Westlaw contracts. These contracts provide vital research tools needed by OGC attorneys when offering sound legal counsel and advice to Agency leadership. The increase in this area also provides resources to fund general equipment, IT and telecommunications support and office support costs. These resources are needed to enable employees to effectively carry out their day-to-day operations supporting the Agency's mission.

[13] See Lisa Jackson, "Seven Priorities for EPA's Future," available at: http://blog.epa.gov/administrator/2010/01/12/seven-priorities-for-epas-future/ . These priorities mirror the goals above and also include: expanding the conversation on environmentalism, strengthening partnerships, and improving internal operations.

Statutory Authority:

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 United States Code (U.S.C.) § 9601 – 9659, Sections 101 – 310; the EPA's General Authorizing Statutes.

Program Area: Operations and Administration

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$320,540.2	$319,777.0	$331,316.0	$11,539.0
Science & Technology	$69,436.1	$72,019.0	$75,485.0	$3,466.0
Building and Facilities	$30,254.7	$29,326.0	$33,931.0	$4,605.0
Leaking Underground Storage Tanks	$903.0	$915.0	$843.0	($72.0)
Oil Spill Response	$519.5	$535.0	$513.0	($22.0)
Hazardous Substance Superfund	***$80,056.2***	***$80,541.0***	***$79,622.0***	***($919.0)***
Total Budget Authority / Obligations	$501,709.7	$503,113.0	$521,710.0	$18,597.0
Total Workyears	405.0	417.4	416.5	-0.9

Program Project Description:

Superfund appropriation in the Facilities Infrastructure and Operations Program is used to fund rental of laboratory and office space, utilities, security, and also to manage activities and support services in many centralized administrative areas for the Superfund Program. These include health and safety, environmental compliance, occupational health, medical monitoring, fitness/wellness and safety, environmental management functions, facilities maintenance and operations, space planning, shipping and receiving, property management, printing and reproduction, mail management, and transportation services. Funding is allocated among the major appropriations for the Agency.

FY 2013 Activities and Performance Plan:

The Agency reviews space needs on a regular basis, and is implementing a long-term space consolidation plan that includes reducing the number of occupied facilities, consolidating space within the remaining facilities, and reducing the square footage where practical. Since 2006, the EPA has released approximately 380,000 square feet of space at headquarters and facilities nationwide, resulting in a cumulative annual rent avoidance of over $12.8 million. The Agency’s Space Strategy efforts continue to pursue several long-term policy options that could lead to further efficiencies and potential reductions to the Agency’s real property footprint. These achieved savings and potential savings partially offset the EPA’s escalating rent and security costs. For example, replacement leases for regional offices in Boston, Kansas City, San Francisco, and Seattle are significantly higher than those previously negotiated. The Agency will continue to manage its lease agreements with the General Services Administration and other

private landlords by conducting reviews and verifying that billing statements are correct. For FY 2013, the Agency is requesting a total of $46.01 million for rent, $3.46 million for utilities, and $8.59 million for security in the Superfund appropriation.

In FY 2013, the EPA will continue to improve operating efficiency and encourage the use of new, advanced technologies, and energy sources. The EPA will continue to direct resources towards acquiring alternative fuel vehicles and more fuel-efficient passenger cars and light trucks to meet the goals set by Executive Order (EO) 13423[14], *Strengthening Federal Environmental, Energy, and Transportation Management*. Additionally, the Agency will attain the Executive Order's environmental performance goals related to buildings through several initiatives, including comprehensive facility energy audits, re-commissioning, sustainable building design in Agency construction and alteration projects, energy savings performance contracts to achieve energy efficiencies, the use of off-grid energy equipment, energy load reduction strategies, green power purchases, and the use of Energy Star rated products and building standards. The EPA will continue to improve the cohesion and management of its laboratory enterprise and take advantage of potential efficiencies. In FY 2013, the Agency plans to reduce energy utilization (or improve energy efficiency) by approximately 37 billion British Thermal Units or three percent. The EPA expects to end FY 2013 using approximately 24 percent less energy than it did in FY 2003.

EO 13514, *Federal Leadership in Environmental, Energy, and Economic Performance*, expands upon EO 13423 and requires additional reductions to greenhouse gas emissions. The EPA will meet the requirements of EO 13514 through:

- Managing existing building systems to reduce consumption of energy, water, and materials;
- Identifying opportunities to consolidate and dispose of existing assets, optimize real property; and portfolio performance, and reduce environmental impacts; and
- Implementing best management practices in energy-efficient management of real property including Agency labs and data centers.

The EPA will continue to provide transit subsidy to eligible applicants as directed by EO 13150[15] *Federal Workforce Transportation.* The EPA will continue its integration of Environmental Management Systems (EMS) across the Agency, consistent with requirements of Executive Order 13423 and 13514. The EPA will advance the implementation of Safety and Health Management Systems to identify and mitigate potential safety and health risks in the workplace. The EPA will continue to provide safety, health, and environmental services that help maintain the EPA's readiness to respond to national emergencies while protecting its employees and responsibly managing the environmental and safety hazards of samples associated with weapons of mass destruction.

[14] Information is available at http://www.fedcenter.gov/programs/eo13514/, *Federal Leadership in Environmental, Energy, and Economic Performance*; and http://www.fedcenter.gov/programs/eo13423/, *Strengthening Federal Environmental, Energy, and Transportation Management*

[15] Additional information available at http://ceq.eh.doe.gov/nepa/regs/eos/eo13150.html

Performance Targets:

Work under this program supports the performance measures in the Facilities Infrastructure and Operations Program Project under the Environmental Program and Management appropriation and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$20.0) This decrease is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-0.8 FTE) This change decreases FTE for facility management services.

- (-$1,027.0) This change reflects the net effect of projected contractual rent increases and rent reduction realized from space consolidation efforts, and re-allocation of costs among major appropriations.

- (-$305.0) This reflects a net decrease in utility costs due to space consolidation of office space and re-allocation of costs among major appropriations.

- (+$325.0) This change reflects an increase in security.

- (-$792.0) This reduction reflects a decrease in moves and space reconfiguration cost.

- (+$546.0) This reflects an increase in operations and maintenance costs at the EPA's owned Regional laboratories.

- (+$5.0) This reflects an increase in transit subsidy based on projected needs.

- (+$349.0) The FY 2012 levels provided represent an 11 percent reduction for managing EPA's facility operations, including building maintenance, property management, transportation, and health and safety operations at all EPA facilities nationwide. The requested funding level will provide for these basic operations, which also include custodial contracts, labor and warehouse costs, and grounds maintenance and operating costs for regional laboratories. This funding also will allow the Agency to continue implementation of the President's EO 13514 in managing existing building systems to reduce consumption of energy, water, and materials.

Statutory Authority:

Federal Property and Administration Services Act; Public Building Act; Annual Appropriations Act; Robert T. Stafford Disaster Relief and Emergency Assistance Act; CWA; CAA; RCRA; TSCA; NEPA; CERFA; D.C. Recycling Act of 1988; Energy Policy Act of 2005; Executive Orders 10577, 12598, 13150 and 13423; Emergency Support Functions (ESF) #10 Oil and Hazardous Materials Response Annex; Presidential Decision Directive 63 (Critical Infrastructure).

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$26,770.6	$24,002.0	$25,910.0	$1,908.0
Hazardous Substance Superfund	***$3,322.3***	***$3,128.0***	***$3,174.0***	***$46.0***
Total Budget Authority / Obligations	$30,092.9	$27,130.0	$29,084.0	$1,954.0
Total Workyears	186.1	174.9	176.0	1.1

Program Project Description:

Grants and Interagency Agreements comprise more than half of the Agency's budget. Superfund resources in this program support activities related to the management of Financial Assistance Grants/Interagency Agreements (IAs), and to suspension and debarment at headquarters and within Regional offices. The key components of this program are ensuring that the EPA's management of grants and IAs meets the highest fiduciary standards, and that grant funding produces measurable environmental results. This program focuses on maintaining a high level of integrity in the management of the EPA's assistance agreements, and fostering relationships with state, local and tribal governments to support the implementation of environmental programs. Sound grants management fosters efficiency and effectiveness assisting all of the EPA's programs. A substantial portion of the Superfund program is implemented through IAs with the U.S. Army Corps of Engineers and the Coast Guard.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will maintain focus on key objectives under its FY 2009-2013 Grants Management Plan. These objectives include strengthening accountability, ensuring competition, achieving positive environmental outcomes, implementing a comprehensive post-award monitoring program for Superfund grants and IAs, and promoting standardization and streamlining.[16] The Grants Management Plan provides a framework for extensive improvements in grants management at the technical administrative level, programmatic oversight level, and at the executive decision-making level of the Agency.

The EPA will continue to reform grants management by conducting on-site and pre-award reviews of grant recipients and applicants, improving systems support, performing indirect cost

[16] US EPA, *EPA Grants Management Plan.* EPA-216-K-08-001, October 2008, http://www.epa.gov/ogd/EO/finalreport.pdf.

rate and unliquidated obligation reviews, providing tribal technical assistance, and implementing its agency-wide training program for project officers, grant specialists, and managers. The Agency also will administer a similar set of internal controls for IAs. For both grants and IAs, the Agency will continue to reform policy, oversight and business processes to make the most efficient use of available resources.

The EPA is also working with the states to improve the timeliness of state grant awards and the management of unliquidated obligations. This effort will identify reforms to expedite/streamline the grant award process and accelerate grantee outlays. The agency will have a policy in place effective October 1, 2012 to address these issues.

The EPA is also working with the states to improve the timeliness of state grant awards and the management of unliquidated obligations. This effort will identify reforms to expedite/streamline the grant award process and accelerate grantee outlays. The agency will have a policy in place effective October 1, 2012 to address these issues.

The EPA plans to delay its participation in the Grant Management Line of Business (GMLoB) initiative until FY 2014 and continue using its legacy system, the Integrated Grants Management System (IGMS) to allow time for the development of a system more suited to the Agency's needs. EPA completed Fit Gap analyses of the Health and Human Services GMLoB system, Grants Solutions, and the Prism Grants product. Significant gaps were identified between EPA business processes and these systems. The Agency is conducting a business transformation effort to streamline grants business processes in FY 2012 and FY 2013 and will evaluate shared agency alternatives available in the FY 2014-2015 timeframe, prior to selecting a GMLoB system. Once a more suitable option arises and business process streamlining efforts are completed, the Agency will migrate to the most cost-effective alternative.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from the FY 2012 Enacted Budget (Dollars in Thousands):

- (+$45.0) This increase is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$1.0) This change reflects an increase in operations and maintenance contract expenses for the Integrated Grants Management System during the time that EPA delays participating in the GMLoB in order to find a more suitable and cost effective IT system which will support the streamlining of the Agency's business processes.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act; EPA's Environmental Statutes; Annual Appropriations Acts; Federal Grant and Cooperative Agreement

Act; the Economy Act; Title 2 Code of Federal Regulations; Title 40 Code of Federal Regulations, Parts: 30, 31, 35, 40, 45, 46, and 47; American Recovery and Reinvestment Act of 2009.

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$30,688.2	$33,175.0	$35,727.0	$2,552.0
Leaking Underground Storage Tanks	$148.2	$163.0	$161.0	($2.0)
Hazardous Substance Superfund	***$23,672.0***	***$24,111.0***	***$25,961.0***	***$1,850.0***
Total Budget Authority / Obligations	$54,508.4	$57,449.0	$61,849.0	$4,400.0
Total Workyears	353.4	357.0	353.5	-3.5

Program Project Description:

Sound contract management fosters efficiency and effectiveness assisting all of the EPA's programs. Resources in this program fund support contracts, and acquisition management for Superfund related activities at headquarters, Regional offices, Research Triangle Park, and Cincinnati offices. Much of the Superfund program is implemented through contracts. The EPA focuses on maintaining a high level of integrity in the management of its procurement activities.

FY 2013 Activities and Performance Plan:

In FY 2013, between the Superfund and Environmental Program and Management (EPM) accounts, at least $3 million in total acquisition management resources will be used by the EPA to train and develop its acquisition workforce, and to strengthen its contractor training program—two efforts that mirror the President's guidelines for civilian agencies in the *Acquisition Workforce Development Strategic Plan for FY 2010-2014*. In addition, resources will support the recruitment, retention, and hiring of additional members of the acquisition workforce as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 401 et seq.). Acquisition management also will address information technology needs that support management and the acquisition workforce. In addition, the EPA will take the following steps to achieve acquisition efficiencies:

- Eliminate contracts that are similar to or redundant in scope, or are no longer necessary to achieve the Agency's programmatic needs;
- Eliminate contracts that may be combined with other Agency acquisitions to realize greater buying power via economies of scale; and
- Use government wide procurement sources where available to reduce the need for new contracts. To date, we have used this type of vehicle for office supplies and mail delivery.

As new government wide contracts become available, we will use them if they meet our requirements.

In FY 2013, the Agency will work to implement options for a Centers of Expertise for contracting. There are opportunities to consolidate duplicative functions and expertise to cost-optimize the Agency's contracting functions. During FY 2012, the Agency will develop a more tailored set of options and associated potential savings as well as concerns. Upon determining the appropriate structure for the Agency's Centers of Expertise, EPA will implement them in FY 2013.

In addition, the EPA will reinforce its contract oversight responsibilities through A-123 Entity Level Assessments, increased targeted oversight training for acquisition management personnel, and Simplified Acquisition Contracting Officer (SACO) reviews. These measures will further strengthen the EPA's acquisition management business processes and enhance contract oversight.

Performance Targets:

Work under this program also supports performance results in the Acquisition Management Program Project under the EPM appropriation and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$108.0) This decrease reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-3.5 FTE) This decrease reflects current utilization rates while taking into consideration FY 2013 programmatic priorities.

- (+$979.0**)** This increase funds licenses for the EPA Acquisition System (EAS). As the number of EAS users in the Agency has increased it has become necessary to procure more licenses. The agency-wide user-base maximizes the streamlining, internal control and efficiency gains provided by the system. There is an additional $942.0 in EPM to fund the licenses.

- (+$979.0) This increase reflects funds needed for a Center of Expertise (COE) for Acquisition Management. EPA's FY 2012 study will identify opportunities to realign the Agency's contracting functions into a COE for Acquisition Management. Costs to implement the COE for Acquisition Management may include permanent moves, space build-out, technology needs, travel, training, and other set-up costs. There is an additional $942.0 in EPM to fund COE activities.

Statutory Authority:
EPA's Environmental Statutes; Annual Appropriations Acts; contract law. Office of Federal Procurement Policy Act, as amended (41 U.S.C. 401 et seq.).

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$46,839.9	$37,839.0	$39,428.0	$1,589.0
Hazardous Substance Superfund	***$8,924.4***	***$6,346.0***	***$7,558.0***	***$1,212.0***
Total Budget Authority / Obligations	$55,764.3	$44,185.0	$46,986.0	$2,801.0
Total Workyears	295.0	275.3	249.5	-25.8

Program Project Description:

Superfund appropriation resources for the Human Resources Management program support activities that influence the broad spectrum of human capital and human resources management services throughout the Agency. As requirements and initiatives change, the Agency continually evaluates and improves Superfund program related human resource functions in outreach, recruitment, hiring, developing and nourishing the workforce to increase management and employee satisfaction, and to help the Agency achieve its mission.

FY 2013 Activities and Performance Plan:

In FY 2013, the Agency will continue to focus on implementing the Administration's comprehensive hiring reform in the Federal government. Over the past year, the federal human resources community has placed significant focus on implementing Executive Memorandum "*Improving the Federal Recruitment and Hiring Process.*" Executive departments and agencies were required to "overhaul the way they recruit and hire our civilian workforce." In addition, managers and supervisors must assume leadership roles in recruiting and selecting highly-qualified employees from all segments of society and will be held accountable for these responsibilities. The key facets of hiring reform are: to ease the hiring process while raising the bar on candidate quality; to increase engagement of agency leaders in the recruitment and selection process and to monitor agency efforts to increase the speed and quality of hiring.

In FY 2013, the Agency will continue to focus on the following initiatives: utilizing data to drive business decisions and process; streamlining the recruitment process; transitioning from a manual process to an automated process to reduce hiring time; institutionalizing workforce planning and incorporating it in the Agency's budget communications; increasing management involvement and manager accountability with performance standards; automating the Senior

Executive Service (SES) hiring process; and, developing a new 3 year Accountability Plan that addresses the Agency's audit schedule through FY 2014.

In addition, the Agency uses a system of Shared Service Centers (SSCs) to handle all non-SES human resources transactional functions for the EPA's 17,000 plus employees. The SSCs continue to track timeliness and monitor the quality of customer service, through formal and informal processes.

In FY 2013, the EPA will continue efforts to improve the quality of work life for employees as part of our One Great Place to Work initiative. The Agency is committed to fostering a work environment that nurtures and advances the talents, drive and interests of all employees. This initiative is built around three principal areas: supportive work environment, professional development, and benefits and amenities. A major component of the One Great Place to Work initiative is the development of an enhanced telework policy that would allow employees to work outside of the office a majority of their duty time. Focusing on appropriate telework eligibility selection criteria, collaboration tools, training, and clearly defined performance expectations will help improve the employee work/life balance. The Agency will continue to utilize our One EPA, One Great Place to Work intranet site to announce new plans and activities, and publicize programs that help employees develop their careers, enjoy their work environment, balance work and personal demands, and lead healthier lives.

In addition, the EPA will continue to streamline human resources management by employing the E-Government initiative and the Human Resources Line of Business (HR LoB) program. HR LoB offers government-wide, cost effective, and standardized HR solutions while providing core functionality to support the strategic management of human capital. In May 2011, an agreement between the EPA and the Department of Interior (DOI)'s National Business Center (NBC) for HR and payroll was signed to begin preliminary planning and pre-migration activities to align the Agency with NBC systems. The Agency has made significant progress in establishing required documentation for a secure method of transferring files to and from EPA and NBC and critical support for managing the migration efforts once both systems are in place. Migration to NBC's system is presently scheduled for March 2014.

Performance Targets:

Work under this program also supports the performance results in the Human Resources Management Program Project under the EPM appropriation and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$111.0) This decrease is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-1.3 FTE) This reduces FTE for Human Resources Management as the Agency seeks to absorb these reductions through administrative efficiencies.

- (+$3.0) This reflects an increase in workers compensation.

- (+$665.0) This increase reflects fees the Agency must pay to DOI for EPA to transition its HR and payroll services to align with the NBC systems.

- (+$655.0) This change reflects funding required for EPA to continue processing HR actions using the People-Plus system while the Agency works to migrate to the DOI's NBC system.

Statutory Authority:

Title V USC, FAIR Act.

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$85,541.1	$72,290.0	$78,817.0	$6,527.0
Leaking Underground Storage Tanks	$1,093.7	$512.0	$509.0	($3.0)
Hazardous Substance Superfund	***$30,349.3***	***$21,632.0***	***$24,066.0***	***$2,434.0***
Total Budget Authority / Obligations	$116,984.1	$94,434.0	$103,392.0	$8,958.0
Total Workyears	544.0	536.9	540.7	3.8

Program Project Description:

The EPA's financial management community maintains a strong partnership with the Superfund program. The Office of the Chief Financial Officer (OCFO) recognizes and supports this continuing partnership by providing a full array of financial management support services necessary to pay Superfund bills and recoup cleanup and oversight costs for the Trust Fund. OCFO manages Superfund activities under the Central Planning, Budgeting and Finance program in support of integrated planning, budget formulation and execution, financial management, performance and accountability processes, financial cost recovery, and the systems to ensure effective stewardship of Superfund resources.

FY 2013 Activities and Performance Plan:

In FY 2013, the Agency will continue to provide high-quality resource stewardship to ensure that all Agency programs operate with fiscal responsibility and management integrity, and are efficiently and consistently delivered nationwide and demonstrate results. The EPA will continue to provide direction and support for the Superfund program in financial management activities; implementing cost accounting requirements; financial payment and support services; and Superfund-specific fiscal and accounting services.

In FY 2013, the Agency plans to migrate Payroll Accounting/Time and Attendance services to the Department of the Interior's National Business Center (NBC), a shared service provider, with final go-live expected in FY 2014. This effort is part of the Agency's larger initiative to implement a Human Resources Line of Business (HR LoB), which will ultimately automate and integrate the Agency's human resources, time/attendance and payroll information technology tools and reduce costs to the Agency. Work associated with the migration will involve ensuring that the appropriate tools are in place for Superfund site-specific cost recovery and accounting of

personnel time, as well as modifications to the Compass financial management system, which launched in October 2011. The project was selected as the next in the Agency's financial systems modernization effort, in line with the OMB financial systems sequencing guidance. It replaces the placeholder effort in the FY 2012 request (replacement formulation system) which will be implemented at a later date. This work will be framed by the Agency's Enterprise Architecture and make use of enabling technologies for e-Gov initiatives.

In FY 2013, the EPA will continue to improve its transparency, accountability, and effectiveness of operations through improved coordination and integration of internal control assessments over financial activities as required under revised OMB Circular A-123 as well as controls over programmatic operations under the Federal Manager's Financial Integrity Act (FMFIA). Improvements in internal controls will further support the EPA's initiatives for improved financial performance. The EPA also will continue to ensure improved accessibility to data to support accountability, cost accounting, budget and performance integration, and management decision-making.

Since the implementation of the Improper Payments Information Act of 2002, the EPA has reviewed, sampled, and monitored its payments to protect against erroneous payments. The Agency is consistently well under the government-wide threshold of 2.5 percent, with an average error rate of less than 1 percent across all categories (grants, contracts, and commodities). In FY 2013, the EPA will continue these activities to reduce the potential for improper payments pursuant to the Improper Payments Information Act of 2002 as amended, by the Improper Payments Elimination and Recovery Act of 2010 (IPERA), (P.L. 111-204).

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted (Dollars in Thousands):

- (+$484.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$147.0/ -3.1 FTE) This net change reflects the elimination of IFMS maintenance costs due to the introduction of the Compass system offset by an increase in contracting costs for Compass system maintenance for the full year and the necessary support for the interface with the HR LoB. This change partially offsets total HR LoB requirements. The reduced resources include $446.0 in associated payroll for 3.1 FTE.

- (-$267.0) This decrease reflects reductions to non-systems contracts, including training, A-123 reviews, and IT security risk assessments, and partially offsets the HR LoB requirements.

- (+$110.0 / -0.4 FTE) This change reflects the net effect of a reduction in planned enhancements to financial and budget reporting capabilities and postponement of the

development of new reports essential to support core financial management duties and an increase related to realignments of smaller IT financial applications. This change also partially offsets the HR LoB requirements. Funding changes include a reduction of $49.0 in associated payroll for the 0.4 FTE.

- (+$2,254.0 / +3.9 FTE) This change reflects a redirection of resources to support Payroll Accounting/Time and Attendance costs associated with migration to the Department of the Interior's National Business Center (NBC), a shared service center provider, to implement the Human Resources Line of Business (HR LoB). This change in resources includes $550.0 in associated payroll for 3.9 FTE.

Statutory Authority:

Annual Appropriations Act; CCA; CERCLA; CSA; E-Government Act of 2002; EFOIA; the EPA's Environmental Statutes, and the FGCAA; FAIR; Federal Acquisition Regulations, contract law and the EPA's Assistance Regulations (40CFR Parts 30, 31, 35, 40,45,46, 47); FMFIA(1982); FOIA; GMRA(1994); IPIA; IPERA (2010); IGA of 1978 and Amendments of 1988; PRA; PR; CFOA (1990); GPRA (1993); GPRMA (2010); The Prompt Payment Act (1982); Title 5 USC.

Program Area: Research: Sustainable Communities

Research: Sustainable and Healthy Communities
Program Area: Research: Sustainable Communities
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	$192,436.1	$170,741.0	$165,730.0	($5,011.0)
Leaking Underground Storage Tanks	$501.6	$396.0	$490.0	$94.0
Oil Spill Response	$1,204.3	$613.0	$618.0	$5.0
Hazardous Substance Superfund	***$21,347.9***	***$17,677.0***	***$17,798.0***	***$121.0***
Total Budget Authority / Obligations	$215,489.9	$189,427.0	$184,636.0	($4,791.0)
Total Workyears	627.9	612.7	620.9	8.2

Program Project Description:

The Sustainable and Healthy Communities Research Program (SHCRP) will conduct integrated, transdisciplinary research to provide decision makers with tools, methods, and information to assess current conditions at Superfund sites, evaluate the implications of alternative remediation approaches and technologies, and implement the latest science in policies and implementation. In doing so, the SHCRP is responsive to the Superfund law requirements for "...a comprehensive and coordinated Federal program of research, development, demonstration, and training for the purpose of promoting the development of alternative and innovative treatment technologies that can be used in response actions under the CERCLA program." [17] This research directly addresses the Administrator's priority of cleaning up our communities.

The EPA recognizes that efforts focused on assessing and reducing environmental risks, alone, do not fully address the needs of the United States in the increasingly complex 21st Century. As international organizations adapt to these social, environmental, and economic, issues, the EPA is simultaneously integrating these key factors into all aspects of the Agency's work. To this end, the EPA will use more sophisticated and transdisciplinary approaches to solve these crosscutting challenges.

FY 2013 Activities and Performance Plan:

The SHCRP will fund research projects related to groundwater, vapor intrusion, contaminated sediments, and restoring contaminated land.

Groundwater research will aid in the development and evaluation of methods, approaches, techniques, and models to assess and manage contaminated ground water at Superfund sites. Additionally, research will address source elimination and plume management to reduce

[17] Section 209 (a) of Pub. L. 99-499

exposures via drinking water and vapor intrusion. Adoption of technologies from this research program has resulted in documented cost and time savings in cleaning up contaminated sites[18].

Vapor intrusion research continues to develop screening, sampling, and modeling approaches to assess risks from contaminant migration and the need for mitigation in homes, schools, and places of employment. The program and regional offices will use this science in developing and implementing guidance for the vapor intrusion pathway in site ranking and in remedial investigations.

Contaminated sediment research will address characterization, including passive methods and biotic indicators, remediation options, and remedy performance to enhance cleanup of contaminated sediments, leading to restored ecological functioning and lifting of fish consumption advisories. The science developed in this research is applied by the EPA regions to improve the cost effectiveness of sediment remediation cleanups and achieve the human health, environmental, and economic benefits of a cleanup project on a lake or river.

Research in support of restoring contaminated land will provide site-specific and general technical support to the EPA program offices and regions evaluating options for remediation of Superfund sites. This work is request-driven as decision-makers encounter complex hydrogeologic settings, mixtures of contaminants, uncertain pathways of exposure, and performance issues with the tools and technologies available to Superfund policymakers and site managers. Data on the type of technical support requests provides feedback to the research program to evaluate and improve research products.

Performance Targets:

Work under this program also supports performance results in the SHCRP Science & Technology and can be found in the Performance in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$183.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$62.0 / +0.9 FTE) This reflects the net result of realignments of infrastructure FTE and resources such as equipment purchases and repairs, travel, contracts, and general expenses that are proportionately allocated across programs to better align with programmatic priorities. Additional resources include 0.9 FTE and associated payroll of $123.

Statutory Authority:

CERCLA, Section 105(a) (4) and Section 115 read together with Executive Order 12580, 42. U.S.C. 9605 (a) (4) and 9615; Comprehensive Environmental Response, Compensation, and

[18] Land Research Program Science Applications Through Partnerships: A Progress Report 2005-2009 http://www.epa.gov/landscience/partnerships/index.htm

Liability Act (CERCLA) 104(i) and 42 U.S.C. 9660 – Sec. 311 (c) 42 U.S.C. 9602 - Section 102, Section 311, 42 U.S.C 9604 (i) (1); Superfund Amendments Reauthorization Act 42 U.S.C. 7401 – Sec. 209 (a) and Sec. 403 (a, b).

Program Area: Research: Chemical Safety and Sustainability

Human Health Risk Assessment

Program Area: Research: Chemical Safety and Sustainability
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	$46,140.1	$39,553.0	$40,505.0	$952.0
Hazardous Substance Superfund	***$3,737.6***	***$3,337.0***	***$3,316.0***	***($21.0)***
Total Budget Authority / Obligations	$49,877.7	$42,890.0	$43,821.0	$931.0
Total Workyears	200.6	193.4	195.9	2.5

Program Project Description:

The EPA's research informs Agency decisions and regulatory actions to protect human health and the environment more effectively. The research produces the scientific information and tools that the EPA needs to meet its legal, statutory, and policy requirements.

The Human Health Risk Assessment (HHRA) research program's vision is to generate timely, credible human health risk assessments that lay the foundation to support priority Agency risk management decisions. Designed as the interface between the EPA's research program and Agency decision makers, the HHRA program provides state-of-the-science, independently peer reviewed human health risk assessments for chemicals that find their way into our air, water, and soil. The multidisciplinary HHRA program plays a unique and pivotal role within the EPA and, consequently, the HHRA program's singular position enables the Agency to better predict and prevent risk.

As the HHRA program continues to integrate to best align with other EPA research programs, it provides theme oriented risk-based approaches for assessments and methods necessary to guide the EPA's actions to protect public health and the environment. These multidisciplinary themes are designed to meet the complex challenges of the 21st Century through modernizing risk assessment, aligning with partner-identified needs, and crosscutting with other national research programs.

Outside of the Agency, the HHRA program's benchmark products help build close relationships with federal, state, and international partners in both accessing data and through collaborative risk assessment development activities and training. In addition, the program includes a sizable component of technical support to meet partner and stakeholder needs.

The HHRA's assessments directly support other facets of the Agency's strategic goals by integrating the science for media-specific chemical hazards and providing assessment methods to ensure air quality, protect America's waters, and clean up our communities. For example, the Provisional Peer Reviewed Toxicity Values (PPRTVs) are used at contaminated Superfund sites supporting Superfund Technical Support Centers within the Sustainable and Healthy

Communities Research Program. These efforts further the EPA's strategic goals to protect America's waters, advance sustainable development, and ensure the safety of chemicals.

The Superfund portion of the HHRA program is comprised of:

- Integrated Risk Information System (IRIS) health hazard and dose-response assessments; and
- Community Risk and Technical Support.

IRIS health hazard and dose-response assessments: Based on the expressed needs of the EPA's Solid Waste and Emergency Response program, the HHRA program prepares the IRIS hazard characterization and dose-response profiles for environmental pollutants of specific relevance to Superfund site assessments and remediation. As of January 2011, more than 550 health hazard assessments were available through the IRIS database and the majority of these chemical assessments are relevant to Superfund's decision making.

Community Risk and Technical Support (CRTS): The HHRA scientists rapidly assess problems and formulate an approach for evaluating potential exposure and risk, estimate doses based on a variety of factors, and estimate risks. A key component to community risk is the development of the PPRTVs, which enables the Solid Waste and Emergency Response Program to make clean up decisions at contaminated Superfund sites. Where the IRIS values are unavailable, the HHRA program develops the PPRTVs for evaluating chemical specific exposures at Superfund sites. The EPA's Superfund Technical Support Centers provide support for these PPRTV assessments. As of August 2011, new or renewed PPRTVs were available for 328 chemicals. The HHRA scientists also provide crucial technical support for emerging problems. Traditionally, the EPA has used the risk assessment paradigm to assess exposures and risks to single chemicals. However, the EPA is now moving in the direction of community-based cumulative risk assessment approaches to more accurately assess risk to human health.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to develop the IRIS assessments for environmental pollutants of specific relevance to Superfund site assessments and remediation.

In response to the recommendations made by the National Academy of Sciences April 2011 report,[19] the Agency is working to strengthen the IRIS process and database. All new IRIS assessment documents will be shorter, clearer, more visual, and transparent. Documents will be rigorously edited to eliminate inconsistencies, address redundancies, and include more graphical and tabular representations. For assessments begun prior to the NAS report, the EPA will incorporate the recommendations in a phased approach.

Communities have an urgent need for coordinated assistance to assess and address issues of chemical and other environmental contamination. Through the CRTS activities, in FY 2013, the HHRA program will continue to provide essential technical assistance to the EPA's programs and regions. The HHRA program will provide rapid risk assessments, combining problem

[19] http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=13142

formulation and state-of-the-art exposure information and tools with hazard information. Chief among these projects is the continuing development of the PPRTVs. The HHRA program will develop the PPRTVs for evaluating chemical specific exposures at Superfund sites. The EPA's Superfund Technical Support Centers will provide consultative support for the PPRTV assessment development. These values are derived for use in the EPA's Superfund Program when a value is not available in the IRIS database. This work will improve the EPA's ability to access critical applied expertise when dealing with environmental health problems.

Performance Targets:

Work under this program also supports performance results in HHRA Science & Technology and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$96.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$6.0 / +0.2 FTE) This reflects the net result of realignments of infrastructure FTE and resources such as equipment purchases and repairs, travel, contracts, and general expenses that are proportionately allocated across programs to better align with programmatic priorities. This includes an increase of 0.2 FTE and $30.0 associated payroll.

- (-$111.0) This reflects a reduction to development of the Provisional Peer Reviewed Toxicity Values (PPRTVs), which are used by the EPA's Superfund and Resource Conservation and Recovery Act (RCRA) hazardous waste programs when the more extensive Integrated Risk Information System (IRIS) assessments are unavailable.

Statutory Authority:

CAA Amendments, 42 U.S.C. 7403 et seq. - Sections 103, 108, 109, and 112; CERCLA (Superfund, 1980), Section 209(a) of Public Law 99-499; FIFRA (7 U.S.C. s/s 136 et seq. (1996), as amended), Sec. 3(c)(2)(A); FQPA PL 104-170; SDWA (1996) 42 U.S.C. Section 300j-18; TSCA (Public Law 94-469): 15 U.S.C. s/s 2601 et seq. (1976), Sec. 4(b)(1)(B), Sec. 4(b)(2)(B).

Program Area: Superfund Cleanup

Superfund: Emergency Response and Removal
Program Area: Superfund Cleanup
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Restore Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Hazardous Substance Superfund	***$242,375.9***	***$189,590.0***	***$188,500.0***	***($1,090.0)***
Total Budget Authority / Obligations	$242,375.9	$189,590.0	$188,500.0	($1,090.0)
Total Workyears	294.4	291.0	290.0	-1.0

Program Project Description:

The Superfund Emergency Response and Removal program (SF Removal) has the capability to respond to a contamination incident, regardless of cause and without an upper limit in terms of scale. SF Removal is a "backbone" or foundational capability of national response, and as such, it is a capability that is essential to national resilience.

More than 30 thousand actual and threatened releases of contaminants are reported to the EPA each year, many of which threaten the health and welfare of the communities in which they occur. The threat is not only to human health, but also to the economic viability of a community, the continued availability of critical infrastructure and key assets, and of course, to the natural environment upon which both life and lifestyle depends.

Response requirements arise as a result of: natural disasters such as Hurricane Katrina, Mississippi River flooding and tornados such as those that devastated Tuscaloosa and Joplin; industrial contamination such as chemical releases to air, water or soil; and acts of terror such as the attack on the World Trade Center. Responses may be launched in order to contain and remove a contaminant such as arsenic, but may also be undertaken to address a radiological event or even biological contamination. In all these cases, the federal response involved the SF Removal program. Future responses of this nature, as well as responses to hundreds of events annually that do not garner national attention, will be carried out under this program.

The EPA's On-Scene Coordinators (OSCs) respond and/or provide technical assistance every day. This assistance is carried out in support of local, state and tribal first responders who often are untrained or not equipped to manage certain types of emergency responses. Responding to and removing the source of contamination is vital to the health and well-being of the impacted community, and the EPA's role as this "safety net" is a fundamental part of the national response system and is heavily relied upon to deal with environmental emergencies. Preservation of our environment and the recovery and restoration of critical assets is vital to our economy and the health of our communities.

The SF Removal program trains, equips and deploys resources in order to manage, contain and remove the contaminants that will, if left unaddressed, pose an imminent threat to public health

and/or have a critical environmental impact on communities. This capability is the EPA's 24-hour-a-day response capability, and is a cornerstone element of the National Contingency Plan. The SF Removal program is identified by the White House as a Primary Mission Essential Function (PMEF). Specifically, the EPA's PMEF is to prevent, limit, mitigate or contain chemical, oil, radiological, biological, and hazardous materials during and in the aftermath of an accident, natural or man-made disaster in the United States, and provide environmental monitoring, assessment and reporting in support of domestic incident management as part of the National Response Framework (NRF).

The SF Removal program was initially designed and has been consistently used to complement several Superfund response areas including Agency homeland security activities[20]. SF Removal resources address releases that pose an imminent threat to public health or welfare and the environment, while the Remedial program addresses more long-term cleanup activities. SF Removal therefore partners with the Remedial program, as needed, for assessment and site cleanup activities involving National Priorities List (NPL), Non-NPL, and Potentially Responsible Party PRP actions.

The SF Removal program is also available to support other elements of the EPA (such as Brownfields), other federal partners (such as the Department of Homeland Security and the Federal Emergency Management Agency under the National Response Framework (NRF), and state, local and tribal first responders, who will often turn to the SF Removal program personnel as subject matter experts and "reach back" liaisons into the rest of the EPA and into the larger federal support capability. In this sense, the SF Removal personnel have become a critical element of the emergency response capability in communities all across America, and are performing a vital service in support of national resiliency at the grassroots level and on a day-to-day basis, creating a model for interagency and cross-government cooperation.

FY 2013 Activities and Performance Plan:

In FY 2013, the SF Removal program's focus is to continue to be a key federal responder to contamination events, managing risks to human health, the economic viability of communities and the environment. The program will also focus on providing response support to state, local, tribal and potentially responsible parties when their response capabilities are exceeded.

The EPA's federal OSCs manage and/or provide support for emergency responses, removal assessments, site stabilizations, and cleanup response actions at NPL and non–NPL sites. The EPA will continue to conduct readiness training for federal OSCs to develop and enhance their critical skills and expertise to respond to, assess, mitigate, and clean up thousands of releases, regardless of the cause. OSCs training opportunities which include specialized technical skills in chemistry, biology, hydrology, geology, etc., have been utilized increasingly in national responses (e.g., Deepwater Horizon, Hurricane Katrina).

As state and local agencies face economic hardships, the SF Removal program support services are called upon more frequently to adequately manage contamination and protect American

[20] The EPA Homeland Security program, in turn, has developed into providing critical technical expertise, assets and support during nationally significant incidents, including those involving the release of chemical, biological, and radiological substances.

communities. The EPA OSCs bring a unique and critical level of expertise and ability to a response. They are able to determine the need for federal responses and can then direct the response to threats that endanger human health and the environment.

In FY 2013, the EPA will continue to respond to environmental emergencies and conduct removal actions based upon the risk to human health and the environment in urban, rural and tribal communities. In recent years, emergency response and removal activities have grown more complicated, such as large lead and asbestos cleanups, requiring more resources and time to complete. These activities often require the attention and focus of SF Removal program OSCs who have unique capabilities, with knowledge of specific hazardous substances, health and safety issues, and/or the utilization of emerging technologies.

The EPA will continue to support the National Response Center (NRC), which is the federal entry point for reporting all oil and chemical discharges into the environment anywhere in the United States and its territories. The NRC serves as the sole 24-hour-a-day contact point to receive incident reports under the National Response System and disseminate reported release reports to the responding federal OSC. The EPA will also support the United States Coast Guard (USCG) Strike Teams who assist the EPA OSC onsite during CERCLA removal actions.

The Environmental Response Team (ERT) was established in the National Contingency Plan (NCP) as the inland scientific federal support coordinator. The ERT provides assistance at the scene of hazardous substance releases, offering expertise in such areas as treatment, biology, chemistry, hydrology, geology, and engineering. In FY 2013, the ERT will continue to provide support for the full range of emergency response actions, including unusual or complex emergency incidents. In such cases, the ERT brings in special equipment and experienced responders, and provides the OSC or lead responder with knowledge and advice.

Recently, the EPA initiated a multi-year Integrated Cleanup Initiative (ICI) to

- better leverage the EPA's assessment and cleanup authorities in an integrated and transparent fashion;
- address a greater number of contaminated sites more efficiently and accelerate the pace of cleanups where possible;
- and to put those sites back into productive use while continuing to protect human health, the environment, and the economic viability of communities.

By coordinating the relevant tools available in each of the cleanup programs (Superfund Remedial, Removal, and Federal Facilities; Brownfields; Underground Storage Tanks; and Resource Conservation and Recovery Act Corrective Action), the EPA will better leverage the resources available to address needs at individual sites.

The EPA has developed an implementation plan to further describe the goal and objectives of the ICI and to identify ongoing or new actions the Agency will advance with our partners during the upcoming years. Under this initiative, the EPA is exploring different options for leveraging the SF Removal and Brownfield authorities to further advance cleanup and reuse of contaminated sites. This is found at the "Integrated Cleanup Initiative's Best Practices for Leveraging Brownfields and SF Removal Authorities to Cleanup More Sites for Reuse" paper located at

http://www.epa.gov/oswer/integratedcleanupactions.htm#Action. This is just one of several examples of the efforts undertaken through this new initiative. Collectively, the actions establish a framework of activities, milestone dates, and deliverables that will effectively address a greater number of contaminated sites, accelerate the pace of cleanups, return sites to reuse, and increase information transparency across all of the EPA's cleanup programs.

As part of the President's Open Government Initiative, the EPA is working to improve the ways in which the Agency communicates important information back to the community. One tool developed to achieve this goal is a Sampling Methodology Scale that provides easy-to-understand, color-coded information on contamination levels that exceed certain thresholds (e.g. red, yellow and green). The EPA is evaluating the effectiveness of the color-coding methodology to explain sampling results being piloted at Superfund remedial and removal sites that were selected in FY 2011 in all ten Regions, and develop a report on the results of the pilots by the end of FY 2012. The results could help determine the potential for expanded use of this methodology in FY 2013 and beyond.

Performance Targets:

Measure	**(132) Superfund-lead removal actions completed annually.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	195	195	195	195	170	170	170	170	Removals
Actual	157	200	215	214	199	214			

Measure	**(135) PRP removal completions (including voluntary, AOC, and UAO actions) overseen by EPA.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	115	120	125	130	170	170	170	170	Removals
Actual	93	151	157	154	192	191			

Measure	**(C1) Score on annual Core NAR.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target				No Target Established	55	60	70	72	Percent
Actual				84.3	87.9	77.5			

With aggressive outreach and enforcement, the EPA has continued its effort to identify viable Potentially Responsible Parties (PRPs) to conduct removal actions, and have been available to assist and advise them. In FY 2013, the EPA will oversee 170 PRP removal actions (including voluntary, Administrative Order on Consent [AOC], and Unilateral Administrative Order [UAO] actions). In addition, the EPA will conduct 170 Superfund-lead removal actions where no viable PRP has been identified.

The EPA will continue to implement its annual assessment of its response and removal preparedness via the Core National Approach to Response (Core NAR) assessment, which grew

out of its Core Emergency Response program and assessment. Core NAR addresses day-to-day preparedness for removal actions for Regions, Special Teams, and Headquarters, as well as national preparedness for chemical, biological, radiological and nuclear incidents. The target for FY 2013 is a readiness score of 72 percent.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$843.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$140.0 / -1.0 FTE) This redirects 1.0 regional FTE from SF Removal to the Superfund Remedial program to effectively align current and future work load. Ongoing work at large, high-profile and long-term remediation sites has required this shift in personnel.

- (-$1,793.0) This reduction to contracts reflects a decrease in response action funding support, resulting in completing fewer removal actions annually. This reduction will affect fund-lead action removals while the Agency continues to focus on encouraging viable Potentially Responsible Parties, when available, to conduct removal actions.

Statutory Authority:

Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 United States Code SC 9601 et seq. - Sections 104, 105 and 106.

Superfund: EPA Emergency Preparedness
Program Area: Superfund Cleanup
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Restore Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Hazardous Substance Superfund	***$10,473.9***	***$9,244.0***	***$8,179.0***	***($1,065.0)***
Total Budget Authority / Obligations	$10,473.9	$9,244.0	$8,179.0	($1,065.0)
Total Workyears	43.4	44.0	42.9	-1.1

Program Project Description:

The EPA implements the Emergency Preparedness program in coordination with the Department of Homeland Security (DHS) and other federal agencies to deliver federal hazard assistance to state, local, and tribal governments during natural disasters and terrorist incidents. The Agency carries out this responsibility under multiple statutory authorities as well as the National Response Framework (NRF), which provides the comprehensive federal structure for managing national emergencies. The EPA is the designated lead for the NRF's Oil and Hazardous Materials Response Annex - Emergency Support Function #10 which covers responsibilities for responding to releases of hazardous materials, oil, and other contaminants. As such, the Agency participates and leads applicable interagency committees and workgroups to develop national planning and implementation policies at the operational level.

The EPA is also designated as the lead agency for the National Response System (NRS), the Nation's comprehensive environmental program which integrates emergency preparedness and response. The NRS, established over 40 years ago, assures that federal, state, tribal, local and private responders are linked through emergency planning and preparedness functions. Area Committees, Local Emergency Planning Committees and Regional Response Teams provide avenues for oil, hazmat, community and facility preparedness and readiness to ensure that responses are coordinated and organized in a manner that maximizes the efficiency and effectiveness of planning and execution. This leadership and the resulting community preparedness is an essential element of national resiliency, and is a model for efforts now being launched under the broader "Homeland Security" effort. The EPA continues to work closely with DHS and other federal partners in developing similar levels of community preparedness focused on security concerns.

The EPA's leadership in federal preparedness begins with its chairing the 16-agency National Response Team (NRT) and continues through its co-chairing, with the US Coast Guard, the 13 Regional Response Teams (RRTs) throughout the United States and trust territories. These teams coordinate the actions of federal, state, local, and tribal partners to prevent, prepare for, and respond to emergencies, and, of course, provide an all hazard response capability. The Superfund Emergency Preparedness program supports the Agency's priorities of building state and tribal partnerships and protecting human health and the environment by cleaning up communities when

environmental emergencies and disasters occur. In FY 2013, the federal preparedness program is undergoing a reduction in scope and the EPA's continued implementation of the program will be extended across a longer timeline.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA's preparedness activities will focus on addressing key priority lessons learned from actual responses. For the immediate future, the EPA will reduce its level of participation in National Level Exercises (NLEs) as appropriate to reflect budget constraints, restricting its participation primarily to personnel resources and minimizing travel. One example of a NLE is NLE 2011. This exercise was a congressionally mandated series of exercises designed to evaluate the federal government's ability to implement response and recovery plans in support of state, local and private sector responders following a catastrophic earthquake in the New Madrid Seismic Zone.

In FY 2013, the EPA will continue to lead the NRT and co-chair the 13 RRTs throughout the United States, but will limit contracted support staff or Subject Matter Experts (SMEs), relying more heavily on internal staff. The NRT and RRTs coordinate federal partner actions to prevent, prepare for, respond to, and recover from releases of hazardous substances, oil spills, terrorist attacks, major disasters, and other emergencies, whether accidental or intentional. The NRT and the RRTs are the only active environmentally-focused interagency executive committees addressing oil and hazardous substance emergencies and serve as multi-agency coordination groups supporting our responders when convened as incident specific teams.

Building on the large scale federal investment to better structure responses that have taken place since Hurricane Katrina and current efforts to enhance national emergency response management, NRT agencies will continue implementation of the National Incident Management System and the NRF. NRT agencies will improve notification and response procedures, develop response technical assistance documents, implement and test incident command/unified command systems across all levels of government and the private sector, and assist in the refinement of Regional Contingency Plans and Local Area Plans.

In FY 2013, the EPA will continue to participate in training and National Level Exercises to continue fostering a working relationship between state, local, tribal, and federal responders implementing the National Preparedness System. However, participation by the EPA personnel will be reduced as necessary given tightening budgets.

The EPA also will continue to provide staff support as needed during national disasters, emergencies, and high profile and large-scale responses carried out under the NRF. When activated under the NRF, the EPA supports incident specific activities at the NRT, RRTs, Domestic Resilience Group, and the National Operations Center. Such support during a response is normally funded on an incident specific basis through the Stafford Act or various trust funds. Additionally, the EPA involvement on corrective action work will be limited to the top priority lessons learned, primarily from actual response actions and those not requiring extramural support.

As part of its strategy for improving effectiveness, the Agency will continue to improve response readiness in FY 2013 through information obtained from application of the Agency's National Approach to Response (NAR). The EPA's NAR ensures efficient use of emergency response assets within the Agency by maintaining highly skilled technical personnel in the field and ensuring their readiness to respond to releases of dangerous materials without compromising health and safety.

Performance Targets:

Work under this program supports the Restore Land objective under Goal 3. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$192.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$1,257.0 / -1.1 FTE) This reflects a reduction in discretionary spending due to budget constraints, with most of the reduction being to extramural spending. The EPA will reduce its participation in National Level Exercises as appropriate, and limit support to NRT/ RRT meetings while maintaining our national leadership responsibilities for those inter-agency groups. To the extent possible, the EPA will maintain its readiness support through review and application of the Agency's resources. The reduced resources include 1.1 FTE and associated payroll of $162.0.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 United States Code 9601 et seq. - Sections 104, 105 and 106; Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, 42 United States Code 5121 et seq.

Superfund: Federal Facilities
Program Area: Superfund Cleanup
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Restore Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Hazardous Substance Superfund	***$32,555.5***	***$26,199.0***	***$26,765.0***	***$566.0***
Total Budget Authority / Obligations	$32,555.5	$26,199.0	$26,765.0	$566.0
Total Workyears	145.7	133.9	142.2	8.3

Program Project Description:

The Superfund Federal Facilities Response program oversees and provides technical assistance for the protective and efficient cleanup and reuse of federal facility sites. Nationwide, there are thousands of federal facilities that are contaminated or potentially contaminated with hazardous waste, military munitions, radioactive waste, and a variety of other toxic contaminants. These facilities include various types of sites, such as active realigning and closed military installations, current and former nuclear weapons production facilities, landfills, and Formerly Used Defense Sites (FUDS). Often, the EPA and the other federal agencies implementing the remedies face unique challenges due to the types of contamination present, the size of the facility, the extent of contamination, ongoing facility operation needs, complex community involvement requirements, and complexities related to the redevelopment of the facilities.

The EPA fulfills a number of statutory and regulatory obligations at federal facilities, including assessing sites for potential listing on the Superfund National Priorities List (NPL), conducting oversight at NPL sites where cleanup is being completed by other federal agencies such as the Department of Defense (DOD) and the Department of Energy (DOE), enforcing statutorily required federal facility agreements (FFAs), reviewing property transfers, and maintaining the Federal Agency Hazardous Waste Compliance Docket (Docket).

The EPA's oversight authority, primarily exercised at NPL sites, provides a review of federal cleanups that ensures work being conducted by other federal agencies is in agreement with the site cleanup plans, and is protective of human health and the environment. Although other federal agencies are designated as the lead for the cleanup actions at their sites, the EPA provides additional value to the cleanup process by ensuring that federal agencies are more efficient and accountable in protecting human health and the environment. The EPA, as required by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), is responsible for activities such as: 1) reviewing and approving site cleanup documents; 2) participating in site meetings with the affected communities; 3) making final remedy selection decisions for NPL sites; and 4) monitoring schedules as outlined in the FFAs. These FFAs state that the EPA has the final decision making authority for remedy selection to ensure the protection of human health and the environment from releases of hazardous substances. Decision documents, which support final remedy selection, are subject to statutorily required review and

assessment by the EPA in accordance with the milestones and timeframes established in the FFA. The EPA's role provides substantive value in assisting other federal agencies in achieving their program cleanup goals.

The Superfund Federal Facilities Response program ensures the limited statutory responsibilities related to the transfer of contaminated federal properties at NPL sites are in compliance. CERCLA provides limited authority to the EPA for property transfers, which includes the approval for transfers prior to implementation of remedies (i.e., early transfer at NPL sites), and for determinations that remedies are Operating Properly and Successfully (OPS) at both NPL and non-NPL sites.

The Superfund Federal Facilities Response program supports the Agency's priorities of cleaning up communities and building strong state and Tribal partnerships. For more information about the program, please refer to http://www.epa.gov/fedfac/**.**

FY 2013 Activities and Performance Plan:

At NPL properties that remain under federal jurisdiction and control, the EPA will continue assisting and holding accountable other federal agencies to ensure the cleanup remedies are protective. The EPA's oversight responsibilities at federal facility sites are consistent with private party cleanups and are required by law.

In addition to fulfilling its statutory responsibilities on NPL properties, the EPA, as part of the Section 120(d) of CERCLA, is required to take steps to assure that a Preliminary Assessment (PA) be completed by federal facilities that manage hazardous waste or from which a reportable quantity of hazardous substances has been released. Such sites are to be listed on the Docket and the EPA evaluates these facilities for potential response action or inclusion on the NPL. As of December 2011, there are 2,297 facilities listed on the Docket, of which an estimated 250 facilities require further assessment. The Agency's oversight provides for both technical capacity and a framework of accountability to ensure the highest priority releases are addressed and listed on the NPL. Gone unchecked, federal facilities may succumb to competing priorities where environmental protection is not the primary mission; thus the American public would not be afforded the necessary independent oversight in validating environmental cleanup decisions and the efficient and effective use of taxpayer dollars.

To ensure the long-term protectiveness of the remedies, the Agency will continue monitoring and overseeing the progress and improving the quality and consistency of five-year reviews being conducted at federal sites where waste has been left in place and land use is restricted. Five-year reviews are required under Section 121(c) of CERCLA and are designed to ensure that remedies originally selected jointly, or by the EPA alone remain protective over the long-term where hazardous substances are left in place. The other federal agencies are responsible for writing the five-year review report and making a determination of whether the remedy remains protective. The EPA's role is to review the protectiveness statements submitted by the other federal agency and to either agree or make its own independent decision. In response to the October 2010 and September 2011 Federal Cleanup Dialogue meetings, and to complement the new five-year review policy issued on August 1, 2011, the EPA is working with the DOD and the DOE to improve the technical quality, timeliness, and cost of the five-year review reports and to ensure

that the community is aware of the information in the report. In FY 2013, the EPA will review approximately 30 federal NPL five-year review reports in order to fulfill statutory requirements and to inform the public regarding the protectiveness of remedies at those NPL sites.

In an effort to improve the accountability, transparency, and effectiveness of the EPA's cleanup programs, the Agency initiated a multi-year Integrated Cleanup Initiative (ICI) in FY 2010 (http://www.epa.gov/oswer/integratedcleanup.htm). The initiative will better utilize EPA's assessment and cleanup authorities in an integrated and transparent fashion, to address a greater number of contaminated sites, accelerate the pace of cleanups where possible, and put those sites back into productive use while protecting human health and the environment. By coordinating the relevant tools available in each of the cleanup programs (Superfund Remedial, Federal Facilities; Brownfields; Underground Storage Tanks and RCRA Corrective Action), the EPA will better leverage the resources available to address needs at individual federal facility sites. The EPA's outreach to other federal agencies on the importance of timely and high priority reviews is part of this initiative.

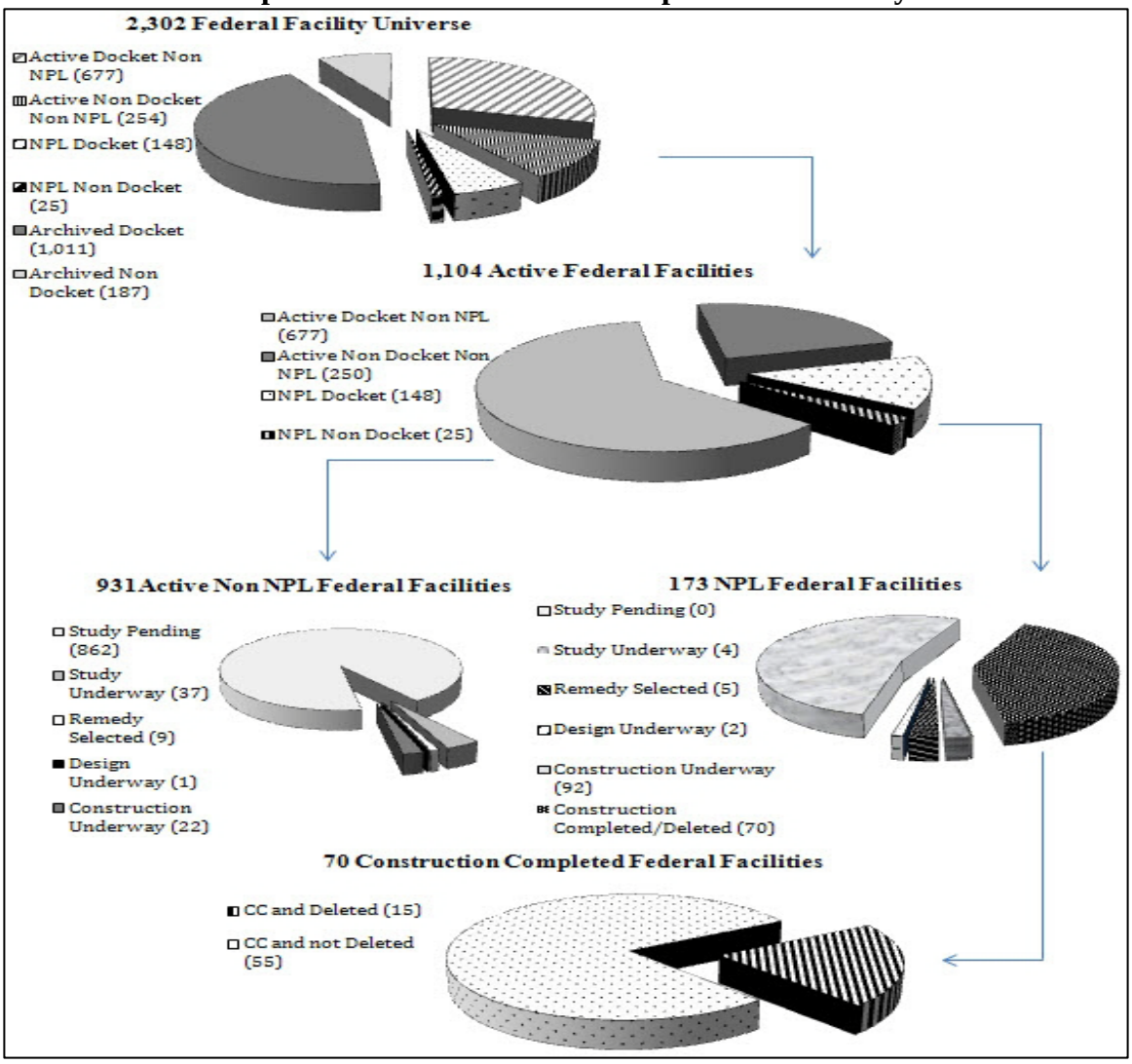
The EPA has developed an implementation plan to further describe the goal and objectives of the ICI and to identify ongoing or new actions the Agency will advance with our partners during the upcoming years. In addition, to accurately gauge the impact of the program, in FY 2011 the Agency began tracking a new annual performance Superfund measure, Remedial Action Project Completions, which includes federal facility sites, and will enable us to further demonstrate incremental cleanup progress and further optimize the work within the cleanup pipeline. The Superfund Federal Facilities Response program's site evaluation project (FFSEP) is being implemented under the ICI Implementation Plan. The FFSEP provides information on the progress of federal facility sites utilizing the ICI framework of evaluating all three phases of the cleanup process (starting, advancing, and completing cleanups). This ensures a timely and adequate the EPA characterization of site cleanup progress at sites where the cleanup progress is unknown or undocumented. The FFSEP addresses issues raised in the U.S. Government Accountability Office's March 2009 Report to Congress entitled "Superfund – Greater EPA Enforcement and Reporting Are Needed to Enhance Cleanup at DOD Sites." For more information on ICI, please visit: http://www.epa.gov/fedfac/documents/ici_accomp.htm.

As part of the ICI, the EPA and the DOD continue to engage in a project aimed at harmonizing cleanup and reporting metrics at federal Superfund sites. The EPA/DOD Goal Harmonization Workgroup, which was established in FY 2009, provides a process for the two Agencies to work collaboratively on determining consistent and transparent approaches for performance measures used to indicate progress at federal Superfund sites. The Workgroup has resulted in a cooperative approach to better facilitate and align future cleanup goals and targets, while also demonstrating clearer understanding of the cleanup processes. In December 2011, the EPA and the DOD jointly released a document highlighting recommendations resulting from the EPA/DOD goal harmonization workgroup. For the full report, please refer to: http://www.epa.gov/fedfac/pdf/dod-epa_goal_harmonization_workgroup_recommendations_final.pdf. The EPA and the DOD will continue engaging in this effort for the foreseeable future.

In FY 2013, the Superfund Federal Facilities Response program will continue to focus on accelerating cleanups at federal facilities and putting the sites back into productive use while protecting human health and the environment. As of October 2011, there were 173 federal sites on the final NPL. In spite of the small number of federal sites on the NPL, the large size of these federal sites results in the Superfund Federal Facilities Response program contributing significantly to Superfund pipeline accomplishments. In FY 2011, the Superfund Federal Facilities Response program signed 58 of the 96 (60 percent) Records of Decisions at all Superfund sites; started 51 of the 121 (42 percent) Remedial Action Projects; and completed 59 of the 134 (44 percent) Remedial Action Projects that were reported by the entire Superfund program.

The Federal Facilities Response Site Activity Chart represents the known universe of hazardous substances released into the environment at Federal Facilities, active remediation classified by NPL vs. Non NPL status and construction completed at NPL Federal Facilities.

Superfund Federal Facilities Response Site Activity



Progress is determined by most advanced operable unit. Chart results generated from CERCLIS data, October 17, 2011.

A comprehensive evaluation of the overall Superfund Contracting Strategy began in FY 2009 to define the next generation of Superfund site cleanup contracts. The Agency's Contract 2010 Strategy (http://www.epa.gov/oswer/docs/contracts_2010_strategy_report.pdf) was released in March 2011, and in FY 2013 the Agency will begin across the board changes identified in the Strategy to improve program management and increase efficiency. The program anticipates implementing recommendations that will provide flexibility to achieve cost and time efficiencies. For instance, opportunities to eliminate duplication and unnecessary processes are being considered along with whether there are ways to restructure the way we are currently performing acquisitions.

In FY 2013, the EPA will continue strengthening oversight and technical assistance, as appropriate, at DOD's military munitions response sites on the NPL. These military munitions response sites contain unique chemical and explosive compounds. Emerging contaminants and human health hazards, such as vapor intrusion, require direct Agency oversight as federal agencies reopen various site assessment and cleanup activities to address such contamination. The Agency will continue supporting DOD at selected Base Realignment and Closure (BRAC) installations that have been closed or realigned during the first four rounds of BRAC (BRAC I - IV). This includes, but is not limited to, meeting and expediting statutory obligations for overseeing cleanup and facilitating property transfer. The EPA's BRAC I - IV accelerated cleanup program, which is steadily ramping down, continues to be funded 100 percent by DOD through an interagency agreement (IA). The current BRAC IA, which was signed on February 28, 2011, is scheduled to expire on September 30, 2016. The FY 2013 request does not include additional support for BRAC-related services to the DOD at those facilities affected by the fifth round of BRAC in 2005.

The proposed legislation titled the Civilian Property Realignment Act includes language to create a Civilian Property Realignment Board to investigate disposal and consolidation opportunities for federal property and present recommendations to Congress for a direct vote. The federal government is the largest property owner and manager in the United States, with an inventory of over 1 million buildings, structures, and land parcels. It is anticipated that a certain percentage of these properties will require site characterization under CERCLA before they can be transferred. In FY 2013, the Federal Facilities Response program will partner with other federal agencies on site characterization of any Civilian Real Property transfers, consistent with the EPA's authority under CERCLA.

Performance Targets:

Performance goals and measures in the Strategic Plan for the Superfund Federal Facilities Response program are currently a component of the overall Superfund Remedial program's measures. The Superfund Federal Facilities Response program's ability to meet its annual performance targets is dependent on work performed by the responsible federal agencies NPL sites.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$368.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$198.0 / +1.3 FTE) Resources will enable the Federal Facilities Response program to provide additional oversight and technical support on NPL documents, as well as work with the other federal agencies on improving the technical quality and timeliness of the statutorily required five year review. These resources include $186.0 associated payroll for 1.3 FTE.

- (+7.0 FTE) This reflects a conversion of reimbursable FTE from the BRAC program to the Federal Facilities Response program. The additional reimbursable FTE will support increased workload needs at such sites as the U.S. Military's buildup in Guam, DOE and U.S. Coast Guard. Sufficient reimbursable FTE are retained to support BRAC program needs, which continue to decline as more BRAC sites are cleaned up or transferred.

Statutory Authority:

Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 United States Code 9601 et seq. – Section 120; the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, 42 United States Code 6901 et seq. – Section 7003; and the Defense Base Closure and Realignment Acts of 1988, 1990, 1992, 1994, and 2004 as amended by the National Defense Authorization Acts and the Base Closure Community Redevelopment and Homeless Assistance Act.

Superfund: Remedial
Program Area: Superfund Cleanup
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Restore Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Hazardous Substance Superfund	***$707,200.8***	***$564,998.0***	***$531,771.0***	***($33,227.0)***
Total Budget Authority / Obligations	$707,200.8	$564,998.0	$531,771.0	($33,227.0)
Total Workyears	974.0	934.8	937.3	2.5

Program Project Description:

The Superfund Remedial program protects the American public and its resources by making communities safer, healthier, and more economically viable. It is responsible for implementing the federal program aimed at longer term cleanup at the nation's largest, most complex contaminated sites, and oversees the cleanup work at both Fund-lead and Potentially Responsible Parties (PRP)-lead National Priorities List (NPL) and non-NPL sites.

Superfund sites exist in hundreds of American communities and can either encompass a very small footprint or cover thousands of acres (land and/or water bodies). Sites have combinations of contaminated soils, buildings, sediments, surface water, air, and groundwater. The sites are located in all types of communities from rural to large urban settings. Many are located in economically distressed communities that suffer from disproportionate and adverse environmental exposures.

Since its inception in December, 1980, the Superfund Remedial program has assessed nearly 50,000 sites and currently has over 13,700 active, contaminated sites[21]. Program activities include assessing a site for degree and scope of contamination, developing cleanup strategies, designing and constructing remedies, and long-term monitoring of certain remedies. The EPA also supports making formerly contaminated sites community assets, having placed more than 500 NPL sites into reuse over the past decade. Throughout this process the program actively engages the communities, local governments, states, tribes, investors, and PRPs to ensure site-progress information is shared and opportunities for feedback are provided.

Cleanup activities at Superfund sites can increase social well-being by improving human health and amenities, restoring ecosystems, and improving land productivity. The human health benefits of remediating contaminated sites include reduced mortality risk from illness and acute fatalities, and reduced morbidity risk from asthma, nausea, cancer, birth defects, adverse reproductive or developmental disorders, and other illnesses or injuries. Ecosystems can be improved by removing pollutants from contaminated sites that may impact drinking water supplies or fishery habitats. To empirically estimate the social benefits of land cleanup, one can examine how values of properties near contaminated sites change due to cleanup. A working paper by Duke

[21] Data are from CERCLIS, the program's information management system, as of 12/27/11.

University[22] examined properties around Superfund sites across the United States and estimated economic housing values, within 1 kilometer of a site, appreciated 19 percent as a result of remedial activities from 1990 to 2000.

For more information about the Superfund Remedial program, please refer to http://www.epa.gov/superfund.

FY 2013 Activities and Performance Plan

In FY 2013, in recognition of budget constraints, the EPA is proposing a $33.2 million reduction in the Superfund remedial budget as compared to the FY 2012 Enacted level of $564.9 million. The Agency will place a priority on its two key environmental indicators and expects to achieve the same number of additional sites with controlled human exposures and controlled groundwater migration as in FY 2012 (10 and 15 respectively). However, the scope of the budget reduction will result in fewer EPA-lead projects started across the board and a drop in completions in some categories.

In FY 2013, the Superfund Remedial program's top priority remains reducing risk to human health and the environment. To achieve this goal, the Remedial program will continue to investigate actual or potential releases of contaminants at sites, and where appropriate, designate certain sites as national priorities by placing them on the NPL. For sites on the NPL, the Agency will focus on completing the ongoing project phases (remedial investigation/feasibility study, remedy design, and remedy construction) as opposed to starting new project phases. The EPA will not reduce its statutory mandated actions to operate ground water remedies it has constructed or activities that monitor and assess the protectiveness of the constructed remedies. The program will continue to place emphasis on promoting site reuse in affected communities.

In FY 2013, the program will continue to balance the workload throughout the Superfund remedial site cleanup process. There will be a renewed emphasis on improving the Agency's leveraging of appropriated and Potentially Responsible Party (PRP) funds to minimize reductions to program performance.

FY 2013 will mark the fourth year of the Agency's multi-year Integrated Cleanup Initiative (ICI)[23]. The EPA will focus on the following:

(1) ***Optimizing Site Cleanups***

The Agency has emphasized efforts to achieve greater efficiencies in cleanup. Among the many efforts in this area is one aimed at optimizing response-activities. In FY 2013, optimization activities focus on better technical support, technical transfer, and training on best management practices (BMPs) to Regions and other stakeholders, as well as, bringing forward the lessons learned from third party review of operating remedies to actions earlier in the response pipeline. The benefits of optimization are expected to include more cost-effective expenditure of Superfund dollars, reduced energy/carbon footprint, improved protection of human health and

[22] Gamper-Rabindran, S., R. Mastromonaco, and C. Timmins. 2011. "Valuing the Benefits of Superfund Site Remediation: Three Approaches to Measuring Localized Externalities." NBER Working paper 16655 [online] http://www.nber.org/papers/w16655
[23] For additional information on the Agency's ICI please refer to https://www.epa.gov/oswer/integratedcleanup.htm

the environment (HHE), expedited consensus and improved decision-making, and acceleration of the pace of project/site completion.

(2) ***Contracts 2010***

The Agency's Contract 2010 Strategy[24] was released in March 2011 and in FY 2013 the Agency will begin across-the-board changes identified in the Strategy. Building on the Strategy and studies that examined the state of the Remedial program and evaluated what other agencies are doing, the program anticipates implementing recommendations that will provide flexibility to achieve cost and time efficiencies. In addition, communication is vital to improved efficiencies and as a result Integrated Regional Management Teams will be tasked with reporting on their acquisition strategy as well as acquisition challenges.

(3) ***Managing to Completion***

In FY 2013, OSWER will continue to implement the measure, "Number of remedial action (RA) projects completed at Superfund NPL sites." This measure augments the long-standing construction completion measure by reporting incremental progress in protecting human health and the environment. In the first year of this measure in FY 2011, the EPA exceeded its target of 103 RA completions by 29 projects achieving 132 completions. To further the project management focus, the Superfund Remedial program is exploring the possibility of establishing formal project baselines to better understand and track site progress.

(4) ***Pilots***

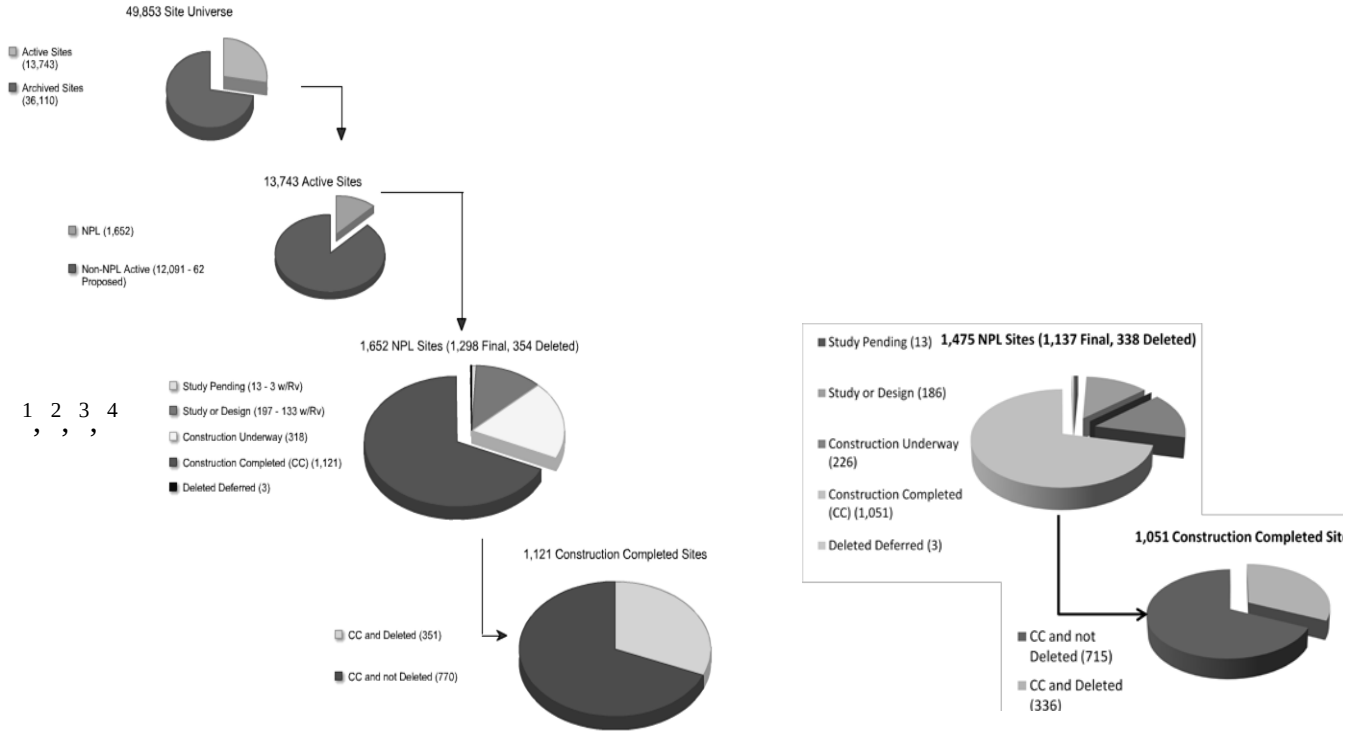
Nine pilot projects were initiated during FY 2011 to explore cost effective options for accelerating remedial action projects and for otherwise improving the way the Agency manages Superfund remedial projects to completion. Four pilots were completed by the end of FY 2011, while the remaining pilots will be completed in FY 2012 and FY 2013. One pilot expedited RD/RA settlement negotiations by seven months, resulting in a settlement with the responsible parties to perform the site construction; Construction Completion (CC) at this site is now expected one year earlier than previously planned. A second pilot achieved CC two years ahead of schedule while another pilot achieved a CC one year earlier than originally planned. The fourth completed pilot achieved three remedial action project completions one fiscal year earlier than anticipated. Lessons learned from these pilots will be applied as broadly as possible at Superfund remedial sites across the country.

The following is a high-level depiction of Superfund remedial site activity as of 12/27/11. The diagram shows how sites progress through the remedial pipeline from site assessment through NPL deletion. Later sections describe in more detail the Superfund program workload throughout each phase of the pipeline.

[24] See http://www.epa.gov/oswer/docs/contracts_2010_strategy_report.pdf for more information on the Contracts 2010 Strategy

All Superfund Site Activity (NPL)
(Includes Federal Facilities)

EPA & PRP Lead Superfund Site Activity
(Excludes Federal Facilities)



[1], [2], [3], [4]

(1) Site Assessment

By the beginning of FY 2013, the Agency expects to have performed a cumulative total of approximately 90,800 Superfund remedial assessments. In the beginning of FY 2012 there were approximately 3,200 sites awaiting an assessment decision. In the FY 2013, Budget request, the EPA plans to reduce the total number of completed Superfund remedial site assessments to 650. This strategic measure accounts for all remedial assessments performed at sites addressed under the Superfund Remedial program.

	Fiscal Year Achieved/Estimates		
	FY11	FY12	FY13
	Achieved	Est.	Est.
Site Assessment Completions	1,020	900	650
Final NPL Sites	25	15-25	15-25

[1] The "study pending" category refers to sites that have been listed to the NPL where no RI/FS work has begun.
[2] The "study or design" category refers to NPL sites where the most advanced action at the site has, at minimum, started RI/FS work but where no construction has begun.
[3] The "construction underway" category refers to NPL sites where the most advanced action at the site has, at minimum, started RA work and where the site is not yet construction complete.
[4] The "construction completed" category refers to the universe of sites where construction is complete. In some instances RA projects may continue after construction completion has been achieved.

In developing the Hazard Ranking System (HRS) in the 1980s, the science regarding the risks posed by exposure to vapor intrusion in buildings did not exist, so this potential pathway has not yet been accounted for in placing sites on the NPL. In order to reflect the science that evolved over the past two decades and protect public health, in FY 2013 the EPA will continue to work on incorporating this exposure concern into the HRS. Although subsurface intrusion sites have the potential to pose a higher level of risk than other exposure routes, the EPA does not expect an increase in site assessments due to this HRS addition. The EPA expects that there will be realignment and reprioritization for subsurface intrusion evaluations.

In FY 2013, the EPA will continue its investigation to determine the best approach to address potentially harmful sites, including listing them on the NPL. The current NPL has 1,652 sites (as of 12/27/11). In order to achieve budget savings and to meet the minimum statutory requirement, the EPA expects one final NPL rule making during FY 2013. This is a reduction from two rules annually. The Agency estimates, consistent with prior years, that there will still be between 15 – 25 sites added to the NPL each year.

In instances where NPL listing is not pursued, the EPA also facilitates site cleanups equivalent to those at NPL sites through Superfund Alternative Approach (SAA) agreements between the EPA and a viable, liable and cooperative PRP(s). Through these agreements, the EPA enables site remediation while ensuring a site cleanup consistent with national NPL site remediation policy. The EPA's enforcement posture at these sites is equivalent to that at NPL sites; stakeholders are afforded opportunities for participation equivalent to what they would have as sites listed on the NPL. Since the SAA guidance was issued in 2002, there have been 51 SAA agreements addressing 67 sites.

(6) ***Site Characterization and Remedy Selection***

At NPL and SAA sites, the EPA will continue with remedial activities that include remedial investigations and feasibility studies to review site conditions and evaluate strategies for cleanup, taking into consideration reasonably anticipated future land use. Multiple cleanup actions are required at many sites to address all the contamination. In FY 2013, the EPA expects to select at least 50 remedies at EPA- and PRP-lead sites.

In addition, as a result of state level budget cuts, some sites that were previously deferred to states are currently under consideration for return as EPA-lead sites. At the end of FY 2011, there were 516 ongoing Remedial Investigation/ Feasibility Study (RI/FS) projects underway by the EPA or PRPs. Of the over 500 NPL and SAA sites with any ongoing Superfund work, it is estimated that 370 still require additional RI/FS work before all the remedies needed are selected.

The number of EPA-lead RI/FS projects started in FY 2013 may decrease by as much as 50% as part of the budget reduction. Priority will be given to completing ongoing RI/FS in lieu of starting new ones. This will delay as many as 15 new EPA-lead RI/FS start projects in FY 2013.

	Fiscal Year Achieved/Estimates		
	FY11	FY12	FY13
	Achieved	Est.	Est.
RI/FS Ongoing Projects (EPA)	243	245	230
RI/FS Ongoing Projects (PRP)	273	274	270
Total RI/FS Ongoing Projects	**516**	**519**	**500**
RI/FS Start (EPA)	30	22	15
RI/FS Starts (PRP)	14	11	15-20
Total RI/FS Starts	**44**	**33**	**30-45**
RODs - EPA/PRP-Lead	**53**	**42**	**50-55**

(7) Remedial Design and Construction

Before selected remedies can be built, design plans to guide the construction are needed. The Remedial Designs (RDs) provide the technical specifications for cleanup remedies and technologies that include a series of engineering reports, documents, specifications, and drawings that detail the steps to be taken to meet the goals established in the Record of Decision (ROD). The RD may include sampling, pilot tests, and treatability studies.

In FY 2013, priority will be given to completing RDs that are ongoing. Budget constraints will delay as many as 10 new EPA-lead RD projects.

	Fiscal Year Achieved/Estimates		
	FY11	FY12	FY13
	Achieved	Est.	Est.
RD Ongoing Projects (EPA)	93	96	95
RD Ongoing Projects (PRP)	133	134	125
Total RD Ongoing Projects	226	230	225
RD Starts (EPA)	27	27	15
RD Starts (PRP)	26	20	25
Total RD Starts	53	47	40
RD Completions (EPA)	33	28	30
RD Completions (PRP)	37	31	30
Total RD Completions	70	59	60

Following the design of the remedy, construction or implementation of the cleanup remedy, called the Remedial Action (RA), is performed by the EPA (or states with Agency resources) or PRPs under EPA or state oversight. A given remedy may contain multiple actions or projects[29] depending on the nature of the remedy selected, covering discrete areas of contamination such as groundwater, for example, as a separate project than soil remediation. Funding for the EPA Superfund construction projects is critical to achieving risk reduction and restoration of contaminated sites to allow productive reuse.

The Agency places a priority on completing construction projects. At the end of FY 2011 there were 177 remedial construction projects being built by the EPA. For all of the currently identified EPA-lead projects (planned and ongoing), it is estimated that their total cost will ultimately exceed $3 billion. Special account, state cost share, and appropriated resources are all critical elements of providing the resources necessary to conduct remedial cleanup work. In FY 2011, the EPA obligated approximately $535 million from appropriated resources, PRP settlements and state cost share funds towards approximately 335 construction projects[30]. These projects are estimated to have resulted in the creation or retention of approximately 6,000 jobs[31]. There were several remedial projects that could have used additional funding to conduct more work and four EPA-lead construction projects were not funded in FY 2011.

It is expected that appropriated funding for RA projects will be reduced by approximately $25 million in FY 2013. To the extent possible, the EPA will take steps to fund projects at optimal levels. As a result, some projects may take longer to complete.

In FY 2013, the Agency does not plan to start any new construction projects. In addition, to manage the Remedial program's fiscal constraints and continue funding ongoing EPA-lead RA projects, the Agency plans to constrain the number of new construction projects funded during FY 2012. This is estimated to delay the construction of 35 to 40 projects by the end of FY 2013. Despite this approach, the EPA will continue to examine the human health and environmental risks posed by sites in the pipeline and make determinations on the reallocation of funds from ongoing construction projects, if appropriate.

[29] Projects represent discrete actions taken to implement a site cleanup remedy as described in the Record of Decision. They are typically defined to address discrete problems, such as specific media (e.g., groundwater contamination), areas of a site (e.g., discrete areas of contamination), or particular technologies (e.g., soil vapor extraction). A given remedy may contain multiple actions or projects depending on the nature of the remedy selected.

[30] This number includes Construction Projects, Long Term Remedial Actions, and Five Year Reviews.

[31] This estimate uses the Office of Management and Budget pricing factor of $92,000 per job to calculate jobs created or maintained resulting from the American Recovery and Reinvestment Act efforts.

The EPA will continue to track site-wide construction completions for EPA-, PRP-, and Federal facility-lead sites as an interim measure of progress toward making sites ready for reuse and achieving long term cleanup goals. In FY 2013, the EPA will work to achieve site-wide construction completion at 19 additional sites as well as the 115 individual project completions (approximately 35 EPA-lead, 40 PRP-lead, and 40 Federal facility-lead) [32].

	Fiscal Year Achieved/Estimates		
	FY11	FY12	FY13
	Achieved	Est.	Est.
RA Ongoing Projects (EPA)	177	170	135
RA Ongoing Projects (PRP)	330	325	315
Total RA Ongoing Projects	507	495	450
RA Starts (EPA)	26	TBD	TBD
RA Starts (PRP)	43	29	40
Total RA Starts	69	TBD	TBD
RA Completions (EPA)	35	41	35
RA Completions (PRP)	39	44	40
Total RA Completions*	74	85	75
Construction Completions (CC)	**22**	**22**	**19**

* The total number of completions shown does not equate to the measure target due to the exclusion of Federal Facility projects.

(8) Post- Construction

The EPA will continue to give attention to post-construction completion activities to ensure that Superfund response actions provide for the long-term protection of human health and the environment. At the end of FY 2011, there were 344 long term response actions to restore ground water or surface water, 98 by the EPA and 246 by PRPs. Funds to conduct these actions are part of the EPA's remedial action budget.

A significant statutorily required post-construction activity is a Five-Year Review[33], which generally is necessary when hazardous substances remain on-site, above levels that permit unrestricted use and unlimited exposure. In FY 2013, the EPA plans to conduct over 200 Five-Year Reviews.

[32] Using ARRA funds, the EPA was able to complete 16 construction projects ahead of schedule. As of the end of FY 2011, 95% of the ARRA funds were fully expended. At its peak, the Superfund Remedial ARRA resources created or retained upward of 1,100 jobs.

[33] Five-Year Reviews are used to evaluate the implementation and performance of all components of the implemented remedy and to determine whether the remedy remains protective of human health and the environment. The Five-Year Review includes not only the physical remedy itself, but also institutional controls necessary to manage the use of the site. The EPA develops an annual Report to Congress describing the protectiveness of remedies as found through Five-Year Reviews; including those conducted by federal agencies and reviewed by the EPA through the Superfund Federal Facilities Response program.

	Fiscal Year Achieved/Estimates		
	FY11	FY12	FY13
	Achieved	Est.	Est.
Ongoing Long Term Response Actions	344	343	340
Five Year Review Completions (EPA and PRP Lead)	184	189	216

(9) ***Environmental Indicators***

The EPA reports against two environmental indicator measures to document progress achieved toward providing human health and environmental protection[34]. The EPA places a high priority on these two key environmental indicators. The Agency, in FY 2013, plans to achieve control of all identified unacceptable human exposures at a net total of 10 additional sites, bringing the program's cumulative total to 1,368 sites under control; this is consistent with prior years' accomplishments. The Agency will also prioritize resources and increase management focus so that progress continues at these sites.

The EPA determines whether contamination in groundwater is within safe levels, and there is no movement in surface water bodies; maintaining stable and controlled water bodies enables the Agency to protect human health and the environment. Consistent with FY 2012 accomplishments, in FY 2013, the EPA expects to achieve control of the migration of contaminated groundwater through engineered remedies or natural processes at a net total of 15 additional sites, bringing the program's cumulative total to 1,081 sites under control.

(10) ***Site Reuse***

Revitalizing communities and ensuring the long-term protection of human health and the environment remains a high priority for the EPA at Superfund sites. The Sitewide Ready for Anticipated Use measure communicates that all cleanup goals for an entire site have been achieved for both current and reasonably anticipated future land uses. The measure reflects the high priority the EPA places on land revitalization as an integral part of the Agency's mission for the Superfund program as well as the priority the EPA is now placing on post-construction activities at NPL sites. In FY 2013, the EPA expects to achieve a net total of 60 sites qualified for this designation (down from 65 in FY 2012) bringing the program's cumulative total to 665 sites that are ready for re-use. The target change reflects reductions to the Superfund Enforcement program which is critical to implementation of institutional controls.

Other Actions to Improve Program Efficiency

In FY 2013, the EPA plans to complete the consolidation of Comprehensive Environmental Response, Compensation, and Liability Information System, (CERCLIS) into the Superfund Enterprise Management System (SEMS). By consolidating CERCLIS along with the Superfund Document Management System (SDMS) and the Institutional Controls Tracking System (ICTS),

[34] The Human Exposure environmental indicator is designed to document the progress achieved toward providing long term human health protection by measuring the incremental progress achieved in controlling unacceptable current human exposures at NPL sites.

the Superfund Remedial program will realize efficiencies in the administration and security associated with the single system as supposed to three separate systems. Additionally, efficiencies will be gained in the reduction of the number of contracts to support the systems from three contracts to one.

The Agency strives to ensure that its activities use natural resources and energy efficiently, reduce negative impacts on the environment, minimize or eliminate pollution at its source, and reduce waste to the greatest extent possible. In FY 2013, the EPA will continue its efforts to advance green remediation practices and identify new opportunities and tools to make "greener" decisions across Superfund cleanup sites. An example of where the Agency has already reduced its environmental footprint is the Summitville site in Colorado, where the EPA and the Colorado Department of Public Health and Environment installed a micro-hydroelectric turbine at the site to meet a portion of the site's electricity needs.

Performance Targets:

Measure	(115) Number of Superfund remedial site assessments completed.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target						900	900	650	Assessments
Actual						1,020			

Measure	(141) Annual number of Superfund sites with remedy construction completed.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	40	24	30	20	22	22	22	19	Completions
Actual	40	24	30	20	18	22			

Measure	(151) Number of Superfund sites with human exposures under control.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	10	10	10	10	10	10	10	10	Sites
Actual	34	8	24	11	18	10			

Measure	(152) Number of Superfund sites with contaminated groundwater migration under control.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	10	10	15	15	15	15	15	15	Sites
Actual	21	19	20	16	18	21			

Measure	(170) Number of remedial action project completions at Superfund NPL sites.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target						103	130	115	Completions
Actual						132			

Measure	(S10) Number of Superfund sites ready for anticipated use site-wide.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target		30	30	65	65	65	65	60	Sites
Actual		64	85	66	66	65			

The Superfund Remedial program reports its activities and progress toward long-term human health and environmental protection via several measures that encompass the entire cleanup process. For FY 2013 the program is reducing four of its six performance targets from FY 2012 levels, assuring focus on human health and environmental protection while balancing the program's long-term site cleanup workload in a resource constrained environment.

Note: Performance goals and measures for the Superfund Federal Facilities Response program are a component of the Superfund Remedial program's measures.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$2,771.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$338.0 / +2.5 FTE) This redirects 1.0 regional FTE and $135.0 associated payroll from Superfund Removal to Superfund Remedial to effectively align current and future workloads. In addition, this increases the Superfund Remedial program by 1.5 regional FTE and $203.0 associated payroll. Ongoing work at large, high-profile, and long-term remediation sites has required this shift in personnel.

- (-$36,336.0) This reduction downsizes the overall Superfund Remedial program to give priority to completing projects at various stages in the response process as opposed to starting new project phases. This reduction will have effects on program performance throughout the remedial pipeline leading to a reduction in the number of site assessments, remedial investigation/feasibility studies (RI/FSs), remedial designs (RDs), remedial actions (RAs), and post-construction operations. It will also lead to a decline in performance outputs for four of the six Remedial program's performance measures. The Agency will place a priority on its two key environmental indicators and expects to achieve the same number of additional sites with human exposures controlled and groundwater migration controlled as in FY 2012 (10 and 15 respectively).

Statutory Authority:

The Superfund program was established by, and operates pursuant to, the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. sec. 9601 et seq., as amended, and Executive Order 1580 (January 23, 1987).

Superfund: Support to Other Federal Agencies
Program Area: Superfund Cleanup
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Restore Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Hazardous Substance Superfund	***$5,908.0***	***$5,849.0***	***$0.0***	***($5,849.0)***
Total Budget Authority / Obligations	$5,908.0	$5,849.0	$0.0	($5,849.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Other federal agencies are given responsibilities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as further defined under the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). Since the inception of CERCLA, automatic transfers were provided to Agencies from the EPA's Superfund appropriation to support their responsibilities. Over time, as the agencies' roles and responsibilities became more defined, the agencies developed their own mission-specific programs around their areas of expertise as the need for their support extended beyond Superfund-specific activities. As of FY 2012, there were only three agencies that still received automatic transfers from the Superfund appropriation. These agencies include the Department of the Interior (DOI), the National Oceanic and Atmospheric Administration (NOAA), and the United States Coast Guard (USCG). With the roles and responsibilities between federal agencies more succinctly defined, the EPA has found that automatic transfers are outdated and that interagency assistance agreements which can be entered on an as-needed basis are more appropriate.

FY 2013 Activities and Performance Plan:

This program is being discontinued in FY 2013. Funding for support services by other Federal Agencies may be pursued on an as-needed basis. The Agency has determined that an automatic transfer to other federal agencies is no longer required and interagency assistance agreements are more appropriate.

Performance Targets:

Work under this program supports the Restore Land Objective under Goal 3. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$5,849.0) The automatic transfers to USCG ($4,462), NOAA ($916) and DOI ($471) are being discontinued.

Statutory Authority:
Comprehensive Environmental Response, Compensation, and Liability Act, 42 United States Code 9601 et seq. - Sections 104, 105 and 120.

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Environmental Protection Agency
FY 2013 Annual Performance Plan and Congressional Justification

APPROPRIATION: Leaking Underground Storage Tanks
Resource Summary Table

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Leaking Underground Storage Tanks				
Budget Authority	$118,851.3	$104,142.0	$104,117.0	($25.0)
Total Workyears	67.0	69.7	68.1	-1.6

Bill Language: Leaking Underground Storage Tank Trust Fund Program

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, as amended, $104,117,000, to remain available until expended, of which $71,687,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act, as amended; $32,430,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code, as amended: Provided, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012.)

Program Projects in LUST

(Dollars in Thousands)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Enforcement				
Civil Enforcement	$644.0	$789.0	$792.0	$3.0
Compliance				
Compliance Assistance and Centers	$32.9	$0.0	$0.0	$0.0
IT / Data Management / Security				
IT / Data Management	$47.7	$0.0	$0.0	$0.0
Operations and Administration				
Facilities Infrastructure and Operations				

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Rent	$695.0	$695.0	$636.0	($59.0)
Facilities Infrastructure and Operations (other activities)	$208.0	$220.0	$207.0	($13.0)
Subtotal, Facilities Infrastructure and Operations	$903.0	$915.0	$843.0	($72.0)
Acquisition Management	$148.2	$163.0	$161.0	($2.0)
Central Planning, Budgeting, and Finance	$1,093.7	$512.0	$509.0	($3.0)
Subtotal, Operations and Administration	$2,144.9	$1,590.0	$1,513.0	($77.0)
Underground Storage Tanks (LUST / UST)				
LUST / UST	$13,926.8	$11,962.0	$11,490.0	($472.0)
LUST Cooperative Agreements	$64,459.5	$58,956.0	$57,402.0	($1,554.0)
LUST Prevention	$37,093.9	$30,449.0	$32,430.0	$1,981.0
Subtotal, Underground Storage Tanks (LUST / UST)	$115,480.2	$101,367.0	$101,322.0	($45.0)
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	$501.6	$396.0	$490.0	$94.0
Subtotal, Research: Sustainable and Healthy Communities	$501.6	$396.0	$490.0	$94.0
TOTAL, EPA	$118,851.3	$104,142.0	$104,117.0	($25.0)

Program Area: Enforcement

Civil Enforcement
Program Area: Enforcement
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$179,391.2	$177,290.0	$188,957.0	$11,667.0
Leaking Underground Storage Tanks	***$644.0***	***$789.0***	***$792.0***	***$3.0***
Oil Spill Response	$2,209.6	$2,286.0	$2,968.0	$682.0
Hazardous Substance Superfund	$4.4	$0.0	$0.0	$0.0
Total Budget Authority / Obligations	$182,249.2	$180,365.0	$192,717.0	$12,352.0
Total Workyears	1,203.9	1,205.1	1,205.7	0.6

Program Project Description:

To protect our nation's groundwater and drinking water from petroleum releases from Underground Storage Tanks (UST), the Civil Enforcement program provides compliance assistance tools, technical assistance, and training to promote and enforce UST systems compliance and cleanups.[1]

The Civil Enforcement program's overarching goal is to assure compliance with the nation's environmental laws to protect human health and the environment. The program collaborates with the Department of Justice and states, local agencies, and Tribal governments to ensure consistent and fair enforcement of all environmental laws and regulations. The program seeks to address violations that threaten communities, level the economic playing field by ensuring that violators do not realize an economic benefit from noncompliance, and deter future violations. The Civil Enforcement program develops, litigates, and settles administrative and civil judicial cases against serious violators of environmental laws. Compliance with environmental laws improves when regulated entities, federal agencies, and the public have easy access to tools that help them understand these laws and find efficient, cost-effective means for putting them into practice.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to integrate assistance into its enforcement and compliance assurance efforts. The Agency will continue to obtain state commitments to increase their inspection and enforcement presence where state-specific UST compliance goals are not met. The Agency and states will use innovative compliance approaches, along with outreach and education tools, to bring more USTs into compliance and to promote UST cleanups. The Agency also will continue providing guidance to foster the use of new technology to enhance compliance.

[1] For more information refer to: www.epa.gov/swerust1/cat/index.htm.

Performance Targets:

Work under this program also supports performance results in the Civil Enforcement Program Project under EPM and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$20.0) This increase is the net effect of the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+0.1 FTE) This increase reflects current utilization rates for UST enforcement activities.

- (-$17.0) This change reflects a modest reduction in expenses for the LUST enforcement program and a decrease in telecommunication resources.

Statutory Authority:

PPA; CERFA; NEPA; AEA; UMTRLWA; RCRA.

Program Area: Operations and Administration

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$320,540.2	$319,777.0	$331,316.0	$11,539.0
Science & Technology	$69,436.1	$72,019.0	$75,485.0	$3,466.0
Building and Facilities	$30,254.7	$29,326.0	$33,931.0	$4,605.0
Leaking Underground Storage Tanks	***$903.0***	***$915.0***	***$843.0***	***($72.0)***
Oil Spill Response	$519.5	$535.0	$513.0	($22.0)
Hazardous Substance Superfund	$80,056.2	$80,541.0	$79,622.0	($919.0)
Total Budget Authority / Obligations	$501,709.7	$503,113.0	$521,710.0	$18,597.0
Total Workyears	405.0	417.4	416.5	-0.9

Program Project Description:

The Facilities Infrastructure and Operations program provides activities and support services in many centralized administrative areas at the EPA. Leaking Underground Storage Tank (LUST) appropriation for this program support a full range of ongoing facilities management services including rental payments for laboratory and office facilities, health and safety, environmental compliance, occupational health, medical monitoring, fitness, wellness, safety, environmental management functions, facilities maintenance and operations, security, space planning, shipping and receiving, property management, printing and reproduction, mail management, and transportation services. Funding is allocated among the major appropriations for the Agency.

FY 2013 Activities and Performance Plan:

The Agency will continue to manage its lease agreements with General Services Administration and other private landlords by conducting rent reviews and verifying that monthly billing statements are correct. The EPA will provide transit subsidy to eligible applicants as directed by Executive Order 13150[2] *Federal Workforce Transportation.* For FY 2013, the Agency is requesting a total of $0.64 million for rent in the LUST appropriation.

[2] Additional information available at http://ceq.eh.doe.gov/nepa/regs/eos/eo13150.html

Performance Targets:

Work under this program also supports performance results in the Facilities Infrastructure and Operations Program Project under the EPM appropriation and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$59.0) This change reflects the net effect of projected contractual rent increases, the rent reduction realized from space consolidation efforts, and a redirection of $41.0 from the Facilities Infrastructure and Operations program to the LUST Cooperative Agreements program.

- (-$7.0) This reflects a reduction in transit subsidy costs based on projected needs.

- (-$6.0) This reflects a reduction in resources for facilities operations in the regions.

Statutory Authority:

Federal Property and Administration Services Act; Public Building Act; annual Appropriations Acts; CWA; CAA; D.C. Recycling Act of 1988; Executive Orders 10577 and 12598; Homeland Security Presidential Decision Directive 63 (Critical Infrastructure Protection).

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$30,688.2	$33,175.0	$35,727.0	$2,552.0
Leaking Underground Storage Tanks	***$148.2***	***$163.0***	***$161.0***	***($2.0)***
Hazardous Substance Superfund	$23,672.0	$24,111.0	$25,961.0	$1,850.0
Total Budget Authority / Obligations	$54,508.4	$57,449.0	$61,849.0	$4,400.0
Total Workyears	353.4	357.0	353.5	-3.5

Program Project Description:

Leaking Underground Storage Tanks (LUST) resources in the Acquisition Management program support contract and acquisition management activities at headquarters, Regional offices, Research Triangle Park, and Cincinnati offices. Sound contract management fosters efficiency and effectiveness assisting all of the EPA's programs. The EPA focuses on maintaining a high level of integrity in the management of its LUST-related procurement activities.

FY 2013 Activities and Performance Plan:

In FY 2013, the Agency will continue to refine electronic government capabilities and enhance the education of its contract workforce. In addition, LUST resources will continue to support the full range of acquisition management activities for the underground tanks programs.

In FY 2013, acquisition management resources will enable the EPA to train and develop its acquisition workforce, and to strengthen its contractor training program—two efforts that mirror the President's guidelines for civilian agencies in the *Acquisition Workforce Development Strategic Plan for FY 2010-2014*. In addition, resources will support the recruitment, retention, and hiring of additional members of the acquisition workforce as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 401 et seq.). Acquisition management also will address information technology needs that support management and the acquisition workforce.

Performance Targets:

Work under this program supports the performance results in the Acquisition Management Program Project under the EPM appropriation and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$2.0) This change reflects a slight decrease in contractual expenses for procurement activities.

Statutory Authority:

EPA's Environmental Statutes; Annual Appropriations Acts; FAR; contract law. Office of Federal Procurement Policy Act, as amended (41 U.S.C. 401 et seq.)

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$85,541.1	$72,290.0	$78,817.0	$6,527.0
Leaking Underground Storage Tanks	***$1,093.7***	***$512.0***	***$509.0***	***($3.0)***
Hazardous Substance Superfund	$30,349.3	$21,632.0	$24,066.0	$2,434.0
Total Budget Authority / Obligations	$116,984.1	$94,434.0	$103,392.0	$8,958.0
Total Workyears	544.0	536.9	540.7	3.8

Program Project Description:

The EPA's financial management community maintains a strong partnership with the Leaking Underground Storage Tank (LUST) program. Activities under the Central Planning, Budgeting and Finance program support the management of integrated planning, budgeting, financial management, performance and accountability processes, and systems to ensure effective stewardship of resources. This includes developing, managing, and supporting a goals-based management system consistent with the Government Performance and Results Modernization Act (GPRMA) for the Agency that involves strategic planning and accountability for environmental, fiscal, and managerial results; providing policy, systems, training, reports, and oversight essential for the financial operations of the EPA; managing the Agencywide Working Capital Fund; providing financial payment and support services for the EPA through three finance centers, as well as specialized fiscal and accounting services for many EPA programs; and managing the Agency's annual budget process.

FY 2013 Activities and Performance Plan:

The Agency will continue to ensure sound financial and budgetary management of the LUST program through the use of routine and ad hoc analysis, statistical sampling, and other evaluation tools. In addition, more structured and more targeted use of performance measurement has led to a better understanding of program impacts as well as opportunities for improvement to increase effectiveness.

Since the implementation of the Improper Payments Information Act of 2002, the EPA has reviewed, sampled, and monitored its payments to protect against erroneous payments. The Agency consistently exceeds the government-wide performance goal of 2.5 percent, with an average error rate of less than 1 percent across all categories (grants, contracts, and

commodities). In FY 2013, the EPA will continue these activities to reduce the potential for improper payments pursuant to the Improper Payments Information Act of 2002 as amended, by the Improper Payments Elimination and Recovery Act of 2010 (IPERA), (P.L. 111-204).

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted (Dollars in Thousands):

- (-$15.0) This net decrease reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-0.3 FTE) This change reflects current utilization of FTE for financial management services.

- (+$12.0) This net increase in contracting provides a full year of maintenance costs for the Compass financial management system (formerly known as FSMP) which became operational in October 2011, and includes a reduction of $21.0 of contract resources to support LUST Cooperative Agreements.

Statutory Authority:

Annual Appropriations Act; CCA; Solid Waste Disposal Act, as amended by the Energy Policy Act, 42 U.S.C. 6901 et seq. Sections 9001 – 9011; CSA; E-Government Act of 2002; EFOIA; the EPA's Environmental Statutes, and the FGCAA; FAIR; Federal Acquisition Regulations, contract law and the EPA's Assistance Regulations (40CFR Parts 30, 31, 35, 40,45,46, 47); FMFIA (1982); FOIA; GMRA(1994); IPIA; IPERA (2010); IGA of 1978 and Amendments of 1988; PRA; PR; CFOA (1990); GPRA (1993); GPRMA (2010); The Prompt Payment Act (1982); Title 5 USC.

Program Area: Underground Storage Tanks (LUST / UST)

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$11,622.7	$12,846.0	$12,283.0	($563.0)
Leaking Underground Storage Tanks	***$13,926.8***	***$11,962.0***	***$11,490.0***	***($472.0)***
Total Budget Authority / Obligations	$25,549.5	$24,808.0	$23,773.0	($1,035.0)
Total Workyears	120.6	132.0	130.0	-2.0

Program Project Description:

These funds support EPA staff and extramural expenses used for Leaking Underground Storage Tank (LUST) cleanup efforts. The federal LUST program supports the oversight and implementation of LUST cleanup programs in states[3] and directly implements assessments and cleanups of contaminated sites in Indian country. The EPA ensures program efficiency and effectiveness, providing oversight, administrative and technical support of program activities, and leadership with respect to performance goals and financial accountability. The EPA also supports states and tribes by funding technical studies and analyses (e.g., innovative and environmentally friendly approach to corrective action), forums for information exchange, and training opportunities to continually make program implementation efficient and effective. Providing such support and training at the national level helps all states and tribes, without requiring duplicative effort across the country.

The EPA has primary responsibility for implementing the LUST program in Indian country, and will use a portion of its LUST funding for these activities, including funding the assessment and cleanup of orphaned/abandoned sites, which would otherwise have no other source of funding. With few exceptions, tribes do not have independent programmatic resources. Thus, the EPA's role is critical in ensuring the protection of Indian country.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will lead states in the continued development and implementation of backlog reduction strategies to reduce the remaining backlog of open, unaddressed releases. The EPA's Backlog Study[4] helped identify potentially promising strategies to address the many remaining cleanups. As of September 2011, 82.5 percent (or 413,740) of all reported leaks have been addressed, leaving a remainder of 87,983 old leaks that have not yet been cleaned up.[5] The

[3] States as referenced here also include Territories as described in the definition of "State" in the Solid Waste Disposal Act.
[4] See *The National LUST Cleanup Backlog: A Study Of Opportunities*, September 2011, http://www.epa.gov/OUST/cat/backlog.html
[5] Refer to Semi-Annual Report Of UST Performance Measures End Of Fiscal Year 2011 ((October 1, 2010 – September 30, 2011), dated November 2011; http://www.epa.gov/OUST/cat/ca_11_34.pdf

EPA, states, and tribes will build on the findings from the backlog study to refine and move forward with reducing the cleanup backlog. In partnership with state and tribal programs, backlog reduction strategies will leverage best practices and support management, oversight and enforcement activities at unaddressed LUST sites. These activities are central to the EPA's Integrated Cleanup Initiative.

The EPA provides national guidance on technical issues facing the LUST program. The EPA will continue in FY 2013 to seek ways to better characterize sites still requiring remediation and provide guidance and technical support regarding cleanup approaches and technologies. One area of particular focus is to support the development and implementation of petroleum vapor intrusion guidance, and to provide training to help investigators evaluate potential risk from this exposure pathway.

The EPA will also focus its efforts to monitor the soundness of financial mechanisms serving as financial assurance for LUST sites, including insurance and state cleanup funds. The Agency publicized guidance for overseeing state funds in January 2012[6] and is piloting the implementation of that guidance and evaluation tools. Starting in FY 2013, the EPA intends to begin annual reviews of all active state funds to assure that money is available for cleanups when needed. Given the difficult economic times, the EPA not only seeks to identify funding issues but also work collaboratively with states to seek ways to cover and control remediation costs and limit governmental liabilities.

In FY 2013, the EPA will continue to strive for improved engagement of local communities with stakeholder input in enhancing state and tribal public involvement of policies and processes. EPA developed several helpful documents for community engagement in the LUST program[7], and is working with states and tribes to share successful practices and tools that will help tailor community engagement to the specific circumstances at LUST sites.

To address leaking Underground Storage Tanks (USTs) in Indian country, the EPA will provide support for:

- Site assessments, investigations and remediation of high priority sites;
- Enforcement against responsible parties; cleanup of soil and/or groundwater;
- Alternate water supplies; Cost recovery against UST owners and operators;
- Technical expertise and assistance;
- Response activities;
- Oversight of responsible party lead cleanups; and
- Support and assistance to tribal governments.

[6] See http://www.epa.gov/oust/states/state-fund-soundness-guidance1-26-2012.pdf
[7] See http://www.epa.gov/oust/communityengagement/index.htm

Performance Targets:

Measure	(113) Number of LUST cleanups completed that meet risk-based standards for human exposure and groundwater migration in Indian Country.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	30	30	30	30	30	38	42	45	Cleanups
Actual	43	54	40	49	62	42			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$491.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$499.0 / -1.4 FTE) This change reflects both a decrease in FTE and associated payroll, and a decrease in extramural funding that provides grants to organizations that support states and tribes with training and other technical assistance and development. The reduction includes 1.4 FTE and associated payroll of $193.0.

- (-$464.0) This change will reduce the EPA extramural contract support for conducting cleanups in Indian country and is expected to reduce the number of site assessments and cleanups by about 5 – 10 percent of prior years' accomplishments[8].

Statutory Authority:

Solid Waste Disposal Act, as amended by the Energy Policy Act, 42 United States Code 6901 et seq. – Section 8001(a) and Sections 9001-9014.

[8] Over the past five years (FY2007-FY2011) EPA has completed an average of 49 cleanups per year in Indian country

LUST Cooperative Agreements

Program Area: Underground Storage Tanks (LUST / UST)
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Restore Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Leaking Underground Storage Tanks	***$64,459.5***	***$58,956.0***	***$57,402.0***	***($1,554.0)***
Total Budget Authority / Obligations	$64,459.5	$58,956.0	$57,402.0	($1,554.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The EPA provides Leaking Underground Storage Tank (LUST) cleanup resources to states[9] through cooperative agreements authorized under Section 9003(h) of the Solid Waste Disposal Act (SWDA) for the oversight and cleanup of petroleum releases from underground storage tanks (USTs). States in partnership with the EPA pursue assessments and cleanups of contaminated sites to protect human health and the environment. As of September 30, 2011, 413,740 reported releases have been addressed, leaving a backlog of 87,983 old leaks that have not yet been cleaned up[10]. Remediation costs average between $100 thousand and $400 thousand per UST release, depending on the presence of groundwater contamination. Eighty percent of the funds appropriated to the Agency for corrective action must be distributed to the States under cooperative agreements.[11] LUST corrective action funding awarded under Section 9003(h)(7) of the Solid Waste Disposal Act is subject to an annual, formula driven, allocation process developed by the Agency.

States are co-regulators, along with the EPA, of the LUST program. Federal grant dollars support state programs and the oversight of assessments and cleanups at LUST sites. States use LUST cleanup grant funds to administer state corrective action programs, oversee cleanups by responsible parties, and undertake necessary enforcement actions. Federal grants support the infrastructure of state LUST programs so that private and state resources can be applied to finance necessary field work. Field work includes determining the extent and degree of contamination, and removing or otherwise addressing the contamination associated with federally regulated tank releases. Forty states[12] have separate state LUST cleanup funds that pay for most of the field work for LUST cleanups. Collectively, states raise and spend $600 to $700 million annually[13] to support their state funds. These funds have taken on the liability for eligible tank owners within their states by serving as a financial assurance mechanism.

[9] States as referenced here also include Territories as described in the definition of "State" in the Solid Waste Disposal Act.
[10] Refer to Semi-Annual Report Of UST Performance Measures End Of Fiscal Year 2011 (October 1, 2010 – September 30, 2011), dated November 2011; http://www.epa.gov/OUST/cat/ca_11_34.pdf
[11] See the Energy Policy Act of 2005, http://www.gpo.gov/fdsys/pkg/PLAW-109publ58/html/PLAW-109publ58.htm
[12] There are 36 state funds that accept new releases and an additional 7 that have "sunset," meaning that they stopped accepting claims. Because the span of these "sunset" funds varies, the program has characterized this number as approximately 40 states.
[13] ASTSWMO State Fund Survey 2011
http://www.astswmo.org/Files/Policies_and_Publications/Tanks/2011_State_Funds_Survey/Summary_2011.pdf

Federal resources from the federal LUST Trust Fund also pay for cleanups in cases of an emergency and where a responsible party cannot be found or is unable to pay for a cleanup (i.e., orphaned or abandoned sites). In many states, there are no other funds available for this purpose. In cases where the responsible party is unwilling to pursue timely corrective action, the Fund can be used to pay for assessment and cleanup activities and support the state program's pursuit of cost recovery. When the LUST Trust Fund is used, tank owners/operators are liable to the state for costs incurred and are subject to cost recovery actions.[14]

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to administer Cooperative Agreements to the states to aid in the completion of LUST cleanups. Building upon EPA's recent Backlog Study[15], the EPA's LUST cleanup program will develop and implement backlog reduction strategies that are informed by the findings of the study. EPA, states and tribes will work together to identify and implement the most promising potential strategies. The program will focus on increasing the efficiency of LUST cleanups nationwide, leveraging private and state resources and enabling community redevelopment. Funds will support the management, oversight, and enforcement activities at unaddressed LUST sites. The backlog reduction efforts will leverage current best practices (e.g. remedy optimization) and disseminate such information among states, territories, and tribes. Backlog reduction efforts will target high priority sites and examine potential economies-of-scale savings from commonly owned or geographically proximate sites. These efforts support the Agency's Integrated Cleanup Initiative (ICI) to address a greater number of contaminated sites and accelerate cleanups.

Performance Targets:

Measure	**(112) Number of LUST cleanups completed that meet risk-based standards for human exposure and groundwater migration.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	13,600	13,000	13,000	12,250	12,250	12,250	11,250	10,100	Cleanups
Actual	14,493	13,862	12,768	12,944	11,591	11,169			

To improve the LUST program and better monitor the impact of exposures on human health, the EPA created a long-term performance measure that counts the number of completed cleanups that meet risk-based standards for human exposure and groundwater migration. In FY 2011, 11,169 sites met these standards, 1,081 fewer sites than the FY 2011 target. This reduction is attributed to the complexity of remaining sites, increased state staff workload in a fiscally constrained/reduced economic environment, a decrease in available state resources and the increasing cost of cleanups. In FY 2013, the EPA has set a goal of 10,100 cleanups achieving these standards, a decrease from the FY 2012 target of 11,250. Additionally, the downward adjustment is attributed to the completion of 1,000 Recovery Act-funded sites in FY 2011.

[14] Refer to http://www.epa.gov/OUST/ltffacts.htm
[15] See *The National LUST Cleanup Backlog: A Study Of Opportunities*, September 2011, http://www.epa.gov/oust/cat/backlog.html

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$1,554.0) This change reflects a reduction in funding available for cooperative agreements for LUST cleanup activities and will result in approximately 150 fewer cleanups in FY 2013. This is based on an EPA estimate that states can either directly fund or oversee approximately 100 sites for every $1 million in grant funding. This is based on conversations with states regarding their use of the funding, and the relative impact of funding increases or decreases.

Statutory Authority:

SWDA of 1976, as amended by the Superfund Amendments and Reauthorization Act of 1986 (Subtitle I), Section 9003(h)(7).

LUST Prevention

Program Area: Underground Storage Tanks (LUST / UST)
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Preserve Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Leaking Underground Storage Tanks	***$37,093.9***	***$30,449.0***	***$32,430.0***	***$1,981.0***
Total Budget Authority / Obligations	$37,093.9	$30,449.0	$32,430.0	$1,981.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The EPA provides Leaking Underground Storage Tank (LUST) assistance agreements to states[16] and tribal partners to prevent releases from underground storage tanks (USTs) thereby reducing cleanup costs and protecting human health and the environment. Preventing petroleum releases into the environment has been one of the primary goals of the Underground Storage Tank (UST) program since its inception. The EPA and its partners have made major progress in reducing the number of new releases, but thousands of new releases are still discovered each year. A main cause of these releases is the lack of proper operation and maintenance of UST systems, which is why the EPA proposed revisions to the UST regulations in FY 2012 that address these and other important issues[17].

As of September 30, 2011, there were approximately 590 thousand federally-regulated active USTs at approximately 212 thousand sites across the country, which are regulated by the UST technical regulations, and of these active tanks, 70.9 percent were in significant operational compliance with both the release prevention and leak detection requirements[18]. This means that almost 30 percent of tanks were not in compliance and considerable work remains.

The passage of the Energy Policy Act of 2005 (EPAct) and the concurrent funding provided to implement the requirements of the EPAct continue to yield a number of tangible results across the UST program. The EPAct authorized the use of appropriations from the LUST Trust Fund for assistance agreements to states for inspections and other release prevention and compliance assurance activities. In addition, assistance agreements to tribes can support the development and implementation of programs (e.g., inspection capacity) and to work towards improving compliance of USTs in Indian country[19].

With LUST assistance agreements and authorities, states continue to work toward meeting their mandatory three year inspection cycle for all their tanks. Prior to the EPAct, some states were averaging 10 years or more between inspections. The Agency continues to see an increase in compliance and a continued decrease in releases. In FY 2011, the Agency set an annual target of

[16] States as referenced here also include Territories as described in the definition of "State" in the Solid Waste Disposal Act.
[17] See http://www.gpo.gov/fdsys/pkg/FR-2011-11-18/pdf/2011-29293.pdf
[18] See definition of significant operational compliance http://www.epa.gov/oust/cat/PMDefinitions.pdf
[19] See http://www.epa.gov/OUST/fedlaws/Tribal%20Strategy_080706r.pdf.

reducing the number of confirmed releases at UST facilities to less than 8,550 releases, a five percent improvement over the FY 2010 target. In FY 2011 5,998 new releases were reported.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to provide assistance agreements to states and tribes, and intertribal consortia for activities authorized by the EPAct.[20] States rely primarily on federally funded assistance agreements to maintain inspection frequency, and to ensure compliance and decrease confirmed releases. LUST assistance agreements may be used by States for inspections and other release prevention and compliance assurance activities for federally-regulated USTs, as well as for enforcement activities related to release prevention. Funding for these assistance agreements is subject to an annual, formula driven, allocation process developed by the Agency

A main cause of releases is the lack of proper operation and maintenance of UST systems, which is why the EPA proposed revisions to the UST regulations in FY 2012 that address these and other important issues[21]. Any changes that result from a final rule[22] will require subsequent state adoption, applicable updates to state regulations, and updates to state program approval. This could require substantial work from EPA and states in FY2013.

Major activities in FY 2013 will include core program priorities such as inspecting UST facilities to meet the three-year inspection requirement, and assisting states in adopting measures (e.g., delivery prohibition, secondary containment, operator training, etc.), as required by the EPAct and the EPA's grant guidelines. These activities are geared toward bringing UST systems into compliance with release detection and release prevention requirements and minimizing future releases.

Because the EPA is responsible for implementation of the UST regulations on tribal lands, the LUST assistance agreements will provide assistance with all aspects of the tribal prevention programs (e.g., developing inspection capacity). To help prevent future releases, the EPA will work with tribes to develop their capacity to administer UST programs, such as providing funding to support training for tribal staff and educating owners and operators in Indian country about UST requirements. With few exceptions, tribes do not have independent programmatic resources. Thus, the EPA's funding is critical in advancing the UST prevention and compliance program in Indian Country.

[20] Refer to http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_public_laws&docid=f:publ058.109.pdf (scroll to Title XV - Ethanol And Motor Fuels, Subtitle B – Underground Storage Tank Compliance, on pages 500-513 of the pdf file).
[21] See http://www.gpo.gov/fdsys/pkg/FR-2011-11-18/pdf/2011-29293.pdf
[22] See Federal Register Proposed Rule: *Revising Underground Storage Tank Regulations—Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training*, November 18, 2011, http://www.gpo.gov/fdsys/pkg/FR-2011-11-18/pdf/2011-29293.pdf

Performance Targets:

Measure	(ST6) Increase the percentage of UST facilities that are in significant operational compliance (SOC) with both release detection and release prevention requirements by 0.5% over the previous year's target.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	66	67	68	65	65.5	66	66.5	67	Percent
Actual	62	63	66	66	69	71			

Work under this program also supports performance results in Categorical Grant: Underground Storage Tanks and the performance measures can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$1,981.0) This increase reflects funds available for assistance agreements to the states for the purpose of carrying out the LUST prevention program.

Statutory Authority:

Solid Waste Disposal Act, as amended, 42 U.S.C. 6901 et seq. – Sections 9001-9011 and Energy Policy Act of 2005 42 USC 15801 – Section 1529.

Program Area: Research: Sustainable Communities

Research: Sustainable and Healthy Communities

Program Area: Research: Sustainable Communities
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	$192,436.1	$170,741.0	$165,730.0	($5,011.0)
Leaking Underground Storage Tanks	***$501.6***	***$396.0***	***$490.0***	***$94.0***
Oil Spill Response	$1,204.3	$613.0	$618.0	$5.0
Hazardous Substance Superfund	$21,347.9	$17,677.0	$17,798.0	$121.0
Total Budget Authority / Obligations	$215,489.9	$189,427.0	$184,636.0	($4,791.0)
Total Workyears	627.9	612.7	620.9	8.2

Program Project Description:

The Sustainable and Healthy Communities Research Program (SHCRP) focuses on the assessment and cleanup of leaks at fueling stations. Research emphasizes identifying the environmental impacts of existing and new biofuels coming into the marketplace, including unintended consequences. The EPA's research program provides the scientific foundation for Agency actions to protect America's land and groundwater resources impacted by the nation's over 600 thousand underground fuel storage tanks. The purpose of the Leaking Underground Storage Tank (LUST) component of EPA research is the prevention and control of pollution at LUST sites. This work is of high importance to state environmental programs.

The EPA recognizes that efforts focused on assessing and reducing environmental risks are not enough to address the needs of the United States in the increasingly complex 21st Century. As international organizations adapt to these social, environmental, and economic issues, the EPA is simultaneously integrating these key factors into all aspects of the Agency's work. To this end, the EPA will use more sophisticated and transdisciplinary approaches to solve the crosscutting challenges that its current approaches cannot.

FY 2013 Activities and Performance Plan:

FY 2013 research under the SHCRP will continue to focus on providing decision makers with tools, methods, and information to assess and evaluate the implications of alternative remediation techniques, policies, and management actions, and to identify indicators to measure results. Specifically, the SHCRP will conduct research on contaminated sites under the LUST appropriation. This research will support improved characterization and remediation of contaminated sites with the intent of reducing human and ecological impacts at an accelerated pace, at lower cost, and with the intent of returning properties to productive use that enhances communities.

Working with the EPA's Underground Storage Tanks program, this research program will deliver improved characterization and remediation methods for fuels released from leaking underground storage tanks. Fuel component transport and biodegradation are influenced by today's higher ethanol content in automotive fuels. The research will address contaminant plume elongation and the attendant risks to communities from the many underground storage tanks at fueling stations located in close proximity to residences and residential water supplies. A tool will be developed to assist communities and states in assessing the remediation that needs to be conducted to protect local ground water resources. This will ultimately reduce costs to communities while ensuring future water resources.

Performance Targets:

Work under this program also supports performance results in SHCRP Science & Technology and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$17.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$77.0) This reflects the net result of realignments of infrastructure resources such as equipment purchases and repairs, travel, contracts, and general expenses to better align with programmatic priorities.

Statutory Authority:

Hazardous and Solid Waste Amendments of 1984; Resource Conservation and Recovery Act, Subtitle I, Leaking Underground Storage Tank (LUST) Trust Fund; Energy Policy Act of 2005; Safe Drinking Water Act, Section 1442. 42 U.S.C. 300j-1; Solid Waste and Disposal Act, Section 8001, as amended; Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901; Solid Waste Disposal Act (SWDA), 42 U.S.C. 6901 - Section 1002, 42 U.S.C. 6905 - Section 1006; Solid Waste Disposal Act, Section 8001. 42 U.S.C. 6981.

Table of Contents - Oil Spill

Environmental Protection Agency
FY 2013 Annual Performance Plan and Congressional Justification

APPROPRIATION: Oil Spill Response
Resource Summary Table

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Oil Spill Response				
Budget Authority	$19,680.7	$18,245.0	$23,531.0	$5,286.0
Total Workyears	110.4	101.0	118.5	17.5

Bill Language: Inland Oil Spill Programs

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $23,531,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012.)

Program Projects in Oil Spills

(Dollars in Thousands)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Compliance				
Compliance Assistance and Centers	$5.4	$0.0	$0.0	$0.0
Compliance Monitoring	$111.2	$138.0	$142.0	$4.0
Subtotal, Compliance	$116.6	$138.0	$142.0	$4.0
Enforcement				
Civil Enforcement	$2,209.6	$2,286.0	$2,968.0	$682.0
Oil				
Oil Spill: Prevention, Preparedness and Response	$15,630.7	$14,673.0	$19,290.0	$4,617.0
Operations and Administration				
Facilities Infrastructure and Operations				
Rent	$437.0	$437.0	$426.0	($11.0)
Facilities Infrastructure and Operations (other activities)	$82.5	$98.0	$87.0	($11.0)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Subtotal, Facilities Infrastructure and Operations	$519.5	$535.0	$513.0	($22.0)
Subtotal, Operations and Administration	$519.5	$535.0	$513.0	($22.0)
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	$1,204.3	$613.0	$618.0	$5.0
Subtotal, Research: Sustainable and Healthy Communities	$1,204.3	$613.0	$618.0	$5.0
TOTAL, EPA	$19,680.7	$18,245.0	$23,531.0	$5,286.0

Program Area: Compliance

Compliance Monitoring
Program Area: Compliance
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$109,266.9	$106,707.0	$125,209.0	$18,502.0
Oil Spill Response	***$111.2***	***$138.0***	***$142.0***	***$4.0***
Hazardous Substance Superfund	$1,192.5	$1,221.0	$1,223.0	$2.0
Total Budget Authority / Obligations	$110,570.6	$108,066.0	$126,574.0	$18,508.0
Total Workyears	624.1	626.7	634.5	7.8

Program Project Description:

The EPA's Compliance Monitoring program includes a range of activities and tools designed to improve compliance with environmental laws. Regulated entities, federal agencies, and the public benefit from easy access to tools that help them understand these laws and find efficient, cost-effective means for putting them into practice.

This portion of the Compliance Monitoring program is designed to prevent oil spills. The program uses compliance and civil enforcement tools and strategies to prepare for and respond to any oil spill affecting the inland waters of the United States.

FY 2013 Activities and Performance Plan:

Pursuant to the Clean Water Act (CWA) Section 311 (oil spill and hazardous substances) requirements, the Agency will continue in FY 2013 to provide compliance assistance to regulated entities. The program will assist them in understanding their legal requirements under the CWA and provide them with cost effective compliance strategies to help prevent oil spills.

There is currently a universe of over 600 thousand Spill Prevention, Control, and Countermeasure (SPCC) regulated facilities under the EPA's purview, including a subset of roughly 4,300 facilities that are subject to Facility Response Plan (FRP) requirements. The EPA ensures that the management and oversight of the enforcement and compliance program is enhanced by the integration of information from the FRP and SPCC data systems with the EPA's Integrated Compliance Information System (ICIS). This integration provides the EPA the opportunity to effectively analyze enforcement and compliance resources on areas of high risk, and increase the transparency of this enforcement and compliance data to the public.

Performance Targets:

Work under this program supports performance results in the Compliance Monitoring program project in the Environmental Programs and Management (EPM) appropriation and can be found in the Performance Eight-Year Array in Tab 11. Work under this program project supports the Agency's Priority Goal, addressing water quality (specified in full in Appendix A).

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$3.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$1.0) This reflects a small increase in support for compliance tools assisting in oil spill prevention.

Statutory Authority:

OPA; CWA; CERCLA; PPA; NEPA; PHSA; DREAA; SDWA; Executive Order 12241; Executive Order 12656.

Program Area: Enforcement

Civil Enforcement
Program Area: Enforcement
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$179,391.2	$177,290.0	$188,957.0	$11,667.0
Leaking Underground Storage Tanks	$644.0	$789.0	$792.0	$3.0
Oil Spill Response	***$2,209.6***	***$2,286.0***	***$2,968.0***	***$682.0***
Hazardous Substance Superfund	$4.4	$0.0	$0.0	$0.0
Total Budget Authority / Obligations	$182,249.2	$180,365.0	$192,717.0	$12,352.0
Total Workyears	1,203.9	1,205.1	1,205.7	0.6

Program Project Description:

This portion of the Civil Enforcement program is designed to prevent oil spills using civil enforcement and compliance assistance approaches, as well as to prepare for and respond to any oil spills affecting the inland waters of the United States. Pursuant to Clean Water Act Section 311 (Oil Spill and Hazardous Substances) requirements, the EPA's Civil Enforcement program will develop policies, issue administrative cleanup orders, refer civil judicial actions to the Department of Justice, assess civil penalties for violations of those orders or for spills into the environment, provide compliance assistance to regulated entities to assist them in understanding their legal requirements under the Clean Water Act, and assist in the recovery of cleanup costs expended by the government. The program provides support for field investigations and inspections of spills, as well as Spill Prevention, Control, and Countermeasure (SPCC) compliance assistance.

FY 2013 Activities and Performance Plan:

In FY 2013, the Civil Enforcement program will continue efforts to ensure compliance to prevent oil spills. These efforts are particularly critical given the number of SPCC regulated facilities (over 600 thousand facilities) and the comparatively modest number of inspection and enforcement personnel. The Agency's efforts will be focused on high-risk facilities with the greatest potential to impact public health and the environment. Many of these facilities are offshore or over water, which requires a large investment of enforcement resources to follow up on violations discovered during complex inspections or enforcement investigations. Travel costs are requested for facility oversight and meeting coordination with other regulatory agencies (e.g., U.S. Coast Guard, U.S. Fish & Wildlife Service). Additionally, the EPA will address violations related to facility response plans and response planning.

The EPA's response to the Deepwater Horizon oil spill will continue in FY 2013 as we provide primary support for the U.S. Department of Justice's civil action against BP, Anadarko, and others responsible for the Deepwater Horizon oil spill. The Department of Justice filed its

complaint on behalf of the EPA, the U.S. Coast Guard and other federal plaintiffs in December 2010. The EPA is actively participating in this litigation, responding to discovery requests, document production, requests for admission, and other litigation-related activities. This litigation is expected to continue throughout FY 2012 and into FY 2013.

Performance Targets:

Work under this program supports the performance measures in the Civil Enforcement program project under EPM. These measures can also be found in the Performance Eight-Year Array in Tab 11. Work under this program project supports the Agency's Priority Goal of addressing water quality. A list of the Agency's Priority Goals can be found in Appendix A.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$336.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (+$346.0 / +0.8 FTE) This increase is provided for Deepwater Horizon litigation support discovery management, and the continuing civil investigation against existing and potential additional defendants. The additional resources include $122.0 associated payroll for 0.8 FTE. Existing resources for oil spill investigations are limited and cannot adequately support the resource demands of the Deepwater Horizon case.

Statutory Authority:

OPA; CWA; CERCLA; NEPA; Pollution Prosecution Act.

Program Area: Oil

Oil Spill: Prevention, Preparedness and Response
Program Area: Oil
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Restore Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Oil Spill Response	***$15,630.7***	***$14,673.0***	***$19,290.0***	***$4,617.0***
Total Budget Authority / Obligations	$15,630.7	$14,673.0	$19,290.0	$4,617.0
Total Workyears	94.5	82.8	99.5	16.7

Program Project Description:

The Oil Spill program protects U.S. waters by preventing, preparing for, and responding to oil spills. The EPA conducts oil spill prevention, preparedness, compliance assistance and enforcement activities associated with more than 600 thousand non-transportation-related oil storage facilities that the EPA regulates through its spill prevention program. The Spill Prevention, Control and Countermeasures (SPCC) regulation and the Facility Response Plan (FRP) regulation establish the Oil Spill program prevention regulatory framework. The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the framework for some of the EPA's preparedness responsibilities, such as the development of Area Contingency Plans (ACPs). The EPA has responsibility for Subpart J of the NCP regulation, which includes a Product Schedule that lists bioremediation, dispersants, surface washing, surface collection and other agents that may be used to remediate oil spills. Finally, pursuant to the NCP, the EPA serves as the lead responder for cleanup of all inland zone spills, including transportation-related spills from pipelines, trucks, and other transportation systems.

The discharge of oil into U.S. waters from facilities can threaten human health, cause severe environmental damage, and induce great financial loss to businesses at all levels of government and the public. For example, the Deepwater Horizon (DWH) oil spill disaster resulted in 11 deaths, over 200 million gallons of spilled oil, and untold economic and environmental damage. States and communities often lack the infrastructure and resources to address these national level emergencies or to work with oil facilities to prevent these discharges from happening in the first place.

The EPA accesses the Oil Spill Liability Trust Fund, administered by the U.S. Coast Guard, to obtain reimbursement for site-specific spill response activities. More than thirty thousand oil discharges and hazardous substance releases occur in the U.S. every year, with a large number of these spills occurring in the inland zone for which the EPA has jurisdiction. The EPA regional offices respond to about two hundred of these oil spills each year. On average, one spill of greater than one hundred thousand gallons occurs every month from the EPA-regulated oil storage facilities and the inland oil transportation network. For more information, refer to http://www.epa.gov/oilspill/.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to conduct inspections to (1) ensure appropriate and effective prevention measures, (2) review and approve FRPs which document facilities' plans and ability to respond to spills, (3) conduct exercises to maintain a coordinated level of preparedness, and (4) work to revise and update existing regulations and processes that better characterize the regulated universe and address risk.

As a result of DWH lessons learned, the EPA is focusing on revisions to Subpart J of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) that stipulates the criteria for listing and managing the use of dispersants and other chemical and biological agents used to mitigate oil spills. The EPA will continue to analyze potential revisions to Subpart J and comments from stakeholders in order to:

- Incorporate the latest scientific knowledge This includes the expansion of efficacy and toxicity testing for dispersants and bio-agents, as well as for other oil spill mitigating products that address environmental toxicity;

- Develop new protocols and methods to address the bioaccumulation and degradation of surfactants and solvents found in many NCP products; and

- Expand the provisions on how products are delisted.

The EPA will continue the work with state, local, tribal, and federal officials to strengthen Area Contingency Plans (ACPs) and Regional Contingency Plans. These enhancements will include the following:

- Revising guidance to better ensure consistency and improving plans based on experience such as the DWH and other large and small oil spills;

- Further discussion and coordination at National Response Team (NRT) and Regional Response Teams (RRTs) meetings; and

- Conducting more enhanced preparedness exercises.

Comprehensive FRP and SPCC data maintained in the National Oil Database will be an important enhancement for the Plans and related exercises. The ACPs detail the responsibilities of various parties in the event of a spill/release, describe unique geographical features, sensitive ecological resources, drinking water intakes for the area covered, and identify available response equipment and its location.

The Plans also provide key information to responders and all stakeholders regarding potential impacts and potential options available to OSCs and responders; this includes the highest priority resources to protect, potential mechanical or chemical countermeasure response options, and other resource considerations. Additionally, the EPA and U.S. Coast Guard will continue to collaborate with the NRT and RRTs to review and revise ACPs to reflect lessons learned during the DWH response and other relevant oil spill responses.

In FY 2013, the Agency is requesting additional funding to increase the number of inspectors in the oil program and to protect the integrity of the oil storage network. To achieve this, the Agency will conduct targeted assessment of high-risk facilities, implement a plan for third party audits, and leverage technology to aid in the development of a National Oil database.

The EPA will focus on inspections of regulated high-risk oil facilities to better implement prevention approaches. Trained EPA inspectors will utilize their skills to review, audit, and analyze all aspects of the complicated processes at these high-risk facilities. The EPA will also begin deployment of the third party audit program to help improve the efficiency of targeting inspection resources. These third party audits will target facilities that are not high-risk with the intent to reach a greater number of facilities than under the current inspection protocol.

In FY 2013, the EPA will establish a National Oil Database to help streamline the process for assisting facilities with compliance, to better equip inspectors for more efficient inspection processes, and inform program management and measurement activities. The lack of facility data and program effectiveness measurement has been a criticism of recent GAO/OMB audits and this database directly addresses these concerns. The EPA will finalize development and begin implementation of this National Oil Database which will include identifying requirements for electronic submission of FRPs. FRP facilities are currently required to submit their Plans to the EPA Regional offices, while SPCC facilities maintain their Plans onsite. The largest oil storage facilities and refineries must prepare FRPs to identify response resources and ensure their availability in the event of a worst case discharge. FRPs establish communication, address security, identify an individual with authority to implement response actions, and describe training and testing drills at the facility.

The database will also manage information obtained from new and historical SPCC inspections in an effort to supplement data from states and other sources about the SPCC regulated universe in lieu of a costly registration requirement. The EPA will continue to develop guidance for Oil Spill program inspectors on how to properly utilize and manage this database and ensure consistent data entry. The National Oil Database will be the primary implementation tool used to maintain data and measure program efficacy.

Performance Targets:

Measure	**(337) Percent of all FRP inspected facilities found to be non-compliant which are brought into compliance.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target					15	30	35	40	Percent
Actual					48	48			

Measure	**(338) Percent of all SPCC inspected facilities found to be non-compliant which are brought into compliance.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target					15	30	35	40	Percent
Actual					36	45			

The EPA's regulated universe includes approximately 4,500 FRP facilities and over 600,000 SPCC facilities. In FY 2013, the EPA's goal is that 40 percent of FRP facilities found to be non-compliant during FY 2010 through FY 2012 will be brought into compliance by the end of the fiscal year. The EPA will emphasize emergency preparedness, particularly through the use of unannounced drills and exercises, to ensure facilities and responders can effectively implement response plans. Similar to the FRP measure mentioned above, the EPA's goal is that 40 percent of SPCC facilities found to be non-compliant during FY 2010 through FY 2012 will be brought into compliance by the end of FY 2013.

The Agency is on track to meet its current long-term oil strategic plan measure of bringing 60 percent of facilities into compliance by the end of FY 2015 (both SPCC and FRP).

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$487.0) This recalculation of base workforce costs and a cost of living adjustment for existing FTEs.

- (+$4,130.0 / +16.7 FTE) The increase will support FRP (high-risk) inspections, develop the third party audit program and establish a National Oil Database. With the additional resources, barring any unforeseen national disaster and/or responses of national significance in FY 2013, the funding request will allow an additional 130 FRP inspections. These resources include $2,255.0 associated payroll for 16.7 FTE.

Statutory Authority:

Section 311 of the Federal Water Pollution Control Act as amended by section 4202 of the Oil Pollution Act of 1990 (OPA). The regulatory framework includes National Oil and Hazardous Substances Pollution Contingency Plan (NCP) under 40 CFR Part 300. Subpart J is a section of the NCP which stipulates the criteria for listing and managing the use of dispersants and other chemical and biological agents used to mitigate oil spills. The Oil Pollution Prevention regulation (40 CFR Part 112) includes the SPCC and FRP regulatory requirements. The purpose of the SPCC requirements is to help facilities *prevent* a discharge of oil into navigable waters or adjoining shorelines while the focus of the FRP requirements is to prepare a plan that describes equipment, personnel and strategies to *respond* to an oil discharge to navigable waters or adjoining shorelines.

Program Area: Operations and Administration

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$320,540.2	$319,777.0	$331,316.0	$11,539.0
Science & Technology	$69,436.1	$72,019.0	$75,485.0	$3,466.0
Building and Facilities	$30,254.7	$29,326.0	$33,931.0	$4,605.0
Leaking Underground Storage Tanks	$903.0	$915.0	$843.0	($72.0)
Oil Spill Response	***$519.5***	***$535.0***	***$513.0***	***($22.0)***
Hazardous Substance Superfund	$80,056.2	$80,541.0	$79,622.0	($919.0)
Total Budget Authority / Obligations	$501,709.7	$503,113.0	$521,710.0	$18,597.0
Total Workyears	405.0	417.4	416.5	-0.9

Program Project Description:

The Facilities Infrastructure and Operations Program Inland Oil Spill Response appropriation supports a wide range of activities and services within many centralized administrative areas such as facility operations, rental of office and laboratory space, security, health and safety, environmental compliance, space planning, property management, occupational health, and medical monitoring functions at the EPA. Funding is allocated among the major appropriations for the Agency.

FY 2013 Activities and Performance Plan:

The Agency will continue to manage its lease agreements with the General Services Administration and other private landlords by conducting rent reviews and verifying that monthly billing statements are correct. The EPA will continue to provide transit subsidy to eligible applicants as directed by Executive Order 13150 *Federal Workforce Transportation*. For FY 2013, the Agency is requesting a total of $0.43 million for rent in the Inland Oil Spills appropriation.

Performance Targets:

Work under this program supports the performance results in the Facilities Infrastructure and Operations Program Project under the EPM appropriation and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$11.0) This change reflects a reduction in transit subsidy costs based on projected needs.

- (-$11.0) This change is the net effect of projected contractual rent increases and the rent reduction realized from space consolidation efforts.

Statutory Authority:

Federal Property and Administration Services Act; Public Building Act; Annual Appropriations Act; CWA; CAA; D.C. Recycling Act of 1988; Executive Orders 10577 and 12598; Department of Justice United States Marshals Service, Vulnerability Assessment of Federal Facilities Report; Presidential Decision Directive 63 (Critical Infrastructure Protection).

Program Area: Research: Sustainable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Science & Technology	$192,436.1	$170,741.0	$165,730.0	($5,011.0)
Leaking Underground Storage Tanks	$501.6	$396.0	$490.0	$94.0
Oil Spill Response	***$1,204.3***	***$613.0***	***$618.0***	***$5.0***
Hazardous Substance Superfund	$21,347.9	$17,677.0	$17,798.0	$121.0
Total Budget Authority / Obligations	$215,489.9	$189,427.0	$184,636.0	($4,791.0)
Total Workyears	627.9	612.7	620.9	8.2

Program Project Description:

The Sustainable and Healthy Communities Research Program (SHCRP) seeks to protect human and ecosystem health from the negative impacts of oil spills. The EPA is the lead Federal on-scene coordinator for inland oil spills with responsibilities for oil spill preparedness and response and associated research. The EPA's research, planned in concert with our sister agencies, supports the EPA's lead role in developing protocols for testing spill response products and agents, and develops and evaluates response approaches involving dispersants, bioremediation, and other additives. Other agencies address booms, skimmers, and other engineering responses.

The EPA recognizes that efforts focused on assessing and reducing environmental risks, alone, do not fully address the needs of the United States in the increasingly complex 21st Century. As international organizations adapt to these social, environmental, and economic issues, the EPA is simultaneously integrating these key factors into all aspects of the Agency's work. To this end, the EPA will use more sophisticated and transdisciplinary approaches to solve these crosscutting challenges.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to strengthen its planning and delivery of science for the SHCRP through implementation of integrated transdisciplinary research to assess oil spill issues from a systems perspective.

There are two main problem areas where this perspective will be applied in FY 2013. First, the EPA will continue to develop or revise protocols to test oil spill control agents or products for listing on the National Contingency Plan (NCP) Product Schedule and other activities deemed necessary by the EPA's Emergency Management program. Second, the Agency will continue to conduct studies on the effectiveness of bioremediation of petroleum-based oil, vegetable oil, and biodiesels. EPA anticipates conducting research on dispersants performance and behavior in deep water and arctic spills in collaboration with the Department of the Interior's Bureau of

Ocean Energy Management, Regulation and Enforcement (BOEMRE) and Canada's Department of Fisheries and Oceans.

Performance Targets:

Work under this program also supports performance results in SHCRP Science & Technology and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$22.0) This increase reflects the recalculation of base workforce costs and a cost of living adjustment for existing FTE.

- (-$17.0) This reflects the net result of realignments of infrastructure resources such as equipment purchases and repairs, travel, contracts, and general expenses to better align with programmatic priorities.

Statutory Authority:

Oil Pollution Act, 33 U.S.C. §2701 et seq.; Clean Water Act (CWA), §311, 33 U.S.C. §1321.

Table of Contents - State and Tribal Assistance Grants

Environmental Protection Agency
FY 2013 Annual Performance Plan and Congressional Justification

APPROPRIATION: State and Tribal Assistance Grants
Resource Summary Table

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants				
Budget Authority	$4,555,997.5	$3,612,937.0	$3,355,723.0	($257,214.0)
Total Workyears	0.0	0.0	0.0	0.0

Bill Language: State and Tribal Assistance Grants

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,355,723,000, to remain available until expended, of which $1,175,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the "Act"); of which $850,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended: Provided, That for fiscal year 2013, to the extent there are sufficient eligible project applications, not less than 20 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: Provided further, That for fiscal year 2013, not less than 10 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities; $10,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $10,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: Provided further, That, of these funds: (1) the State of Alaska shall provide a match of 25 percent; and (2) no more than 5 percent of the funds may be used for administrative and overhead expenses; $93,291,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs: Provided further, That not more than 25 percent of the amount appropriated to carry out section 104(k) of CERCLA shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II) of CERCLA; $15,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005, as amended; and $1,202,432,000 shall be for grants, including associated program support costs, to States, federally recognized Tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under

this heading in Public Law 104-134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which $47,572,000 shall be for carrying out section 128 of CERCLA, as amended, $15,200,000 shall be for Environmental Information Exchange Network grants, including associated program support costs, $18,500,000 of the funds available for grants under section 106 of the Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs, $15,000,000 of the funds available for grants under section 106 of the Act shall be awarded to States to achieve nutrient reductions, and, in addition to funds appropriated under the heading "Leaking Underground Storage Tank Trust Fund Program" to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act, as amended, $1,490,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, as amended: Provided further, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2013 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2013, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to federally recognized Indian tribes pursuant to sections 319(h) and 518(e) of that Act: Provided further, That for fiscal year 2013, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act and section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: Provided further, That for fiscal year 2013, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Clean Water Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: Provided further, That for fiscal year 2013, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: Provided further, That not more than 30 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act, except that for the Clean Water State Revolving Fund capitalization grant appropriation this section shall only apply to the portion that exceeds $1,000,000,000: Provided further, That no funds provided by this appropriations Act to address

the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012.)

Program Projects in STAG

(Dollars in Thousands)

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants (STAG)				
Infrastructure Assistance: Clean Water SRF	$1,936,433.5	$1,466,456.0	$1,175,000.0	($291,456.0)
Infrastructure Assistance: Drinking Water SRF	$1,101,827.8	$917,892.0	$850,000.0	($67,892.0)
Infrastructure Assistance: Alaska Native Villages	$10,327.2	$9,984.0	$10,000.0	$16.0
Brownfields Projects	$106,685.8	$94,848.0	$93,291.0	($1,557.0)
Clean School Bus Initiative	$35.2	$0.0	$0.0	$0.0
Diesel Emissions Reduction Grant Program	$53,586.9	$29,952.0	$15,000.0	($14,952.0)
Targeted Airshed Grants	$10,000.0	$0.0	$0.0	$0.0
Infrastructure Assistance: Mexico Border	$14,669.1	$4,992.0	$10,000.0	$5,008.0
Subtotal, State and Tribal Assistance Grants (STAG)	$3,233,565.5	$2,524,124.0	$2,153,291.0	($370,833.0)
Categorical Grants				
Categorical Grant: Beaches Protection	$11,001.3	$9,864.0	$0.0	($9,864.0)
Categorical Grant: Brownfields	$51,185.5	$49,317.0	$47,572.0	($1,745.0)
Categorical Grant: Environmental Information	$9,950.4	$9,964.0	$15,200.0	$5,236.0
Categorical Grant: Hazardous Waste Financial Assistance	$111,206.3	$102,974.0	$103,412.0	$438.0
Categorical Grant: Homeland Security	$637.1	$0.0	$0.0	$0.0
Categorical Grant: Lead	$15,599.4	$14,512.0	$14,855.0	$343.0
Categorical Grant: Local Govt Climate Change	$10,499.5	$0.0	$0.0	$0.0
Categorical Grant: Nonpoint Source (Sec. 319)	$201,615.8	$164,493.0	$164,757.0	$264.0
Categorical Grant: Pesticides Enforcement	$19,930.9	$18,644.0	$19,085.0	$441.0
Categorical Grant: Pesticides Program Implementation	$13,807.8	$13,119.0	$13,140.0	$21.0
Categorical Grant: Pollution Control (Sec. 106)				
Monitoring Grants	$15,402.5	$18,433.0	$18,500.0	$67.0
Categorical Grant: Pollution Control (Sec. 106) (other activities)	$237,114.3	$219,970.0	$246,764.0	$26,794.0

Program Project	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Subtotal, Categorical Grant: Pollution Control (Sec. 106)	$252,516.8	$238,403.0	$265,264.0	$26,861.0
Categorical Grant: Pollution Prevention	$5,685.0	$4,922.0	$5,039.0	$117.0
Categorical Grant: Public Water System Supervision (PWSS)	$109,387.1	$105,320.0	$109,700.0	$4,380.0
Categorical Grant: Radon	$8,720.0	$8,045.0	$0.0	($8,045.0)
Categorical Grant: State and Local Air Quality Management	$249,061.4	$235,729.0	$301,500.0	$65,771.0
Categorical Grant: Sector Program	$1,879.2	$0.0	$0.0	$0.0
Categorical Grant: Targeted Watersheds	$780.3	$0.0	$0.0	$0.0
Categorical Grant: Toxics Substances Compliance	$5,551.7	$5,081.0	$5,201.0	$120.0
Categorical Grant: Tribal Air Quality Management	$14,365.8	$13,252.0	$13,566.0	$314.0
Categorical Grant: Tribal General Assistance Program	$69,331.2	$67,631.0	$96,375.0	$28,744.0
Categorical Grant: Underground Injection Control (UIC)	$11,844.3	$10,852.0	$11,109.0	$257.0
Categorical Grant: Underground Storage Tanks	$2,759.8	$1,548.0	$1,490.0	($58.0)
Categorical Grant: Water Quality Cooperative Agreements	$1,335.5	$0.0	$0.0	$0.0
Categorical Grant: Wetlands Program Development	$26,138.1	$15,143.0	$15,167.0	$24.0
Subtotal, Categorical Grants	$1,204,790.2	$1,088,813.0	$1,202,432.0	$113,619.0
Congressional Priorities				
Congressionally Mandated Projects	$117,641.8	$0.0	$0.0	$0.0
Subtotal, Congressionally Mandated Projects	$117,641.8	$0.0	$0.0	$0.0
TOTAL, EPA	$4,555,997.5	$3,612,937.0	$3,355,723.0	($257,214.0)

Program Area: Categorical Grants

Categorical Grant: Beaches Protection
Program Area: Categorical Grants
Goal: Protecting America's Waters
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$11,001.3***	***$9,864.0***	***$0.0***	***($9,864.0)***
Total Budget Authority / Obligations	$11,001.3	$9,864.0	$0.0	($9,864.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

This program awards grants to eligible coastal and Great Lakes states, territories, and tribes to monitor water quality at beaches and to notify the public, through beach advisories and closures, when water quality exceeds applicable standards. The Beach Grant Program is a collaborative effort between the EPA and states, territories, local governments, and tribes to help ensure that recreational waters are safe for swimming. Congress created the program with the passage of the Beaches Environmental Assessment and Coastal Health Act in October 2000 with the goal of reducing risk to the public of waterborne disease related to the use of recreational water.

The EPA has awarded grants to eligible states, territories, and tribes using an allocation formula developed in consultation with states and other organizations. The allocation has taken into consideration beach season length, shoreline miles, and coastal county population.[1]

FY 2013 Activities and Performance Plan:

To help meet the fiscal challenges of FY 2013, the EPA has reviewed its programs for areas where any potential efficiencies and streamlining can yield savings. As a result, the EPA is proposing that this grant program be terminated at the end of FY 2012. While beach monitoring continues to be important to protect human health and especially sensitive individuals, states and local governments now have the technical expertise and procedures to continue beach monitoring without federal support, as a result of the significant technical guidance and financial support the Beach Program has provided.

No additional funding will be provided for the following: (1) implementing monitoring and notification programs consistent with the EPA's *National Beach Guidance and Required Performance Criteria for Grants* and (2) submitting monitoring and advisory data to the EPA so that the Agency can provide this information to the public in a timely and easily accessible manner.

[1] See http://water.epa.gov/grants_funding/beachgrants/index.cfm and https://www.cfda.gov

Performance Targets:

This proposed disinvestment means that the Agency will no longer retain the following measure:

- SS-1: Number of waterborne disease outbreaks attributable to swimming in or other recreational contact with coastal and Great Lakes waters measured as a 5-year average.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$9,864.0) This reduction reflects the elimination of the Beach Program. The Agency is proposing to eliminate certain mature program activities that are well-established, well-understood, and where there is the possibility of maintaining some of the human health benefits through implementation at the local level.

Statutory Authority:

Clean Water Act; Beach Act of 2000.

Categorical Grant: Brownfields
Program Area: Categorical Grants
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$51,185.5***	***$49,317.0***	***$47,572.0***	***($1,745.0)***
Total Budget Authority / Obligations	$51,185.5	$49,317.0	$47,572.0	($1,745.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Brownfields program is designed to help states, tribes, local communities, and other stakeholders in environmental revitalization and economic redevelopment to work together to plan, inventory, assess, safely cleanup, and reuse Brownfields. Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Economic changes over several decades have left thousands of communities with these contaminated properties and abandoned sites.

As authorized under Section 128(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), categorical grants are provided to states and tribes to establish core capabilities and enhance their Brownfields response programs. State and Tribal response programs address contaminated Brownfields sites that do not require federal action, but need assessment and/or cleanup before the sites are considered to be ready for reuse. States and tribes may use grant funding provided under this program in the following ways:

- Developing a public record;
- Creating an inventory of brownfields sites;
- Developing oversight and enforcement authorities or other mechanisms and resources;
- Developing mechanisms and resources to provide meaningful opportunities for public participation;
- Developing mechanisms for approval of a cleanup plan and that verification and certification cleanup efforts are complete;
- Capitalizing a Revolving Loan Fund for Brownfields-related work;
- Purchasing environmental insurance;

- Developing state and Tribal tracking and management systems for land use and institutional controls; and

- Conducting site-specific related activities, such as assessments and cleanups at brownfields sites.[2]

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to issue grants establishing and enhancing eligible state, territorial and Tribal response programs under CERCLA 128(a). As part of this assistance, the EPA also will continue to provide resources to states and tribes for their response programs to oversee assessment and cleanup activities at brownfield sites. In FY 2013, the EPA will place renewed emphasis on building response program capacity of states and tribes to address the assessment and cleanup of sites with actual or perceived contamination that will increase the number of acres ready for reuse, an important first step in revitalizing communities across the country. Specifically, the state and Tribal response grant program will continue to place a greater emphasis on the importance of tracking institutional controls and engineering controls on brownfield sites.

In FY 2013, the EPA is reducing grants in this program by $1.7 million. The EPA will manage this reduction in a way that minimizes the impact to tribal and state response programs making meaningful progress in developing their programs by ensuring that core programmatic functions are funded rather than increasing capacity of well-established programs.

Performance Targets:

Work under this program also supports performance results in State and Tribal Assistance Grants: Brownfields Projects and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$1,745.0) This reflects a reduction in the amounts available for response program grants to states, tribes and territories. The EPA will manage this reduction in a way that minimizes the impact to Tribal and state response programs making meaningful progress in developing their programs by ensuring that core programmatic functions are funded rather than increasing capacity of well-established programs.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Small Business Liability Relief and Brownfields Revitalization Act, 42 United States Code. 6901 et seq. – Section 128.

[2] Refer to http://www.epa.gov/brownfields/state_tribal/index.html.

Goal: Provide Agencywide support for multiple goals to achieve their objectives. This support involves Agencywide activities primarily provided by EPA's six (6) support offices - the Office of Administration and Resources Management (OARM), Office of the Chief Financial Officer (OCFO), Office of Environmental Information (OEI), Office of General Counsel (OGC), Office of the Administrator (OA), and the Office of Inspector General (OIG).

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$9,950.4***	***$9,964.0***	***$15,200.0***	***$5,236.0***
Total Budget Authority / Obligations	$9,950.4	$9,964.0	$15,200.0	$5,236.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Exchange Network (EN) is a standards-based, secure approach for the EPA and its state, Tribal, and territorial partners to exchange and share environmental data. The EN facilitates and streamlines electronic reporting, sharing, integration, analysis and use of environmental data from many different sources, supporting information-driven decision making. Through its use of technology and data standards, open source software, shared services, and reusable tools and applications, the EN offers its partners tremendous data management efficiencies. Success stories include the Toxic Release Inventory's State Data Exchange, where 32 states have eliminated the need for industry to duplicate reporting data to both the EPA and the state, and the Emissions Inventory System, which receives all state data through the EN.

Exchange Network grants provide funding to states, territories, federally-recognized Indian tribes and Tribal consortia to support their participation in the EN. These grants help EN partners acquire and develop the hardware and software needed to connect to the EN; to use the EN to collect, report and access the data they need with greater efficiency; and to integrate environmental data across programs.

The grant program has enabled the EN to become the standard approach for reporting and sharing environmental data. In collaboration with the EPA, the Environmental Council of the States (ECOS) accepts the EN as the standard approach for EPA, state, tribe and territory data sharing. Based on current trends, 60 percent of reporting from the states to the EPA's ten priority national systems will use the EN by the end of calendar year 2011; a doubling of EN use within 18 months. Tribal use of the EN will grow by 20 percent during calendar year 2011.

FY 2013 Activities and Performance Plan:

Expansion of the EN is key to achieving potential environmental and health benefits that the EN's data management capabilities can yield, including protecting vulnerable populations,

enhancing scientific analysis and strengthening the collaborative network of federal, state, Tribal and local partners. The EN enables fast, efficient and more accurate environmental data submissions from state and local governments, industry and tribes to the EPA, thus reducing the long-term reporting burden for these entities. In addition, demand for access to the EN is growing as more partners recognize the value of the EN in terms of data management efficiencies and the ability to access and integrate timely and high-quality data to address environmental problems.

The EN is on track to support state reporting for nine of the ten national priority programs by the end of FY 2012 and all ten by the end of FY 2013. As a result, in FY 2013, the Exchange Network Grants program will emphasize the following activities to achieve this and related Exchange Network program goals:

- Complete full implementation of the EN by providing funds for development and deployment of the Resource Conservation and Recovery Act Information System (RCRAInfo) data exchange. This system is the most complex of the ten systems identified as priorities and, therefore, slower to be completed by states.

- Incorporate new systems into the EN, including greenhouse gas emissions inventory, the Assessment Total Maximum Daily Load (TMDL) Tracking & Implementation System (ATTAINS), and the Air Facilities System. Funds will be used to develop and deploy data exchanges for reporting to and/or receiving data from these systems.

- Transition interested partners to cloud-based network nodes; partners can use grant funds to migrate existing data exchanges, significantly reducing long-term operations and maintenance costs. Cloud-based nodes will be especially attractive for partner agencies that implement a single program (e.g. beaches, safe drinking water) where there may not be a business need to develop and operate a node for them.

- Expand Tribal participation in the EN and continue to leverage grant resources by funding Tribal partnerships that seek to build the information management capacity; fund Tribal data exchanges using cloud-based nodes.

- Expand the EN to local governments by offering grants that propose collaboration between state and local governments to deploy data exchanges at the local level.

- Expand data sharing among partners through data publishing (making data available on demand); solicit software applications that propose to expand existing data exchanges for Agency priorities and applications that propose to develop data access services that allow EN partners and the public to integrate, link and analyze information from sources across the EN.

- Focus on the sharing and integration of geographic/geospatial information and geospatial data standards with environmental information. This focus will represent a major step forward toward “mainstreaming” geographic information systems (GIS) into the EN data exchanges and will greatly enhance the power and functionality of the EN.

In FY 2013, the EN program will support the Agency's efforts to transition to twenty-first century technology and increase e-reporting by expanding the use of the EN. The EN will enable the development of tools, processes and technology for the public to participate in data collection and exchange with EPA on a real-time basis. Funds for this initiative will be needed to support the following: establishing the governance framework and process for setting standards, guidelines and procedures, and reviewing and certifying commercial vendor-developed software; defining data delivery protocols and technical specifications; and communicating and coordinating with vendors (including the development of a certification process and implementation). The funds will support expanding and developing advanced data transport services that include: registration/identity management (including identity proofing); interoperating with vendor-developed software (using standard protocols); security controls; documentation and agreements; compliance with the Cross Media Electronic Reporting Regulation; and data transformation, distribution and help desk support and coordination.

Performance Targets:

Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$5,000.0) This increase enables Exchange Network state, Tribal and territorial partners to expand e-reporting by adapting, installing and implementing a suite of data collection and publishing services. In FY 2013, the EPA will target these additional resources toward states that do not yet have the capabilities to comply with e-reporting requirements under the National Pollutant Discharge Elimination System.

- (+$236.0) This reflects an increase to assist states and tribes in meeting inflation costs associated with state and tribal program implementation.

Statutory Authority

Exchange Network Grant Program has been provided by the annual appropriations for EPA: FY 2002 (Public Law 107-73), FY 2003 (Public Law 108-7), FY 2004 (Public Law 108-199) FY 2005 (Public Law 108-447) and FY 2006 (Public Law 109-54), FY 2007 (Public Law 110-5), FY 2008 (Public Law 110-161), FY 2009 (Public Law 111-8), and FY 2010 (Public Law 111-88).

Categorical Grant: Hazardous Waste Financial Assistance

Program Area: Categorical Grants
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Preserve Land; Restore Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$111,206.3***	***$102,974.0***	***$103,412.0***	***$438.0***
Total Budget Authority / Obligations	$111,206.3	$102,974.0	$103,412.0	$438.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Resource Conservation and Recovery Act (RCRA) authorizes and directs the EPA to assist state programs through the Hazardous Waste Financial Assistance Grants program. These state grants provide resources for authorized states to implement a hazardous waste management program, and amount to well over half of the total resources available in state program budgets. Through these programs, the EPA and the states protect human health and the environment by preventing the release of millions of tons of hazardous wastes from hazardous waste generators and management facilities.[3] The EPA estimates that three million people live within one mile of hazardous waste management facilities.[4]

EPA sets standards that are protective across the U.S. by issuing comprehensive regulations for managing solid and hazardous materials from cradle to grave. The regulations define solid and hazardous waste, and also impose strict standards on anyone who generates, recycles, transports, treats, stores, or disposes of waste. In partnership with the states, the RCRA permitting program leverages compliance. It protects human health, communities and the environment through enforceable controls, including permits that minimize hazardous waste generation, prevent the release of hazardous constituents from generators and management facilities, and provide for its safe management.

These grant resources also assist states in ensuring the safe clean up of past and continuing releases through the RCRA corrective action program. The EPA and states focus their corrective action resources on 3,747 operating hazardous waste facilities. These facilities include some of the most highly contaminated, technically challenging, and potentially threatening sites the EPA and states confront in any of their cleanup programs.[5] Unaddressed RCRA corrective action sites present substantial risks from the release of toxic contaminants to the air, on the land, and to

[3] Authorized states conduct most direct implementation of the permitting, corrective action and enforcement components of the RCRA hazardous waste management program.
[4] Data from EPA Online Tracking Information System (OTIS), http://www.epa.gov/compliance/data/systems/multimedia/aboutotis.html
[5] There are additional facilities that have corrective action obligations that the EPA does not track under GPRA, as they are typically smaller, less significant facilities or sites. The EPA recognizes that the total universe of such facilities or sites "subject to" corrective action universe is between five and six thousand facilities or sites.

ground and surface waters. In FY 2011, 77 percent of these facilities had human exposures to toxins under control, 56 percent had migration of contaminated ground water under control and 42 percent had final remedies constructed.

The cost to clean up sites under the RCRA program can vary widely, with some costing less than $1 million, and others exceeding $50 million. The length and complexity of the cleanups also vary and can take from a year to decades to fully remediate and return the site to productive use. By addressing contamination during the operational life of the facility, and before a facility goes bankrupt, RCRA saves the taxpayers from bearing the significant cleanup costs under Superfund and drastically shortens the time for completing protective cleanups.

This program applies to all 50 states and 6 territories. Currently, 48 states and 2 territories are authorized to implement the RCRA program with regulatory direction and oversight from the EPA. The Agency provides funding assistance through the Hazardous Waste Financial Assistance Grants program and participates in worksharing with authorized states. When appropriate, these grants are also used to support tribes in conducting hazardous waste work in Indian Country. In addition, the EPA will directly implement the RCRA program in the states of Iowa and Alaska.

FY 2013 Activities and Performance Plan:

The Hazardous Waste Financial Assistance Grants includes funding for the following:

- Issuing and renewing permits to hazardous waste treatment, storage and disposal (TSD) facilities within the permitting universe of 2,466 facilities;
- Overseeing clean-ups of releases at 3,747 TSD and priority facilities;
- Inspecting facilities;
- Taking appropriate enforcement actions; and
- Maintaining data, support systems, and authorized regulations, for implementing these programs.

State work is crucial to meeting key program goals, and state commitments toward the national goals are negotiated into state grant agreements. Due to economic difficulties, many states are reducing their matching funds to the minimum required match; one dollar for every three federal grant dollars. Previous to 2008, many states overmatched the federal grant, with the national total exceeding $50 million.[6]

[6] The State RCRA Subtitle C Core Hazardous Waste Management Program Implementation Costs - Final Report (Association of State and Territorial Solid Waste Management Officials (ASTSWMO), January 2007) noted that States contributed approximately $87 million towards the total program costs, which exceeded the required State match by approximately $53 million. ASTSWMO has since indicated that total State contributions have fallen significantly.

In conjunction with the states, the EPA established a goal of constructing cleanup remedies, assuring that human exposures are eliminated and controlling groundwater migration at 95 percent of sites by FY 2020. The Agency has authorized 43 states and territories to directly implement the program at the majority of the sites with leadership and support from the EPA. In FY 2013, the Agency and states continue to face a significant workload to implement protective cleanups for our nation's most significant operational cleanup sites.

At the beginning of FY 2013, the remaining RCRA workload will include the following:

- Controlling human exposures to toxins at 19 percent of our baseline sites (almost 700 sites);
- Controlling groundwater at 31 percent of our baseline (almost 1,100 sites); and
- Constructing final remedies at 54 percent of our baseline (almost 2,000 sites).

Because states implement RCRA, the EPA's ability to meet these goals, as well as goals for issuing permits, permit renewals, and other approved controls, may be negatively impacted by state fiscal constraints.

In FY 2013, the EPA will focus resources on those sites that present the highest risk to human health and the environment and implement actions to end or reduce these threats. In addition, a small percentage (<1 percent) of STAG resources may be used to fund the agency's multi-year grant with the non-profit Association of State and Territorial Solid Waste Management Officials (ASTSWMO), which provides common services to states and ensures the close coordination of state and EPA management.

The Agency and states will utilize site investigations to identify threats; establish interim remedies to reduce and eliminate exposure; and select and construct safe, effective long-term remedies that maintain the viability of the operating facility. The EPA and states continue to grapple with hundreds of very large, highly contaminated sites and many small but equally contaminated sites. Providing oversight for decades-long cleanups at large sites and resource intensive technical assistance at small sites diminishes the available cleanup resources.

Additionally, the Agency will evaluate the remaining workload for the corrective action program taking into consideration the progress to date and available resources, as recommended by GAO in its recent report[7]. This analysis will focus on the resources needed to reach our long-term goals for completing cleanups at over 3,000 corrective action facilities.

Resources will be used to issue facility specific initial permits and review and improve permits when they are modified or renewed. The national RCRA program provides leadership for meeting our legal obligation to the following:

- Reassess land disposal permits every five years;

[7] Hazardous Waste: Early Goals Have Been Met in EPA's Corrective Action Program but Resource and Technical Challenges Will Constrain Future Progress (GAO-11-514), July 2011.

- Renew all permits at least every ten years;

- Maintain permits by modifying them to address changes in operations; and

- Monitor facility performance to ensure that permits continue to protect people and ecosystems from harmful exposures to hazardous pollutants.

In FY 2013, the EPA and authorized states will oversee and manage RCRA permits for approximately 10,000 hazardous waste units at 2,466 facilities. The RCRA permitting program faces a significant workload to ensure controls remain protective. Due to declining state resources, the EPA has received an increasing number of requests from authorized states for direct implementation support, such as taking over the cleanup work at specific RCRA corrective action sites within a state or doing the risk assessments for state permits. The prioritization of assisting states in program implementation comes at a cost to EPA in that it delays other efforts like corrective action, permitting, and hazardous waste delistings.

States will continue to work to meet the annual target of implementing permits, initial approved controls, and updated controls at 100 RCRA hazardous waste management facilities. Based on current levels of state funding, the EPA expects that the current permit backlog will remain reasonably constant in the foreseeable future since the new workload added each year is almost the same as the annual accomplishments.

An important objective in FY 2013 is ensuring owners and operators of hazardous waste facilities and reclamation facilities provide proof of their ability to pay for the cleanup, closure, and post-closure care of their facilities. Verifying adequate financial assurance protects taxpayer dollars, avoiding the risk of sites being addressed by the Superfund program.

Performance Targets:

Work under this program supports performance results in the RCRA Waste Management and RCRA Corrective Action program projects and can be found in the Performance Eight Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$438.0) This funding will be used to increase the total amount of grants made to states for the purpose of issuing and renewing permits, overseeing cleanups, and inspecting facilities.

Statutory Authority:

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, 42 United States Code 6901 et seq. - Section 3011, and the Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act; Public Law 105-276; 112 Stat. 2461, 2499 (1988).

Categorical Grant: Lead

Program Area: Categorical Grants
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$15,599.4***	***$14,512.0***	***$14,855.0***	***$343.0***
Total Budget Authority / Obligations	$15,599.4	$14,512.0	$14,855.0	$343.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Recent data show significant progress in the continuing effort to eliminate childhood lead poisoning as a public health concern. The EPA has historically measured progress by tracking reductions in the number of children with elevated blood lead levels of 10 micrograms per deciliter or higher. Data released in 2010 by the Centers for Disease Control and Prevention (CDC) indicate that the incidence of childhood blood lead levels at or exceeding 10 micrograms per deciliter has declined from approximately 1.6 percent of children in 2002 to 0.9 percent of children through 2006, the most recent time frame for which the CDC data are capable of supporting a statistically reliable estimate due to the extremely low number of children with blood lead levels of 10 micrograms per deciliter or higher in subsequent sampling periods.[8] These results, together with other recent data,[9] suggest that the federal government's goal of eliminating the incidence childhood blood lead concentrations at that level by 2010 has essentially been achieved.[10]

Results of recent studies, however, indicate adverse health effects to children at extremely low blood levels, below 10 micrograms per deciliter.[11] In response to this new information and the fact that approximately 38 million homes in the U.S. have lead-based paint,[12] the EPA is now targeting reductions in the number of children with blood lead levels of 5 micrograms per deciliter or higher. The lead program also tracks the disparities in blood lead levels between low-

[8] Federal Interagency Forum on Child and Family Statistics .*America's Children: Key National Indicators of Well-Being, 2011* http://www.childstats.gov/americaschildren/phenviro4.asp.

[9] For example, the median blood lead concentration for children ages 1–5 dropped from about 15 µg/dL in 1976–1980 to about 1 µg/dL in 2005–2008. (U.S. Environmental Protection Agency. (2008). America's children and the environment. Measure B1: Lead in the blood of children, available at http://www.epa.gov/envirohealth/children/body_burdens/b1-graph.html.)

[10] "President's Task Force on Environmental Health Risks and Safety Risks to Children" http://www.cdc.gov/nceh/lead/about/fedstrategy2000.pdf

[11] U.S.EPA. Air Quality Criteria for Lead (September 29, 2006) http://cfpub.epa.gov/ncea/CFM/recordisplay.cfm?deid=158823
Rogan WJ, Ware JH. Exposure to lead in children – how low is low enough? N Engl J Med.2003;348(16):1515-1516 http://www.precaution.org/lib/rogan.nejm.20030417.pdf
Lanphear BP, Hornung R, Khoury J, et al. Low-level environmental lead exposure and children's intellectual function: an international pooled analysis. Environ Health Perspect. 2005; 113(7):894-899 http://www.pubmedcentral.nih.gov/articlerender.fcgi?doi=10.1289/ehp.7688

[12] Jacobs, D.E.; Clickner, R.P.; Zhou, J.Y.; Viet, S.M.; Marker, D.A.; Rogers, J.W.; Zeldin, D.C.; Broene, P.; and Friedman, W. (2002). The prevalence of lead-based paint hazard in U.S. housing. Environmental Health Perspectives, 110(10): A599-A606

income children and non-low-income children. The program uses these performance measures to track progress toward eliminating childhood lead poisoning in vulnerable populations.

The EPA's Lead Risk Reduction Program contributes to the goal of eliminating childhood lead poisoning by:

- Establishing standards governing lead hazard identification and abatement practices and maintaining a national pool of professionals trained and certified to implement those standards;

- Providing information to housing occupants so they can make informed decisions and take actions about lead hazards in their homes; and

- Establishing a national pool of certified firms and individuals who are trained to carry out renovation and repair and painting projects while adhering to the lead-safe work practice standards and to minimize lead dust hazards created in the course of such projects.

The Lead Categorical Grant Program contributes to the lead program's goals by providing support to authorized state and tribal programs that administer training and certification programs for lead professionals and renovation contractors. The program also conducts outreach activities to educate populations deemed most at risk of exposure to lead from lead-based paint, dust and soil. See http://www.epa.gov/lead for more information.

FY 2013 Activities and Performance Plan:

In FY 2013, the program will continue providing assistance to states, territories, the District of Columbia, and tribes to develop and implement authorized programs for the lead-based paint abatement program to operate in lieu of the federal program. Additionally, the program will provide support to those entities to develop and implement authorized Renovation, Repair and Painting (RRP) programs. The EPA directly implements these programs in all areas of the country that are not authorized to do so. Activities conducted as part of this program include accrediting training programs, certifying individuals and firms, and providing education and compliance assistance to those subject to the abatement and RRP regulations and the general public.

Through calendar year 2011, thirty-nine states and territories, three tribes, the District of Columbia, and Puerto Rico have been authorized to run the lead-based paint abatement program. In addition, twelve states have become authorized to administer the RRP program. As a result, the number of lead-certified renovation, repair, and painting firms increased from roughly 59,000 in 2010 to over 114,000 in 2011. In FY 2013, the Lead Categorical Grant program will provide assistance to existing authorized state and tribal lead programs. The EPA also will provide assistance, using a targeted approach, to states and tribes interested in becoming authorized to run the RRP program.

Performance Targets:

Work under this program also supports performance results listed in EPM Lead Risk Reduction program and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$343.0) This increase represents additional funds to support implementation of the Lead Renovation, Repair and Painting (RRP) rule, which took effect April 22, 2010. Increased funds will support improved direct implementation efforts by the EPA, including improvements to its certifications tracking system and increased levels of support through grants to states and tribes authorized to implement the RRP program.

Statutory Authority:

Toxic Substances Control Act (TSCA), 15 U.S.C. 2601 et seq**. –** Section 404(g).

Categorical Grant: Nonpoint Source (Sec. 319)

Program Area: Categorical Grants
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$201,615.8***	***$164,493.0***	***$164,757.0***	***$264.0***
Total Budget Authority / Obligations	$201,615.8	$164,493.0	$164,757.0	$264.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Nonpoint source pollution, caused by runoff that carries excess nutrients, toxics and other contaminants to waterbodies, is the greatest remaining source of surface and groundwater quality impairments and threats in the United States. There are currently 41.2 thousand waterbodies listed as impaired. Nonpoint sources are the primary cause of impairment in over 75 percent of these impaired waters and nonpoint sources figure significantly in all but ten percent of the other waterbody impairments. Grants under Section 319 of the Clean Water Act are provided to states, territories, and tribes to help them implement their EPA approved nonpoint source management programs by remediating past nonpoint source pollution and preventing or minimizing new nonpoint source pollution. To help reduce nonpoint source pollution, the EPA and the U.S. Department of Agriculture (USDA) will enhance coordination to achieve improvements in water quality and ecosystem health by targeting resources and helping landowners implement voluntary stewardship practices.

Section 319 broadly authorizes states to use a range of tools to implement their programs, including: regulatory and non-regulatory programs, technical assistance, financial assistance, education, training, technology transfers, and demonstration projects.[13] Implementation of watershed-based plans helps states achieve load reductions contained in Total Maximum Daily Loads to achieve water quality standards. These implementation projects have allowed states to remediate 356 waterbodies that were primarily impaired by nonpoint source pollution so that they now meet water quality standards.

FY 2013 Activities and Performance Plan:

The pervasiveness of nonpoint source pollution requires cooperation and involvement from the EPA, other federal agencies, the states, local governments, nonprofit organizations, and concerned citizens to address nonpoint source pollution problems. In FY 2013, the EPA will work closely with and support the many efforts of states, interstate agencies, tribes, local governments and communities, watershed groups, the USDA and other federal agencies, and others to develop and implement their local watershed-based plans and restore surface water and groundwater nationwide.

[13]See https://www.cfda.gov for more information.

In FY 2013, states will continue to develop and implement watershed-based plans to restore impaired waterbodies to meet water quality standards. These watershed-based plans, a key emphasis of the national nonpoint source control program, will support the strategic goal of more waters attaining designated uses and enable states to determine the most cost-effective means to meet their water quality goals. Plans include an analysis of sources and relative significance of pollutants of concern; identification of cost-effective techniques to address those sources; availability of needed resources, authorities, and community involvement to effect change; along with monitoring to enable states and local communities to track progress and make changes over time to meet their water quality goals. Full requirements for these plans are described in detail in the nonpoint source program grant guidelines. The EPA's website includes examples of watershed-based plans[14] and links to state websites with numerous additional plans. The Mill Creek, Pennsylvania watershed plan,[15] for example, provides a detailed 20-page list of 600 best management practices that need to be implemented on 200 farms in the watershed to restore river water quality, including the precise acreage and linear feet of the practice, modeled results, and site-by-site costs. This planning approach clarifies what all watershed participants' roles should be to achieve clean water.

The EPA will continue to forge and strengthen strategic partnerships with the agricultural and forestry communities, and other groups that have an interest in achieving water quality goals in a cost-effective manner. Agricultural sources of pollution in the form of animal waste, fertilizer, and sediments have a particularly profound effect on water quality. For FY 2013, EPA will issue new grant guidance that will link 319 funding with States having updated nonpoint source management programs, implementing monitoring in selected high priority watersheds, and addressing other changes to better address nonpoint source pollution. As part of this effort, EPA will work closely with the USDA to ensure that federal resources -- including both Section 319 grants and Farm Bill funds -- are managed in a coordinated manner to protect water quality from agricultural pollution sources. This will include ensuring states develop and implement their watershed-based plans in close cooperation with state conservationists, soil and water conservation districts, and all other interested parties within the watersheds.

In 2013, the EPA and the USDA will work collaboratively in high priority, focused watersheds to address agricultural nonpoint source pollution. The goal of our collaboration is to coordinate Agency efforts, thereby increasing conservation on the ground to better protect water resources from nonpoint sources of pollution, including nitrogen and phosphorus.

This EPA and the USDA collaboration will support ready and willing stakeholders (including agricultural producers, NGOs, universities, and state and local water quality, resource and agricultural leaders) to implement watershed plans in priority watersheds. The agencies will deliver voluntary conservation systems on the ground, pursue innovative approaches to conservation, and evaluate results compared to expected outcomes.

[14] http://iaspub.epa.gov/watershedplan/examples.do?pageId=52&navId=40
[15] http://files.dep.state.pa.us/Water/Watershed%20Management/lib/watershedmgmt/nonpoint_source/implementation/mill_creek_plan.pdf

The EPA will continue to work closely with a broad set of partners to promote the implementation of low-impact development practices that can prevent new development activities from harming water quality as well as assist in the restoration of waterbodies when previously developed areas are redeveloped. Runoff from developed and developing areas is a leading source of degradation to urban/suburban streams. Working with states, cities, developers, watershed associations, and others, the EPA will continue to spread knowledge and adoption of low-impact development practices.

The Clean Water Act provides that Clean Water State Revolving Funds loans can be used to implement projects pursuant to a state nonpoint source pollution management program. The EPA will continue to track the steady increases in the cumulative dollar value and number of nonpoint source projects financed with Clean Water State Revolving Fund loans to prevent polluted runoff. The EPA will encourage state, tribal, and local governments to use Clean Water State Revolving Fund loans to finance nonpoint source projects, where appropriate.

Additionally, in 2011, the EPA completed a detailed evaluation of how states are using Section 319 resources, including for implementation of Total Maximum Daily Loads and restoring impaired waters. In FY 2012, the EPA will begin implementing program refinements based on this study with emphasis on improving program accountability and ensuring that states are using cost effective approaches to protect and restore their waters. In FY 2013, the EPA will continue to implement program reforms and accountability.

Performance Targets:

Measure	**(bpf) Estimated annual reduction in millions of pounds of phosphorus from nonpoint sources to water bodies (Section 319 funded projects only).**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	Pounds (Million)
Actual	11.8	7.5	3.5	3.5	2.6	Data Avail 4/2012			

Measure	**(bpg) Estimated additional reduction in million pounds of nitrogen from nonpoint sources to water bodies (Section 319 funded projects only).**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	8.5	8.5	8.5	8.5	8.5	8.5	8.5	8.5	Pounds (Million)
Actual	14.5	19.1	11.3	9.1	9.8	Data Avail 4/2012			

Measure	(bph) Estimated additional reduction in thousands of tons of sediment from nonpoint sources to water bodies (Section 319 funded projects only).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	700	700	700	700	700	700	700	700	Tons (Thousand)
Actual	1,200	1,200	2,100	2,300	2,100	Data Avail 4/2012			

The program's output measures are to reduce the amount of runoff of phosphorus, nitrogen, and sediment through Section 319 funded projects, which usually take several years to implement.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$264.0) This reflects an increase for state nonpoint source programs, including implementation of nonpoint source projects and statewide nonpoint source protection activities.

Statutory Authority:

Clean Water Act Section 319.

Categorical Grant: Pesticides Enforcement
Program Area: Categorical Grants
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$19,930.9***	***$18,644.0***	***$19,085.0***	***$441.0***
Total Budget Authority / Obligations	$19,930.9	$18,644.0	$19,085.0	$441.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Pesticides Enforcement grants program ensures pesticide product and user compliance with provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Areas of focus include inspections to reduce chemical risks and protect vulnerable populations. Additionally, the program provides compliance assistance to the regulated community through such resources as the EPA's National Agriculture Compliance Assistance Center, seminars, guidance documents, brochures, websites, and outreach to foster knowledge of and compliance with environmental laws pertaining to pesticides.[16] The program also sponsors training for state and tribal inspectors through the Pesticide Inspector Residential Training Program (PIRT) and for state and tribal managers through the Pesticide Regulatory Education Program (PREP).

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to award state and tribal pesticides enforcement grants to assist in the implementation of the compliance and enforcement provisions of FIFRA. These grants support state and tribal compliance and enforcement activities designed to protect the public and the environment from harmful chemicals and pesticides. Enforcement and pesticides program grant guidance is issued to focus regional, state and tribal efforts on the highest priorities. The EPA's support to state and tribal pesticide programs emphasizes reducing chemical risks by: conducting targeted inspections of pesticide use involving six acutely toxic agricultural pesticides with the highest incident rates; implementing container/containment requirements; and conducting targeted pesticide producer establishment inspections of facilities such as contract manufacturers or fumigant producers. These grants also will help states and tribes protect vulnerable populations by conducting compliance (inspection) and enforcement activities, including those involving worker protection at pesticide producing establishments located in environmental justice areas. States will continue inspecting facilities for compliance with pesticide requirements.

[16] For additional information, refer to: www.epa.gov/compliance/state/grants/fifra.html

Performance Targets:

Work under this program supports the strategic objective to Ensure Chemical Safety. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$441.0) This increase will provide states with additional funding for inspections and enforcement to reduce chemical risks and protect vulnerable populations.

Statutory Authority:

Federal Insecticide, Fungicide, and Rodenticide Act.

Categorical Grant: Pesticides Program Implementation

Program Area: Categorical Grants
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$13,807.8***	***$13,119.0***	***$13,140.0***	***$21.0***
Total Budget Authority / Obligations	$13,807.8	$13,119.0	$13,140.0	$21.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The EPA's mission, as related to pesticides, is to protect human health and the environment from pesticide risk and to realize the value of pesticide availability by considering the economic, social, and environmental costs and benefits of the use of pesticides.[17] The Agency provides grants to states, tribes and other partners, including universities, non-profit organizations, other federal agencies, pesticide users, environmental groups, and other entities, as necessary, to assist in strengthening and implementing the EPA's pesticide programs. The program focuses on areas such as worker safety activities (including worker protection and certification and training of pesticide applicators), protection of endangered species,[18] protection of water resources from pesticides, and promotion of environmental stewardship and Integrated Pest Management related activities. The Agency achieves this goal through implementation of its statutes and regulatory actions.

Pesticides program implementation grants ensure that pesticide regulatory decisions made at the national level are translated into results at the local level. EPA provides resources for those closest to the source of potential risks from pesticides since they are in a position to better evaluate risks and implement risk reduction measures. Stakeholders at the local level, including states and tribes, provide essential support in implementing pesticides programs. The Agency engages stakeholders, including states in the regulatory process, and considers their input regarding effectiveness and soundness of regulatory decisions. The states and tribes also develop data to measure program performance. Under pesticide statutes, responsibility for ensuring proper pesticide use is in large part delegated to states and tribes. Grant resources allow states and tribes to be more effective regulatory partners.

[17] Federal Insecticide, Fungicide and Rodenticide Act, as amended January 23, 2004. Section 3(a), Requirement of Registration (7 U.S.C. 136a). Available online at http://www.epa.gov/opp00001/regulating/laws.htm

[18] The Endangered Species Act of 1973 sections 7(a)1 and 7 (a)2; Federal Agency Actions and Consultations, as amended (16 U.S.C. 1536(a)). Available at U.S. Fish and Wildlife Service, Endangered Species Act of 1973 internet site: http://www.fws.gov/endangered/laws-policies/section-7.html

FY 2013 Activities and Performance Plan:

Certification and Training/Worker Protection Programs

Through the Certification and Training/Worker Protection programs, the EPA protects workers, pesticide applicators/handlers, employers, and the public from the potential risks posed by pesticides in their homes and work environments. In FY 2013, the EPA will continue to provide assistance and grants to implement the Certification and Training/Worker Protection programs. Grants fund maintenance and improvements in training networks, safety training to workers and pesticide handlers, development of Train the Trainer courses, workshops, and development and distribution of outreach materials. The Agency's partnership with states and tribes in educating workers, farmers, and employers on the safe use of pesticides and worker safety will continue to be a major focus. See http://www.epa.gov/oppfead1/safety/applicators/applicators.htm for more information.

Endangered Species Protection Program (ESPP)

The ESPP protects federally listed threatened or endangered animals and plants whose populations are threatened by risks associated with pesticide use. The EPA complies with Endangered Species Act (ESA) requirements to ensure that its regulatory decisions will not likely jeopardize the continued existence of species listed as endangered and threatened, or destroy or adversely modify habitat designated as critical to those species' survival. The EPA will provide grants to states, tribes and other partners, as described above, for projects supporting endangered species protection. Program implementation includes outreach, communication, education related to use limitations, review and distribution of endangered species protection bulletins, and mapping and development of endangered species protection plans. These activities support the Agency's mission to protect the environment from pesticide risk.

Protection of Water Sources from Pesticide Exposure

Protecting the nation's water sources from possible pesticide contamination is another component of the EPA's environmental protection efforts. The Agency provides funding, through cooperative agreements, to states, tribes, and other partners to investigate and respond to water resource contamination by pesticides. Stakeholders and partners, including states and tribes, are expected to evaluate local pesticides uses that have the potential to contaminate water resources and take steps to prevent or reduce contamination where pesticide concentrations approach or exceed levels of concern.

The EPA's Cooperative Agreements for pesticides typically include the following three-tier approach:

1. Evaluate: Pesticides that may have the potential to threaten water quality locally;
2. Manage: If the evaluation identifies that the pesticide may be found at levels locally that pose water quality concerns, take actions to manage those pesticides and mitigate exposure; and

3. Demonstrate Progress: For pesticides that are actively managed, examine available data and trends to demonstrate improvement in water quality.

Pesticide Environmental Stewardship Program (PESP):

The PESP forms partnerships between the EPA and pesticide user groups to reduce pesticide use and risk through development and implementation of pollution prevention strategies and Integrated Pest Management (IPM) techniques. PESP currently has almost 200 partners and supporters. They range from federal partners (e.g., Department of Defense) to state partners (e.g., Maryland Department of Agriculture) to trade associations and individual companies.

The EPA will continue to support risk reduction by providing assistance to promote the use of safer alternatives to traditional chemical pest control methods.[19] The EPA supports the development and evaluation of new pest management technologies that contribute to reducing both health and environmental risks from pesticide use.

The Agency will support implementation of Tribal pesticide programs through grants. Tribal program outreach activities support tribal capacity to protect human health by reducing risk from pesticides in Indian country. This task is challenging given that aspects of Native Americans' lifestyles, such as subsistence fishing or consumption of plants, that were specifically grown as food and possibly exposed to pesticides not intended for food use, may increase exposure to some chemicals or create unique chemical exposure scenarios. For additional information, see http://www.epa.gov/oppfead1/tribes/.

Performance Targets:

Work under this program supports the following programs through grants to states, tribes, partners, and supporters: Certification and Training/Worker Protection, Endangered Species Protection Program (ESPP), Field Activities, Pesticides in Water, Tribal Program, and Pesticide Environmental Stewardship Program.

Currently, there are no specific performance measures for this program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$21.0) This increase provides additional funds to support integrated pest management activities.

Statutory Authority:

Pesticide Registration Improvement Renewal Act (PRIRA), Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Federal Food, Drug and Cosmetic Act **(**FFDCA**);** Food Quality Protection Act **(**FQPA**)** of 1996; Endangered Species Act **(**ESA**).**

[19] For additional information, see http://www.epa.gov/pesp/.

Categorical Grant: Pollution Control (Sec. 106)

Program Area: Categorical Grants
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$252,516.8***	***$238,403.0***	***$265,264.0***	***$26,861.0***
Total Budget Authority / Obligations	$252,516.8	$238,403.0	$265,264.0	$26,861.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Section 106 of the Clean Water Act authorizes the EPA to provide federal assistance to states (including territories and the District of Columbia), tribes qualified under Clean Water Act Section 518(e), and interstate agencies to establish and maintain adequate measures for the prevention and control of surface and groundwater pollution from point and nonpoint sources. Prevention and control activities supported through these grants include providing permits, monitoring and assessment, water quality standards development, Total Maximum Daily Load (TMDL) development, surveillance and enforcement, water quality planning, advice and assistance to local agencies, training, and public information. Section 106 grants also may be used to provide "in-kind" support through an EPA contract, if requested by a state or tribe.

In FY 2013, the EPA will continue to work with states, interstate agencies, and tribes to foster a "watershed approach" as the guiding principle of their clean water programs. This approach conducts and assesses monitoring efforts, develops Total Maximum Daily Loads, and writes National Pollutant Discharge Elimination System (NPDES) permits with the goal of sustaining and improving the entire watershed.

FY 2013 Activities and Performance Plan:

The Section 106 Grant Program supports prevention and control measures that improve water quality. In FY 2013, EPA will designate a portion of the requested additional $26.86 million in Section 106 funding to continue to strengthen the base state, interstate and tribal programs, to address TMDL, wet weather issues, and provide adequate funding to meet and expand tribal water quality programs. In FY 2013, the EPA will designate $15.0 million of the additional funds for states that commit to strengthening their nutrient management efforts consistent with EPA Office of Water guidance issued in March 2011. This initiative will work in conjunction with activities being carried out by states and tribes using Section 319 and U.S. Department of Agriculture, a funding and focus on key principles that are guiding and that have guided the Agency technical assistance and collaboration with the states.[20] The Framework will be used for

[20] The eight key principles are identified in the March 16, 2011, memorandum "Working in Partnership with States to Address Phosphorus and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions (Framework)"

awarding the additional Section 106 funds to implement nutrient reduction activities. The Monitoring Initiative will remain at $18.5 million.

Monitoring and Assessment:

The EPA's goal is to achieve greater integration of federal, regional, state, and local level monitoring efforts to connect monitoring and assessment activities across geographic scales and to serve multiple Clean Water Act programs in a cost-efficient and effective manner. Continued funding will ensure that scientifically defensible monitoring data are available to address issues and problems at each of these scales.

In FY 2013, the EPA will continue working with states and tribes to enhance their water quality monitoring programs. Monitoring Initiative funds for states and tribes will continue to support the statistically-valid National Aquatic Resource Surveys of national and regional water conditions and support implementation of state and Tribal monitoring strategies. In FY 2013, $18.5 million will be designated for states and tribes under the Initiative: $8.5 million for monitoring as part of statistically-valid reports on national water condition, and $10.0 million to implement monitoring strategies.

Through the Monitoring and Assessment Partnership, the EPA will work with states to develop and apply innovative and efficient monitoring tools and techniques to optimize availability of high quality data to support Clean Water Act program needs and to expand the use of monitoring data and geo-spatial tools for water resource protection to set priorities and evaluate effectiveness of water protection. This will allow the EPA, states, and tribes to continue to report on the condition of the nation's waters, and make significant progress toward assessing trends in water condition in a scientifically-defensible manner.

As part of the National Surveys, the EPA, states, and tribes will collaborate to conduct field sampling for the second National Rivers and Streams Assessment to determine changes since 2008/2009. This rivers-and-streams survey will be conducted in FY 2013 and 2014 and the report will be completed in FY 2016. A portion of the FY 2013 Clean Water Act Section 106 Monitoring Initiative funds will be allocated for the second year of sampling for the National Rivers and Streams Assessment in 2014. A report for the National Wetland Condition Assessment will be issued in 2013 (the field work for this report occurred in 2011).

Review and Update Water Quality Standards:

States and authorized tribes will continue to review and update their water quality standards as required by the Clean Water Act. The EPA encourages states to continually review and update water quality criteria in their standards to reflect the latest scientific information from the EPA and other sources. The EPA's goal for FY 2013 is that 64.3 percent of states and territories will have updated their standards within the past three years to reflect the latest scientific information. Additionally, the EPA places a high priority on state adoption of numeric water quality criteria for nitrogen and phosphorus as part of a partnership with states to address these pollutants through use of a framework for state nutrient reductions. Finally, the EPA will continue to work with tribes that want to establish water quality standards.

Develop Total Maximum Daily Loads:

In impaired watersheds, EPA policy advises states to develop TMDLs, critical tools for meeting water restoration goals, within eight to thirteen years from the time the impairment is identified on a 303(d) list. While the pace of TMDL completion has been affected as states have begun to tackle more challenging TMDLs, such as broad-scale mercury and nutrient TMDLs, they are still encouraged by the EPA to develop TMDLs as expeditiously as practicable. Also, the EPA will continue to work with states to facilitate accurate, comprehensive, and georeferenced water quality data made available to the public via the Assessment Total Maximum Daily Load Tracking and Implementation System. States and the EPA have made significant progress in the development and approval of TMDLs. As of FY11, States have developed more than 41 thousand TMDLs; however, over 54 thousand TMDLs remain to be completed. TMDLs are an important water quality management tool, as they identify applicable water quality targets for restoring impaired waters and establish point and nonpoint source loading limits. States will continue to use Section 106 funding to address the number of TMDLs that remain to be completed and to develop TMDLs that more readily facilitate implementation of point and nonpoint source load reductions.

Issue Permits:

The National Pollutant Discharge Elimination System program requires point source dischargers to be permitted and requires pretreatment programs to control discharges from industrial and other facilities to the nation’s wastewater treatment plants. The EPA is working with states to structure the permit program to better support comprehensive protection of water quality on a watershed basis as well as to address recent increases in the permit universe arising from court orders and environmental concerns. In FY 2013, the EPA will continue to work with states to advance the integrity of the National Pollutant Discharge Elimination System program and to integrate permit program and enforcement oversight so that the most significant actions affecting water quality are included in an accountability system and are addressed. The EPA also will work with states to optimally balance competing priorities, schedules for action items based on the significance of the action, and program revisions. States are encouraged to seek opportunities to incorporate efficiency tools such as electronic reporting, watershed permitting, and trading.

As updates are made to the National Pollutant Discharge Elimination System (NPDES) regulations and program requirements, the EPA continues to work with states to incorporate new requirements into their regulations. For example, EPA continues to review and approve State NPDES Concentrated Animal Feeding Operations statutes, permits, regulations, and technical standards. In FY 2012, the EPA issued a precedent-setting general permit for the application of pesticides. In FY 2012 and FY 2013, the EPA will continue to work with the 46 authorized states as they develop their NPDES pesticides general permits and assist in a national effort to educate the pesticides application industry regarding how to comply with the new permits.

Reduction and control of stormwater is a key management approach to improving water quality impacted by wet weather events. Stormwater discharges are a significant cause of water quality impairment, especially in urban areas where rainwater flows over impervious cover, carrying pollutants and erosive flows into the nation's waterbodies. The states will be implementing the

newly revised stormwater regulations to better protect the nation's waters from stormwater discharges. The EPA intends to propose more protective standards on discharges from newly developed and redeveloped sites. Through collaboration with states and partner organizations, green infrastructure management approaches will be used to promote prevention, reduction, and elimination of water pollution caused by wet weather events.

Conducting Compliance Monitoring and Enforcement:

Despite significant progress reducing water pollution from the largest sources, the country still faces serious regulatory and compliance challenges in attaining the water quality goals of the Clean Water Act. In October 2009, the Agency issued its Clean Water Act Action Plan to reduce pollution sources and achieve more consistent compliance performance. In implementing this plan, the EPA issued the Interim Guidance to Strengthen Performance in the NPDES Program on June 22, 2010. This guidance directs EPA Regional Offices and states to expand National Pollutant Discharge Elimination System planning to include consideration of enforcement and permitting in an integrated way and to take action where states have demonstrated long-standing problems with permit quality or enforcement programs. In addition, the EPA and state co-regulators have collaboratively researched and debated a wide range of new approaches for fundamentally changing approaches to the NPDES permitting and enforcement program. This constructive dialogue between state Clean Water Act agencies and the EPA has facilitated a long-term, goal-oriented commitment to improving compliance with the Clean Water Act. These new approaches, which address numerous challenges facing the EPA and state agencies, are included in the document titled, “Clean Water Action Plan Implementation Priorities: Changes to Improve Water Quality, Increase Compliance, and Expand Transparency” issued on May 11, 2011. In FY 2013, the EPA will continue working closely with states to implement the Interim Guidance and to begin implementing these new approaches.

The EPA regions and states will work to develop compliance monitoring plans pursuant to the October, 17, 2007 Compliance Monitoring Strategy. This Strategy allows flexibility for adapting to state-specific universes and compliance priorities.

Working with Tribal Water Pollution Control Programs:

In FY 2013, the EPA will continue to work with tribal programs to expand activities that address water quality and pollution problems on tribal lands. Working with tribal governments, EPA will continue to monitor the implementation of the *Clean Water Act Section 106 Tribal Guidance*, which sets out a framework for tribes to establish, implement, and expand their Water Pollution Control Programs.

Performance Targets:

Measure	(bpk) Number of TMDLs that are established by states and approved by the EPA [state TMDL] on a schedule consistent with national policy (cumulative). [A TMDL is a technical plan for reducing pollutants in order to obtain water quality standards. The terms "approved" and "established" refer to the completion and approval of the TMDL itself.]								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	15,428	20,232	28,527	33,540	39,101	41,235	43,781	46,331	TMDLs
Actual	17,682	21,685	30,658	36,487	38,749	41,231			

Measure	(bpl) Percent of high-priority state NPDES permits that are issued in the fiscal year.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	95	95	95	95	95	100	100	80	Percent Permits
Actual	96.4	112	120	147	142	135			

Measure	(bpn) Percent of major dischargers in Significant Noncompliance (SNC) at any time during the fiscal year.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	Percent Dischargers
Actual	20.2	22.6	23.9	23.3	23.5	Data Avail 3/2012			

Measure	(bpw) Percent of states and territories that, within the preceding 3-year period, submitted new or revised water quality criteria acceptable to the EPA that reflect new scientific information from the EPA or sources not considered in previous standards.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	66	67	68	68	66	64.3	64.3	64.3	Percent States and Territories
Actual	66.1	66.1	62.5	62.5	67.9	69.6			

Measure	(L) Number of water body segments identified by states in 2002 as not attaining standards, where water quality standards are now fully attained (cumulative).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target		1,166	1,550	2,270	2,809	3,073	3,324	3,524	Segments
Actual		1,409	2,165	2,505	2,909	3,119			

Measure	(bpm) Cost per water segment restored.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	1,358,351	615,694	684,200	708,276	771,000	681,445	721,715	685,885	Dollars
Actual	576,618	512,735	547,676	570,250	581,281	578,410			

A key performance measure for the Water Pollution Control Program is the percentage of water body segments, identified by states in 2002 as not attaining standards, where water quality standards are now attained. State partners play a key role in developing and implementing plans and documenting progress. The agency has been successful in meeting or exceeding performance targets and continues to target, through an allocation formula, a portion of the appropriated funds to support statistically-valid surveys of water condition.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$26,861.0) This reflects an increase to strengthen the base state, interstate and tribal programs, to provide additional resources to address TMDL, monitoring, and wet weather issues and for states to improve their water quality programs relating to the management of nutrients. EPA requests $15.0 million of the increase for states to improve their water quality programs relating to the management of nutrients.

Statutory Authority:

Clean Water Act (CWA), 33 U.S.C. 1256 – Section 106.

Categorical Grant: Pollution Prevention

Program Area: Categorical Grants
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Promote Pollution Prevention

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$5,685.0***	***$4,922.0***	***$5,039.0***	***$117.0***
Total Budget Authority / Obligations	$5,685.0	$4,922.0	$5,039.0	$117.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Pollution Prevention (P2) program, described under the Environmental Program and Management (EPM) account, is one of the EPA's primary tools for encouraging environmental stewardship by federal and state governments, industry, communities, and individuals. The P2 program is designed to eliminate or reduce waste at the point of generation by: encouraging cleaner production processes and technologies; promoting the development and use of safer, "greener" materials and products; and supporting the implementation of improved practices, such as the use of conservation techniques and the reuse of materials in lieu of their placement into the waste stream. As a result of the P2 program, the EPA and its partners have achieved significant reductions in the use of hazardous materials, energy and water; reductions in the generation of greenhouse gases; savings in production, operation and waste management costs; and increases in the use of safer chemicals and products. These efforts advance the Administrator's priorities to take action on climate change and reduce chemical risks. In contributing to the Agency's mission to reduce chemical risks, the program is focusing its attention on chemicals being identified as candidates for assessment and risk management action under the Toxic Substances Control Act (TSCA), as described in the justification for the Chemical Risk Review and Reduction program.

The P2 Categorical Grants program augments the P2 program in providing P2 technical assistance by supporting state and tribal P2 programs and the Pollution Prevention Information Network.

FY 2013 Activities and Performance Plan:

In FY 2013, the P2 Grant program will continue supporting states and state entities (i.e., colleges and universities) and federally-recognized tribes and intertribal consortia in their efforts to help businesses identify environmental strategies and solutions for reducing or eliminating pollution at the source. The program supports projects that reflect comprehensive and coordinated pollution prevention planning and implementation efforts within the state or tribe to ensure that businesses and industry have ample opportunities to implement pollution prevention as a cost-effective way of meeting or exceeding federal and state regulatory requirements.

P2 grants are awarded by the EPA's Regional Offices. This enables the Agency to focus resources on targeted regional priorities. In addition to supporting traditional P2 technical assistance programs, many states use P2 Grants to assist businesses by initiating regulatory integration projects to implement pollution prevention strategies in state core media programs, train regulatory staff on P2 concepts and best practices, and examine opportunities for incorporating pollution prevention into permits, inspections, and enforcement. States also have established programs in non-industrial sectors such as hospitality, agriculture, energy, health, and transportation.

The Agency also will continue to support the Pollution Prevention Information Network (PPIN) Grant program. These grants fund the services of a network of regional centers, collectively called the Pollution Prevention Resource Exchange (P2Rx), that provide high quality, peer-reviewed information to state technical assistance centers. In FY 2013, the EPA will strengthen and streamline P2Rx by reducing the number of centers in order to focus more on the functions that the centers perform and improve delivery of services to customers. For example, in FY 2013, the EPA is proposing to use P2Rx to house an interactive website that builds a community of practice interested in reducing the environmental impact of professional sports. The EPA also is planning to provide an on-line, one stop shop of environmental information for sports teams/venue representatives.

For more information, please see http://www.epa.gov/p2/pubs/grants/index.htm#p2grant and www.p2rx.org.

Performance Targets:

Work under this program also supports performance results listed in the Pollution Prevention program description under the EPM account and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$117.0) This increase is for pollution prevention grants to enable increased support for state and tribal pollution prevention technical assistance activities. This increase will enable EPA to issue two to five additional P2 grants through the program's annual competitive process to produce reductions in uses of hazardous materials and water, reductions in greenhouse gas emissions, and reductions in costs to businesses, governments, and institutions.

Statutory Authority:

Pollution Prevention Act (PPA) of 1990, 42 U.S.C. 13101 et seq. -- Sections 6601-6610; Toxic Substances Control Act (TSCA), 15 U.S.C. 2601 et seq.

Categorical Grant: Public Water System Supervision (PWSS)

Program Area: Categorical Grants
Goal: Protecting America's Waters
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$109,387.1***	***$105,320.0***	***$109,700.0***	***$4,380.0***
Total Budget Authority / Obligations	$109,387.1	$105,320.0	$109,700.0	$4,380.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Public Water System Supervision (PWSS) program provides grants to states and tribes with primary enforcement authority (primacy) to implement and enforce National Primary Drinking Water Regulations. These grants help to ensure the safety of the nation's drinking water resources and protect public health. The states are the primary implementers of the national drinking water program and ensure that the systems within their jurisdiction are in compliance with drinking water rules.

National Primary Drinking Water Regulations set forth monitoring, reporting, compliance tracking, and enforcement elements to ensure that the nation's drinking water supplies do not contain substances at levels that may pose adverse health effects. These grants are a key implementation tool under the Safe Drinking Water Act and support the states' role in a federal/state partnership of providing safe drinking water supplies to the public. States use these grant funds to:

- Provide technical assistance to owners and operators of water systems;
- Maintain compliance data systems;
- Compile and analyze compliance information;
- Respond to violations;
- Certify laboratories;
- Conduct laboratory analyses;
- Conduct sanitary surveys; and
- Build state capacity.

Some states and tribes do not have primary enforcement authority. Funds allocated to the State of Wyoming, the District of Columbia, and Indian tribes without primacy are used to support direct implementation activities by the EPA or for developmental grants to Indian tribes to develop capacity for primacy.[21]

[21] For more information see:
http://www.epa.gov/safewater/pws/pwss.html
https://www.cfda.gov/index?s=program&mode=form&tab=step1&id=cca066b833c552bdf3c9ff011e576c7f

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to provide PWSS grants to support state and tribal efforts to meet existing drinking water standards. States and tribes will work to ensure that systems can acquire and maintain basic implementation capabilities and a full suite of expertise to provide public health protection. These resources also will be used by states and tribes as they provide technical assistance and training to help meet the evolving needs of the small water systems. The grants have indeed been successful in helping small water systems achieve compliance with standards. In FY 2011, 90.7 percent of community water systems (CWSs) met all applicable health-based standards, surpassing the performance target of 90 percent. The program also resulted in safe drinking water in FY 2011, as 93.2 percent of the population served by CWSs received drinking water that met all applicable health-based drinking water standards, surpassing the performance target of 91 percent.

Additionally, the EPA is requesting a $4 million increase in FY 2013 to replace the outdated Safe Drinking Water Information System/State Version (SDWIS/State) system to improve data quality and enable states to more efficiently receive drinking water data, thereby improving program management. The EPA will use the funding for associated program support costs or in-kind assistance for the benefit of the states in replacing SDWIS/State. This will reduce the need for state resources to maintain individual compliance databases, enabling increased resources towards providing compliance assistance. The EPA will fund its share of the joint effort with Environmental Program and Management appropriation funding. Replacing SDWIS/Fed and SDWIS/State will save $15 million over 10 years.

States and tribes will use their PWSS funds to ensure that:

- Public drinking water systems of all sizes achieve or remain in compliance;
- Public drinking water systems of all sizes are meeting newer health-based standards and are prepared for recent regulatory requirements (e.g., Long-Term 2 Enhanced Surface Water Treatment Rule or "LT2," Stage 2 Disinfectants and Disinfection Byproducts Rule or "Stage 2," and Ground Water Rule or "GWR");
- Data are complete, accurate and submitted to the EPA in a timely manner, and that any data quality issues are identified and addressed; and
- All systems are having sanitary surveys conducted according to the required schedules.

Performance Targets:

Measure	**(aa) Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	93	94	90	90	90	91	91	92	Percent Population
Actual	89	91.5	92	92.1	92	93.2			

Measure	(apm) Percent of community water systems that meets all applicable health-based standards through approaches including effective treatment and source water protection.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	93.5	89	89.5	90	90	90	90	90	Percent Systems
Actual	89.3	89	89	89.1	89.6	90.7			

The performance measures that directly relate to the Public Water System Supervision grant program are the population and the number of community water systems that supply drinking water meeting all health-based standards.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$4,000.0) This reflects an increase to the PWSS program to replace the EPA-developed, state-operated SDWIS/State with a new, more efficient system. The EPA estimates that replacing SDWIS/Fed and SDWIS/State will save $15 million over 10 years. These cost efficiencies and system improvements will enable states to acquire data more quickly and, therefore, more effectively and efficiently allocate resources and technical assistance to systems in non-compliance and most in need, including those serving less than 10,000 people. This funds the state share of a joint effort.

- (+$380.0) This increase is for states to provide greater technical assistance and oversight.

Statutory Authority:

SDWA, 42 U.S.C. §300f–300j–9 as added by Public Law 93–523 and the amendments made by subsequent enactments, Section 1443.

Categorical Grant: Radon

Program Area: Categorical Grants
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$8,720.0***	***$8,045.0***	***$0.0***	***($8,045.0)***
Total Budget Authority / Obligations	$8,720.0	$8,045.0	$0.0	($8,045.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Indoor radon is the second-leading cause of lung cancer and the main cause of lung cancer for non-smokers. The EPA's non-regulatory radon program promotes public action to reduce the health risk from indoor radon. The EPA has assisted states and Tribes through technical support and the State Indoor Radon Grants (SIRG) program, which provided categorical grants to develop, implement, and enhance programs that assess and mitigate radon risk. Section 306 of the Indoor Radon Abatement Act (IRAA) authorizes radon grant assistance to states, as defined by TSCA Title III. The EPA targeted this funding to support states with the greatest populations at highest risk. The average annual award per state has been $160,000. The EPA supplemented grant dollars with technical support to transfer "best practices" among states that promote effective program implementation across the nation.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will eliminate funding for the SIRG program and focus the Agency's efforts toward maintaining public outreach efforts, encouraging action in the marketplace and driving progress at the federal level. Exposure to radon gas continues to be an important risk to human health, and over the 23 years of its existence EPA's radon program has provided important guidance and significant funding to help States establish their own programs.

The elimination of the SIRG will transfer responsibility to state and local radon programs for maintaining the number of homes with high radon levels that are mitigated, the number of new homes that are built with radon resistant new construction, and the number of schools with high radon levels that are mitigated or built with radon resistant new construction.

Performance Targets:

Work under this program also supports performance results in the Indoor Air: Radon Program under the Environmental Program Management Tab and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$8,045.0) This is a mature program that has achieved significant progress over the 23 years of its existence in mitigating radon exposure and building capacity at the local and state government level to continue radon protection efforts without federal support. If states maintain their existing programs, there is the possibility of sustaining some of the human health benefits through implementation at the state or local level.

Statutory Authority:

CAA Amendments of 1990; Radon Gas and Indoor Air Quality Research Act; Title IV of the SARA of 1986; TSCA, Section 6, Titles II and Title III (15 U.S.C. 2605 and 2641-2671); and IRAA, Section 306.

Categorical Grant: State and Local Air Quality Management

Program Area: Categorical Grants
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Address Climate Change; Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$249,061.4***	***$235,729.0***	***$301,500.0***	***$65,771.0***
Total Budget Authority / Obligations	$249,061.4	$235,729.0	$301,500.0	$65,771.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

This program includes funding for multi-state, state, and local air pollution control agencies. Section 103 of the Clean Air Act (CAA) provides the EPA with the authority to award grants to a variety of agencies, institutions, and organizations, including the air pollution control agencies funded from the STAG appropriation, to conduct and promote certain types of research, investigations, experiments, demonstrations, surveys, studies, and training related to air pollution. Section 105 of the CAA provides the EPA with the authority to award grants to state and local air pollution control agencies to develop and implement continuing programs for the prevention and control of air pollution and for the implementation of National Ambient Air Quality Standards (NAAQS) set to protect public health and the environment. The continuing programs funded under section 105 include development and implementation of emission reduction measures, development and operation of air quality monitoring networks, and a number of other air program areas. Section 106 of the CAA provides the EPA with the authority to fund interstate air pollution transport commissions to develop or carry out plans for designated air quality control regions.

FY 2013 Activities and Performance Plan:

State Implementation Plans (SIPs) provide a blueprint for the programs and activities that states carry out to achieve and maintain NAAQS. There are a number of events that trigger SIP updates. For example, when the EPA promulgates a new NAAQS, affected states must update their SIPs within three years. Currently, states are experiencing an increased workload resulting from the EPA's commitment to review each NAAQS according to CAA deadlines. In FY 2013, states will focus on implementing the revised lead, nitrogen dioxide (NO2), sulfur dioxide (SO2) NAAQS, the current PM, and ozone NAAQS. This includes the 1997 PM 2.5 NAAQS, the 2006 24-hour PM 2.5 NAAQS, the 1-hour ozone NAAQS **(**through anti-backsliding requirements**),** the 1997 8-hour ozone NAAQS, and the 2008 8-hour ozone NAAQS. The NAAQS revisions are setting ambitious standards to protect public health and States will need to develop SIPs that include the use of innovative strategies to meet these standards. SIP preparation for some pollutants is complicated due to the regional nature of air pollution that requires additional and more complicated modeling, refined emissions inventories, and greater stakeholder involvement. States also are addressing new types of air pollution sources, such as biomass facilities and

agricultural sources, and preparing new and more complicated planning strategies to address greenhouse gases (GHGs). In FY 2013, the EPA will work with states to develop approvable SIP submissions and provide technical assistance in implementing their plans for the NAAQS and regional haze.

In FY 2013, states with approved or delegated permitting programs will continue to implement new GHG, SO_2, and nitrogen dioxide (NO_2) permitting requirements as part of their programs. The Agency is working with states to implement common sense permitting requirements on the largest emitters of greenhouse gases. This request insures that our partners have the resources needed to efficiently review and approve Clean Air Act permits. State permitting authorities need additional resources to effectively handle an influx of new permitting actions, especially to handle sources that are new to air permitting. Under EPA's Tailoring Rule, there are sources that will need state issued permits for the first time due to their GHG emissions and there are an increased number of preconstruction permitting actions triggered by GHG emissions from new and modified emission sources. These requirements have strained permitting authorities already dealing with budget shortfalls and personnel retention issues. Funding in FY 2013 will assist in avoiding delays in evaluating and approving preconstruction permits for all pollutants and operating permits that address GHGs. Issuing these pre-construction and operating permits in a timely manner is important to prevent delays for project construction.

In 2006, the EPA revised the $PM_{2.5}$ NAAQS for 24-hour concentrations. Although the final 2006 rule did not revise the air monitoring network design criteria, a number of states voluntarily shifted monitoring equipment to new locations to investigate possible problem areas with respect to the revised NAAQS. The final rule also provided that there be a better balance of filter-based and continuous monitoring methods employed to ensure more objectives would be served by each agency's network. EPA grants support states' monitoring networks, while fulfilling state, regional and partner needs to ensure attainment with clean air standards. The EPA currently is reviewing the PM NAAQS as part of the subsequent 5-year cycle. Additional changes to $PM_{2.5}$ monitoring networks are possible, based on potential changes to the NAAQS that will be finalized in 2013. EPA is implementing a four-year phased transition of the funding mechanism of the PM2.5 network. The PM2.5 monitoring network has been funded under section 103 authority of the CAA, which provides 100% federal funding. By FY 2017, the PM2.5 monitoring network will be completely funded under section 105 authority of the CAA, which provides cost-sharing between the EPA and the states at 60% and 40% respectively.

An important new multi-pollutant monitoring site network (NCore) became operational on January 1, 2011. This network serves multiple objectives such as measuring long-term trends of air pollution, validating models, and providing input to health and atmospheric science studies. The EPA worked closely with the states to implement this network of approximately 80 stations across the nation. NCore stations require measurements for particles, including filter-based and continuous mass for $PM_{2.5}$; chemical speciation for $PM_{2.5;}$ and $PM_{10-2.5}$ mass. Stations also measure gases such as carbon monoxide (CO), SO_2, nitrous oxides, and ozone, and record basic meteorology.

The EPA is exploring the use of the rural portion of the NCore network as a partial base for the assessment of NO_2 and SO_2 concentrations supporting the secondary NAAQS. The establishment

of a pilot NO_2 and SO_2 ambient network in partnership with the CASTNET network is under consideration. The EPA proposed the SO_2 and NO_2 secondary NAAQS in July 2011 and plans to finalize the NAAQS by March 2012.

Resources are needed for monitoring costs associated with lead emissions, an especially high risk for children. In October 2008, the EPA revised the NAAQS for lead to a level ten times tighter than the previous standards. To ensure protection under the revised NAAQS, the EPA worked with states to improve the lead monitoring network by placing monitors in areas with sources, such as industrial facilities, that emit one ton or more of lead per year. This portion of the lead network, which includes approximately 100 monitoring stations, began operation on January 1, 2010. Subsequent monitors must be placed near sources that emit over one-half ton of lead (which requires an additional 90 monitors), to provide lead measurements at approximately 65 of the 80 NCore multi-pollutant monitoring stations for purposes such as assessing trends and non-source concentrations, and to conduct 12-month monitoring studies at 15 general aviation (non-jet) airports across the nation. These additional lead monitoring requirements took effect at the end of 2011.

In March 2008, EPA strengthened the ozone NAAQS by revising the 8-hour standard to a level of 0.075 ppm. To support the robust ozone monitoring network that is already operating in most urban areas across the country, EPA plans to finalize changes to the ozone monitoring season requirements to support the 0.075 ppm NAAQS. Changes to the ozone monitoring season are to begin on the first day of the new ozone monitoring season in FY 2013.

As part of its commitment to review each NAAQS according to the CAA, the EPA finalized revisions to the NO_2 NAAQS in January 2010. Revisions to the NO_2 NAAQS also have substantial implications for monitoring, including the potential deployment of up to 167 new monitoring stations in locations not currently being monitored. The EPA is working closely with states on the NO_2 monitoring network design, and has supported a phased approach to the monitoring program that will result in the deployment of several near-road sites in late 2012. The EPA developed a comprehensive near-road monitoring Technical Assistance Document in 2011 and consulted with CASAC on two occasions to ensure independent review of the structure and content. States will use this document to identify and propose candidate near-road NO_2 stations by July 2012 as part of their annual monitoring network plans.

The EPA finalized a revised SO_2 primary NAAQS in 2010. The monitoring requirements are expected to result in a required network size of approximately 129 monitors nationwide, which will begin operation by January 2013. A majority of these monitoring requirements are expected to be met by existing sites already operated by state and local agencies. Any new monitors needed to meet these requirements were proposed as part of annual monitoring network plans that were due in July 2011.

The EPA finalized a review of the CO NAAQS in August 2011. The review will result in modest changes to the CO monitoring network. States will be required to establish CO monitors at a subset of the near-road monitoring sites required by the NO_2 NAAQS in a transition that will span several years, but be completed no later than January 1, 2015. The EPA expects that this network transition will involve the relocation of existing CO monitors.

This program also supports state and local efforts to characterize air toxics problems and take measures to reduce health risks from air toxics, most often through actions to enforce EPA regulations. New and revised New Source Performance Standards (NSPS) and Maximum Achievable Control Technology (MACT) standards have increased the workload for states as they are the delegated authority to enforce many of these standards. These standards will create important and lasting improvements in public health and additional support is need by states to understand and implement these new standards. This funding also supports characterization work that includes collection and analysis of emissions data and monitoring of ambient air toxics. In FY 2013, funds for air toxic ambient monitoring also will support the National Air Toxics Trends Stations (NATTS), consisting of 27 air toxics monitoring sites operated and maintained by state and local air pollution control agencies across the country, and the associated quality assurance, data analysis, and methods support. Finally, this program supports state efforts to monitor compliance and enforce Maximum Available Control Technology (MACT) standards for major sources and regulations to control emissions from area sources.

Performance Targets:

Measure	**(M92) Cumulative percentage reduction in the number of days with Air Quality Index (AQI) values over 100 since 2003, weighted by population and AQI value.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	17	21	25	29	33	37	50	80	Percent Reduction
Actual	39	42	52	59	70	Data Avail 12/2012			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$24,271.0) This reflects an increase to support expanded core state workload for implementing revised and more stringent NAAQS and monitoring industry compliance with EPA stationary source regulations. These resources provide vital assistance to states and localities to design, implement and fund plans to ensure attainment with the standards to improve air quality in communities across the nation.

- (+$1,500.0) Funding is requested to support the Greenhouse Gas Reporting Rule. The STAG funds will be used by states to facilitate the collection, review and use of greenhouse gas emissions data collected under the EPA's Greenhouse Gas Reporting Program (GGRP) and linked state-based reporting programs. Specifically, states would use the STAG funds: to develop data management systems to transfer and receive greenhouse gas data to work with the EPA on adding capabilities to the EPA's reporting tools; to carry out state-specific review and verification tasks related to reported greenhouse gas emissions data, to conduct training and outreach to affected facilities and other stakeholders; and to promote the use and publication of greenhouse gas emission data.

- (+$25,000.0) This reflects an increase to provide state and local agencies the resources to develop the capacity to permit large sources of greenhouse gas emissions. State, tribal, and local permitting authorities need additional resources to effectively handle an influx of new permitting actions, especially to handle sources that are new to air permitting. State

permitting authorities have primary responsibility to review permit applications and issue permits.

- (+$15,000.0) This reflects an increase for additional state air monitors required by revised NAAQS. The EPA has made a commitment to review each of the NAAQS every five years, as required by the Clean Air Act. For each revision, states may be required to establish new monitoring sites, sometimes using new types of monitoring equipment.

Statutory Authority:

CAA, Sections 103, 105, and 106.

Categorical Grant: Toxics Substances Compliance

Program Area: Categorical Grants
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$5,551.7***	***$5,081.0***	***$5,201.0***	***$120.0***
Total Budget Authority / Obligations	$5,551.7	$5,081.0	$5,201.0	$120.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Toxics Substances Compliance grants program builds environmental partnerships with states and tribes to strengthen their ability to address environmental and public health threats from toxic substances such as Polychlorinated Biphenyls (PCBs), asbestos, and lead-based paint. State grants are used to ensure compliance with standards for the proper use, storage and disposal of PCBs. Proper handling prevents persistent bio-accumulative toxic substances from contaminating food and water. The asbestos funds ensure compliance with standards to prevent exposure of school children, teachers, and staff to asbestos fibers in school buildings. The funds also support compliance with other Toxic Substances Control Act (TSCA) asbestos regulations such as the Asbestos Ban and Phase-out Rule. The program assures that asbestos and lead abatement workers have received proper training and certification to ensure protection during the abatement process and minimize the public's exposure to these harmful toxic substances.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA's Enforcement and Compliance Assurance program will continue to award state and tribal grants to assist in the implementation of compliance and enforcement provisions of TSCA. These grants protect the public and the environment from PCBs, asbestos, and lead-based paint. States receiving grants for the PCB program and for asbestos programs must contribute 25 percent of the total cost of the program being funded. For all three programs, funds are used to train inspectors including train-the-trainer; provide inspection equipment including sampling and personal protective equipment; and fund travel and salary costs associated with conducting inspections. The EPA also plans to continue to incorporate technology such as the use of portable personal computers and inspection software to improve efficiency in the inspection process and support state and tribal inspection programs. For asbestos, there are approximately 1,000 inspections conducted annually by the states funded under this program; for PCBs, states conduct approximately 350 inspections a year; for lead-based paint, there are approximately 6,000 inspections a year. The EPA's inspection coverage in these states is focused on oversight, training, and support. States provide valuable coverage which is critical to providing protections to communities against PCB contamination, preventing exposure to asbestos fibers to school age children, teachers, and custodial staff in schools, and protecting the public from lead paint contamination.

Performance Targets:

Work under this program supports the strategic objective to Ensure Chemical Safety. Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$120.0) This increase will provide the states with additional funds to address environmental and public health threats from toxic substances such as PCBs, asbestos, and lead-based paint.

Statutory Authority:

Toxic Substances Control Act.

Categorical Grant: Tribal Air Quality Management

Program Area: Categorical Grants
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$14,365.8***	***$13,252.0***	***$13,566.0***	***$314.0***
Total Budget Authority / Obligations	$14,365.8	$13,252.0	$13,566.0	$314.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

This program includes funding for Tribal air pollution control agencies and/or Tribes. Through Clean Air Act (CAA) section 105 grants, Tribes may develop and implement programs for the prevention and control of air pollution and implementation of national primary and secondary National Ambient Air Quality Standards (NAAQS). Through CAA Section 103 grants, Tribal air pollution control agencies or Tribes, colleges, universities, and multi-Tribe jurisdictional air pollution control agencies may conduct and promote research, investigations, experiments, demonstrations, surveys, studies, and training related to ambient or indoor air pollution on Tribal lands.

FY 2013 Activities and Performance Plan:

Tribes will assess environmental and public health conditions on Tribal lands by developing emission inventories and, where appropriate, siting and operating air quality monitors. Tribes will continue to develop and implement air pollution control programs for Indian Country to prevent and address air quality concerns. The EPA will continue to fund organizations for the purpose of providing technical support, tools, and training for Tribes to build capacity to develop and implement programs, as appropriate, and will work to reduce the number of days in violation of the Air Quality Index. This program supports the agency's priority of building strong Tribal partnerships.

Performance Targets:

Work under this program supports the performance results in Federal Support for Air Quality Management under Environmental Programs and Management Tab and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$314.0) This reflects an increase to support programs as they implement air programs on tribal lands.

Statutory Authority:

CAA, Sections 103 and 105.

Categorical Grant: Tribal General Assistance Program

Program Area: Categorical Grants
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Strengthen Human Health and Environmental Protection in Indian Country

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$69,331.2***	***$67,631.0***	***$96,375.0***	***$28,744.0***
Total Budget Authority / Obligations	$69,331.2	$67,631.0	$96,375.0	$28,744.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

In 1992, Congress established the Indian Environmental General Assistance Program (GAP) to provide a mechanism for federal efforts to assist tribal governments in assuring environmental protection on Indian lands. The purpose of GAP is to support development of tribal environmental protection programs. Please see http://www.epa.gov/aieo/gap.htm for more information.

GAP provides general assistance grants to build capacity to administer environmental regulatory programs that may be authorized by the EPA in Indian country and provides technical assistance in the development of programs to address environmental issues on Indian lands. GAP grants help build the basic components of a tribal environmental program which may include planning, developing, and establishing administrative, technical, legal, enforcement, communication, and outreach infrastructure. GAP grants build a strong foundational tribal environmental program from which tribes are more prepared to apply for and successfully take advantage of media-specific environmental programs. Some uses of GAP funds include the following:

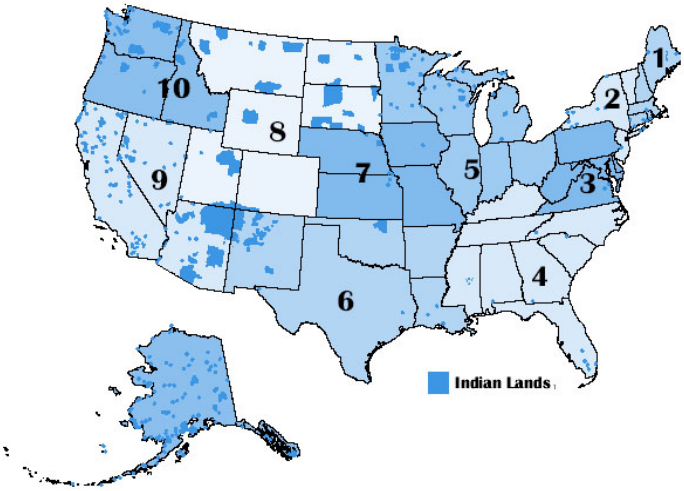
- Assess the status of a tribe's environmental condition;
- Develop appropriate environmental programs and ordinances;
- Develop the capacity to administer environmental regulatory programs that may be delegated by the EPA on Indian lands;
- Conduct public education and outreach efforts to ensure that tribal communities are informed and able to participate in environmental decision-making; and
- Promote communication and coordination between federal, state, local and tribal environmental officials.

FY 2013 Activities and Performance Plan:

In FY 2013, GAP grants will assist tribal governments in building environmental capacity to

assess environmental conditions, utilize available federal and other information, and build environmental programs tailored to their needs. As part of the EPA's tribal program, the EPA is requesting an additional $28.7 million for GAP to increase the base funding tribes are able to receive. Much of the base funding is used to pay for hiring, training, and support of environmental professionals who develop tribal environmental programs; the majority of the increased request for FY 2013 reflects adjustments which have not been made for over a decade for this base funding, at a rate generally consistent with inflation. This will help to reduce staff turn-over rates and thereby enhance longer-term sustainability of the programs being developed. Furthermore, the increase will allow sufficient resources for tribes to address a wider set of program responsibilities as is necessary with program growth over time. Finally, the additional funds will support targeted initiatives aimed at national and regional concerns that may leverage or reduce resource needs in the future.

GAP funds are a key means by which tribes leverage EPA and other federal funding to contribute towards a higher overall level of environmental and human health protection per dollar invested. Many tribes have expressed the need to start implementing high priority environmental programs, and by increasing GAP grant funding, tribes will develop stronger, more sustainable environmental programs and allow more tribes to more effectively advance to program implementation. These GAP grants also will be used to develop environmental education and outreach programs, develop and implement integrated solid waste management plans, and alert the EPA to serious conditions that pose immediate public health and ecological threats.



Building on the environmental planning framework developed in FY 2011 for tribes and the EPA to follow in building tribal environmental capacity, the EPA will expand tribal program capacity in FY 2013 and track progress along clear pathways within each major EPA environmental program area. The effort will identify key program development and implementation milestones for each tribal government (i.e., steps from needs assessment and program planning through enforcement and performance measurement), the key requirements of each step, and the available technical and funding resources to achieve program goals. The goal is to establish a roadmap for each tribal government program and track progress in achieving program capacity.

The Inspectors General of the EPA and the Department of Interior jointly released a report in May 2007, "Tribal Successes, Protecting the Environmental and Natural Resources," which highlights successful environmental protection practices by tribes. The EPA's tribal activities were positively viewed in this report. The EPA will continue efforts to further assist tribes in establishing environmental protection through collaboration, partnerships, and other practices that lead to tribal success. See "Tribal Success, Protecting the Environment and Natural Resources" (http://www.epa.gov/oig/reports/2007/20070503-2007-P-00022JT.pdf) for more information.

In FY 2013, the EPA will continue to be responsive to the Inspector General's Audit Report, "Framework for Developing Tribal Capacity Needed in the Indian General Assistance Program" (Report No. 08-P-0083)[22] by institutionalizing a GAP "Guidebook for Building Tribal Environmental Capacity," which includes an enhanced approach to the EPA-tribal partnership. This will be implemented through strategic environmental program planning and more effective use of GAP funding as a means to achieve tribal capacity.

An independent program evaluation of GAP was conducted to determine GAP's effectiveness in building tribal environmental capacity. The report concluded that GAP is successful in building a foundation of environmental capacity among tribes, as defined as a capability in one or more of five indicator areas – technical, legal, enforcement, administrative, and communications. Although the extent of capacity building varies across indicator areas for tribes, GAP funding is essential for tribes to achieve their environmental goals. See "Evaluation of the Tribal General Assistance Program (GAP)" at (http://www.epa.gov/evaluate/pdf/ GAPFinalReport.pdf) for more information.

Performance Targets:

Measure	**(5PQ) Percent of Tribes implementing federal regulatory environmental programs in Indian country (cumulative).**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target			6	7	14	18	22	24	Percent
Actual			14	13	14	17			

Measure	**(5PR) Percent of Tribes conducting EPA approved environmental monitoring and assessment activities in Indian country (cumulative.)**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target			21	23	42	52	54	57	Percent
Actual			42	40	50	52			

[22] http://www.epa.gov/oig/reports/2008/20080219-08-P-0083.pdf

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$28,744.0) This reflects an increase in the base funding available for GAP grants to tribes, which would generally increase the average funding amount of grants to eligible tribes by 40% per tribe, as compared to average historic funding levels, which were last adjusted in 1999. This percent increase is generally consistent with consumer price index (CPI) inflation calculations and provides tribes with an appropriate base foundation to build their capacity to address environmental issues on Indian lands. This increase will help to reduce staff turn-over rates and thereby enhance longer-term sustainability of the programs being developed. It will further the EPA's partnership and collaboration with tribes to address a wider set of program responsibilities and challenges. The EPA also will fund focused targeted assistance on long-standing and mutually agreed-upon concerns in Indian country.

Statutory Authority:

Indian Environmental General Assistance Program Act, 42 U.S.C. § 4368b (1992), as amended.

Categorical Grant: Underground Injection Control (UIC)

Program Area: Categorical Grants
Goal: Protecting America's Waters
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$11,844.3***	***$10,852.0***	***$11,109.0***	***$257.0***
Total Budget Authority / Obligations	$11,844.3	$10,852.0	$11,109.0	$257.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Underground Injection Control grant program is implemented by federal, state, and tribal government agencies that oversee underground injection activities in order to prevent contamination of underground sources of drinking water. Underground injection is the placement of fluids beneath the earth's surface in porous rock formations through wells or other similar conveyance systems. Billions of gallons of fluids are injected underground, including the majority of hazardous wastewater that is land disposed. In recent years, the use of injection has expanded to include injection of water for later use, and injection for the long-term storage of carbon dioxide (CO_2).

When wells are properly sited, constructed, and operated, underground injection is an effective method of managing fluids. The Safe Drinking Water Act established the Underground Injection Control program to provide safeguards so that injection wells do not endanger current and future underground sources of drinking water. The most accessible underground freshwater is stored in shallow geological formations (*i.e.*, shallow aquifers) and is the most vulnerable to contamination from improper practices.

The EPA provides financial assistance, in the form of grants, to states and tribes that have primary enforcement authority (primacy) to implement and manage Underground Injection Control programs. Eligible Indian tribes who demonstrate an intent to achieve primacy may also receive grants for the initial development of Underground Injection Control programs and be designated for "Treatment As a State" if their programs are approved. Where a jurisdiction is unable or unwilling to assume primacy, the EPA uses grant funds for direct implementation of federal Underground Injection Control requirements. The EPA directly implements programs in ten states and shares responsibility in seven states. The EPA also administers the Underground Injection Control programs for all but two tribes.[23]

[23] See the following websites for more information: https://www.cfda.gov/index?s=program&mode=form&tab=step1&id=c1307f57fe8bec34f1a65660eff495a8&cck=1&au=&ck= and http://water.epa.gov/type/groundwater/uic/index.cfm

FY 2013 Activities and Performance Plan:

Ensuring safe underground injection of fluids, including waste fluids, is a fundamental component of a comprehensive source water protection program that, in turn, is a key element in the Agency's multi-barrier approach to providing clean and safe drinking water. The Underground Injection Control program continues to manage or close the approximately 500 thousand shallow injection wells (Class V)[24] to protect our groundwater resources. The requested funding allows states and tribes to administer Underground Injection Control permitting programs, provide program oversight, implementation tools, and public outreach, and ensure that injection wells are safely operated.

Geologic Sequestration (GS) is the process of injecting CO_2 captured from an emission source (e.g., a power plant or industrial facility) into deep, subsurface rock formations for long-term storage. It is part of a process known as "carbon capture and storage," or CCS. The EPA's Underground Injection Control program regulates underground injection of CO_2. In December 2010, a rule was finalized which established a new class of underground injection well—Class VI—with new federal requirements to allow the injection of CO_2 for the purpose of GS. The rule built on, and tailored, existing Underground Injection Control regulatory components including siting, construction, operation, monitoring and testing, and closure for injection wells that address the pathways through which underground sources of drinking water (USDWs) may be endangered. In addition to protecting USDWs, the rule provides a regulatory framework to implement a consistent approach to permitting GS projects across the U.S. and supports the development of a potentially key climate change mitigation technology.

On September 15, 2011, the EPA published a notice in the *Federal Register* indicating that the EPA will implement the Class VI GS program as no states have applied for or received approval for Class VI primacy either through a state UIC program revision or through a new application from states without any UIC primary enforcement authority. Therefore, in FY 2013, until states receive Class VI primacy approval, the EPA will continue to carry out regulatory functions for Class VI GS wells along with other classes of wells for which EPA has direct implementation responsibility. The EPA will continue to process primacy applications and permit applications for carbon sequestration projects related to Class VI wells. States and the EPA also will process Underground Injection Control permits for other nontraditional injection streams such as desalination brines and treated waters injected for storage and recovered at a later time. In FY 2013, within the resources available, the EPA (where the EPA directly implements) will implement guidance for permitting hydraulic fracturing where diesel fuels are used.

[24] As represented in calendar year 2011 annual inventory.

Performance Targets:

Measure	(aps) Percent of Classes I, II and III salt solution mining wells that have lost mechanical integrity and are returned to compliance within 180 days, thereby reducing the potential to endanger underground sources of drinking water.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							90	90	Percent (Class Wells)
Actual									

Measure	(apt) Number of Class V motor vehicle waste disposal wells (MVWDW) and large capacity cesspools (LCC) [approximately 23,640 in FY 2010] that are closed or permitted (cumulative).								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target							20,840	24,327	Wells
Actual									

The program has developed an annual performance measure to demonstrate the protection of source water quality. The EPA also has developed annual performance measures for the Underground Injection Control program that are indicators of the program's effectiveness in preventing contamination of underground sources of drinking water and protecting public health. These annual performance measures will be tracked beginning in FY 2012.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$257.0) This reflects an increase to assist states and tribes in meeting costs associated with state and tribal program implementation.

Statutory Authority:

SDWA, 42 U.S.C. §300j-2, Section 1443.

Categorical Grant: Underground Storage Tanks
Program Area: Categorical Grants
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Preserve Land

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$2,759.8***	***$1,548.0***	***$1,490.0***	***($58.0)***
Total Budget Authority / Obligations	$2,759.8	$1,548.0	$1,490.0	($58.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Underground Storage Tanks (UST) State and Tribal Assistance Grant (STAG) funds provide grants to states[25] under Section 2007 of the Solid Waste Disposal Act, available to support core program activities as well as the leak prevention activities under Title XV, Subtitle B of the Energy Policy Act of 2005 (EPAct).

STAG grants to states focus attention on the need to bring all UST systems into compliance with release detection and release prevention requirements and continue to implement the provisions of the EPAct. States will continue to use the UST categorical grant funding to implement their leak prevention and detection programs. Specifically, with these UST categorical grants, states will fund such activities as: seeking state program approval to operate the UST program in lieu of the Federal program, approving specific technologies to detect leaks from tanks, ensuring that tank owners and operators are complying with notification and other requirements, ensuring equipment compatibility, conducting inspections, and implementing operator training.

UST STAG funds meet a critical need in the UST program, filling a gap left by Leaking Underground Storage Tank (LUST) prevention grant funding. The Energy Policy Act of 2005 (EPAct) expanded the eligible use of LUST funds to include certain release prevention/detection activities, but it did not authorize LUST funds for all prevention/detection activities. States that don't have sufficient state resources to fund core program activities that are not authorized by EPAct need STAG funds to fund those core program activities. Approximately 15 states per year have received STAG funds.

While UST releases have declined over the years, continued prevention and detection activities are necessary to maintain our progress and limit future releases.

FY 2013 Activities and Performance Plan:

In FY 2013, the program's focus will continue to enhance compliance with release detection and release prevention requirements, and implement the provisions of the EPAct.[26] Funding from the

[25] States as referenced here also include Territories as described in the definition of "State" in the Solid Waste Disposal Act.
[26] For more information on grant guidelines under EPAct see: http://www.epa.gov/OUST/fedlaws/epact_05.htm.

STAG account is primarily intended for states' core UST prevention activities (which are not LUST eligible) such as, compliance assistance, state program approvals, and technical equipment reviews and approvals.

Performance Targets:

Measure	(ST1) Reduce the number of confirmed releases at UST facilities to five percent (5%) fewer than the prior year's target.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	<10,000	<10,000	<9,000	<9,000	<9,000	<8,550	<8,120	<7,715	Releases
Actual	8,361	7,570	7,364	7,168	6,328	5.998			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$58.0) This reflects a slight reduction in grant resources available to the states to conduct core UST prevention activities.

Statutory Authority:

Solid Waste Disposal Act of 1976, as amended by the Superfund Amendments and Reauthorization Act of 1986 (Subtitle I), Section 2007(f), 42 U.S.C. 6916(f)(2), and the Energy Policy Act, Section 9011, 42 U.S.C. 6901 et seq.

Categorical Grant: Wetlands Program Development

Program Area: Categorical Grants
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$26,138.1***	***$15,143.0***	***$15,167.0***	***$24.0***
Total Budget Authority / Obligations	$26,138.1	$15,143.0	$15,167.0	$24.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Wetland Program Development Grants (WPDGs) were authorized by Congress beginning in FY 1990 to assist states, tribes, and local governments in meeting the national goal of an overall increase in the acreage and improved condition of wetlands. Grants are used to develop new or refine existing state and tribal wetland programs in one or more of the following areas: (1) monitoring and assessment; (2) voluntary restoration and protection; (3) regulatory programs including Section 401 certification and Section 404 authorization; and (4) wetland water quality standards. States and tribes develop program elements based on their goals and resources. Grants support development of state and tribal wetland programs that further the goals of the Clean Water Act and improve water quality in watersheds throughout the country. Grants are awarded on a competitive basis under the authority of Section 104(b)(3) of the Clean Water Act. Funding is split among the EPA regional offices according to the number of states and territories per regional office. Each regional office is required, by regulation, to compete the award of these funds to states, tribes, local governments, interstate agencies, and intertribal consortia.[27]

FY 2013 Activities and Performance Plan:

Strong state and tribal wetland programs are an essential complement to the Federal Clean Water Act Section 404 regulatory program. The WPDGs are the EPA's primary resource for supporting state and tribal wetland program development. Resources in FY 2013 will assist states and tribes in strengthening wetland protection through documenting stresses or improvements to wetland condition, providing incentives for wetland restoration and protection, and developing regulatory controls to avoid, minimize, and compensate for wetland impacts. Under the Enhancing State and Tribal Programs effort, the EPA is providing targeted technical assistance to complement projects funded under the grants.[28] In addition to the Enhancing State and Tribal Program, the EPA Five-Star Restoration Program provides approximately 30 challenge grants, technical support and opportunities for information exchange to enable community-based restoration projects while bringing together students, conservation corps, other youth groups, citizen groups,

[27]For more information, visit http://www.epa.gov/owow/wetlands/initiative/#financial and http://water.epa.gov/grants_funding/wetlands/estp.cfm.

[28] For more information on the core elements of a state/tribal wetland program and the ESTP initiative, visit: http://www.epa.gov/owow/wetlands/initiative/estp.html.

corporations, landowners, and government agencies to provide environmental education and training through projects that restore wetlands, streams, and coasts.

The target of the WPDGs is to substantially build or increase the capacity in wetland regulation, monitoring and assessment, water quality standards, and restoration and protection in states/tribes. This includes assistance to states, tribes, and local governments to build or refine their wetlands programs and for the 5-Star Restoration Challenge Grant program.

Performance Targets:

Measure	**(4G) Number of acres restored and improved under the 5-Star, NEP, 319, and great water body programs (cumulative).**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target			75,000	88,000	110,000	150,000	170,000	180,000	Acres
Actual			82,875	103,507	130,000	154,000			

Measure	**(4E) In partnership with the U.S. Army Corps of Engineers, states, and tribes, achieve no net loss of wetlands each year under the Clean Water Act Section 404 regulatory program.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	Acres
Actual	Data Not Available	Data Not Available	Data Not Available	No Net Loss	No Net Loss	No Net Loss			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$24.0) This reflects an increase to provide support toward developing and refining existing state and tribal wetland programs.

Statutory Authority:

1990 Great Lakes Critical Programs Act; 2002 Great Lakes and Lake Champlain Act; Clean Water Act; Coastal Wetlands Planning, Protection, and Restoration Act of 1990; Estuaries and Clean Waters Act of 2000; North American Wetlands Conservation Act; Water Resources Development Act; 1909 The Boundary Waters Treaty; 1978 Great Lakes Water Quality Agreement; 1987 GLWQA; 1996 Habitat Agenda; 1997 Canada-U.S. Great Lakes Bi-national Toxics Strategy; U.S.-Canada Agreements.

Program Area: State and Tribal Assistance Grants (STAG)

Infrastructure Assistance: Clean Water SRF
Program Area: State and Tribal Assistance Grants (STAG)
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$1,936,433.5***	***$1,466,456.0***	***$1,175,000.0***	***($291,456.0)***
Total Budget Authority / Obligations	$1,936,433.5	$1,466,456.0	$1,175,000.0	($291,456.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Clean Water State Revolving Fund (CWSRF) program provides funds to capitalize state revolving loan funds that finance infrastructure improvements for public wastewater systems and projects to improve water quality. The CWSRF is the largest source of federal funds for states to provide loans and other forms of assistance for constructing wastewater treatment facilities, implementing nonpoint source management plans, and developing and implementing estuary conservation and management plans. This program also includes a provision for set-aside funding for tribes to address serious water infrastructure problems and associated health impacts. This federal investment is designed to be used in concert with other sources of funds to address water quality needs.[29]

As of June 2011, the CWSRF has offered over 30 thousand assistance agreements to local communities, providing over $89.5 billion in affordable financing for wastewater infrastructure, nonpoint source pollution control, and estuary management projects.[30] These projects are critical to the continuation of the public health and water quality gains of the past 30 years. The revolving nature of the funds and substantial state contributions has greatly multiplied the federal investment. The EPA estimates that for every federal dollar contributed, more than two dollars have been provided to municipalities. The CWSRF program measures and tracks the average national rate at which available funds are loaned, assuring that the fund expeditiously supports the EPA's water quality goals. Trends also show that communities have been intensively utilizing the CWSRF, as the CWSRF utilization rate has exceeded its performance targets since FY 2006; in FY 2011, the CWSRF utilization rate was 98 percent, surpassing its performance target of 94.5 percent.

FY 2013 Activities and Performance Plan:

In FY 2013, the EPA will continue to implement a Sustainable Water Infrastructure Policy that focuses on working with states and communities to promote system-wide planning that helps

[29] See http://water.epa.gov/grants_funding/cwsrf/cwsrf_index.cfm for more information.
[30] Clean Water State Revolving Fund National Information Management System. US EPA, Office of Water, National Information Management System Reports: Clean Water State Revolving Fund (CWSRF). Washington, DC (As of June 30, 2011).

align system goals for sustainability with other community sustainability priorities, analyzing a range of infrastructure alternatives, including green and decentralized alternatives, and ensuring that systems have the financial capacity and rate structures to construct, operate, maintain, and replace infrastructure over time. As part of that strategy, the EPA is working to ensure that federal dollars provided through the State Revolving Funds act as a catalyst for efficient system-wide planning, improvements in technical, financial and managerial capacity; and the design, construction, and ongoing management of sustainable water infrastructure.

The Administration has strongly supported the SRFs, having requested and/or received totaling approximately $18 billion since 2009; since their inception, over $52 billion has been provided. This significant level of federal capitalization, combined with the state match and repayments, has allowed states to finance tens of thousands of water infrastructure projects that protect human health and the environment. At the level requested in the President's Budget, states will still be able to provide over $6 billion annually in water infrastructure loans to municipalities over the long term. Additionally, the EPA will work to target assistance to small and underserved communities with limited ability to repay loans. A number of systems also will have access to capital through the Administration's proposed Infrastructure Bank.

Recognizing the substantial remaining need for additional wastewater infrastructure as well as the historical effectiveness and efficiency of the CWSRF program, the Agency’s FY 2013 request includes $1.175 billion for the CWSRF. This federal investment, along with other traditional sources of financing, will enable substantial progress toward the nation’s clean water needs and sustainable infrastructure priorities and will significantly contribute to the long-term environmental goal of attaining designated uses. The Agency has made substantial progress in this area since FY 2007. In FY 2011, 3,119 waterbody segments were identified by States in 2002 as not attaining standards, where water quality standards are now fully attained, surpassing the performance target of 3,070 segments. In addition, 86.7 percent of all major publicly-owned treatment works (POTWs) complied with their permitted wastewater discharge standards in FY 2011, meeting the performance target of 86.7 percent. To achieve these significant outcomes, the EPA continues to work with states to meet several key objectives, such as:

- Funding projects designed as part of an integrated watershed approach;
- Linking projects to environmental results; and
- Maintaining the excellent fiduciary condition of CWSRF.

The EPA measures performance by using the CWSRF benefits reporting system, which is designed to track public health and environmental goals progress under both the base program and projects funded under ARRA. The benefits reporting system allows the program to more effectively link CWSRF financing to the protection and restoration of our nation’s waters.

In FY 2013, the Agency is requesting a Tribal set-aside of up to two percent, and a territories set-aside of up to 1.5 percent of the funds appropriated from the CWSRF. Resources for the tribes and territories will provide much needed assistance to these communities and help meet long-term performance goals and address significant public health concerns. The 2002 Johannesburg World Summit adopted the goal of reducing the number of people lacking access to safe drinking water and basic sanitation by 50 percent by calendar year 2015. The EPA will support this goal

through the Clean Water State Revolving Fund Indian Set-Aside, which will provide for the development of sanitation facilities for tribes.

In FY 2013, the Agency requests that not more than 30 percent of the CWSRF monies made available to each state be used to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these). The additional subsidization would be limited to initial financings for eligible recipients or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the enactment of this Act. This provision only applies to the portion of the CWSRF capitalization grant appropriation that exceeds $1 billion.

In FY 2013, the Agency, to the extent there are sufficient eligible project applications, will assure that not less than 20 percent of the portion of a capitalization grant made available shall be for projects, or portions of projects, that include green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities. The resulting projects will enhance community and utility sustainability.

Performance Targets:

Measure	**(bpb) Fund utilization rate for the CWSRF.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	93.3	93.4	93.5	94.5	92	94.5	94.5	94.5	Percent
Actual	94.7	96.7	98	98	100	98			

Measure	**(L) Number of water body segments identified by states in 2002 as not attaining standards, where water quality standards are now fully attained (cumulative).**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target		1,166	1,550	2,270	2,809	3,073	3,324	3,524	Segments
Actual		1,409	2,165	2,505	2,909	3,119			

Measure	**(bpc) Percent of all major publicly owned treatment works (POTWs) that comply with their permitted wastewater discharge standards.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target			86	86	86	86	86	86	Percent POTWs
Actual			86	Data Not Available	86.9	86.7			

Since 2001, fund utilization has remained relatively stable and strong at over 90 percent. This national ratio is an aggregate of fund activity in the 51 individual CWSRF programs (50 states and Puerto Rico). Small year-to-year fluctuations in the value of the national ratio are expected and reflect annual funding decisions made by each state based on its assessment and subsequent prioritization of state water quality needs and the availability of financial resources. The Agency expects the loan commitment rate to continue to be strong.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$291,456.0) This reduces resources for states, which the Agency will apply with an allotment formula to states based on the Clean Water Act formula. This reduction in resources maintains the balance between the need for reducing federal spending and ensuring that there is sufficient investment in our nation's water and wastewater infrastructure.

Statutory Authority:

CWA; 33 U.S.C 1381 et.seg.– Title VI.

Infrastructure Assistance: Drinking Water SRF
Program Area: State and Tribal Assistance Grants (STAG)
Goal: Protecting America's Waters
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$1,101,827.8***	***$917,892.0***	***$850,000.0***	***($67,892.0)***
Total Budget Authority / Obligations	$1,101,827.8	$917,892.0	$850,000.0	($67,892.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Drinking Water State Revolving Fund (DWSRF) is designed to support states in helping public water systems finance the costs of infrastructure improvements needed to achieve or maintain compliance with Safe Drinking Water Act (SDWA) requirements and to protect public health. To reduce public health risks and to help ensure safe drinking water nationwide, the EPA makes capitalization grants to states, so that they can provide low-cost loans and other assistance to eligible public water systems. The program emphasizes that, in addition to maintaining the statutory focus on assisting the greatest public health risks first, states can utilize additional tools to assist small and disadvantaged communities, and fund programs that encourage pollution prevention as a tool for ensuring safe drinking water. The DWSRF is a key component of the EPA's Sustainable Infrastructure Initiative.

States have considerable flexibility to tailor their DWSRF program to their unique circumstances. This flexibility ensures that each state has the opportunity to carefully and strategically consider how best to achieve the maximum public health protection. For example, states can:

- Establish programs to provide additional subsidies, including negative interest loans or principal forgiveness to communities that the state determines to be disadvantaged;

- Determine the proper balance between infrastructure investment and set-aside use for authorized SDWA program development and implementation. Historically, the states have set aside an annual average of 16 percent of the funds awarded to them for program development, and 4 percent to run the program; and

- Set-aside capitalization grant funds to provide other types of assistance to encourage more efficient and sustainable drinking water system management and to fund programs to protect source water from contamination.

For FY 2010 to FY 2013, appropriated funds will be allocated to the states in accordance with each state's proportion of total drinking water infrastructure need as determined by the most

recent Needs Survey and Assessment.[31] Also, there is a statutory requirement that each state and the District of Columbia receive no less than one percent of the allotment. Trends show that these funds have indeed been allocated by the states in a timely manner. In fact, the DWSRF utilization has exceeded its performance target since FY 2006 with the FY 2011 utilization rate of 90 percent surpassing the performance target of 89 percent.

The federal investment is designed to be used in concert with other sources of funds to address drinking water infrastructure needs. States are required to provide a 20 percent match for their capitalization grant. Some states elect to leverage their capitalization grants through the public debt markets to enable the state to provide more assistance. These features, coupled with the revolving fund design of the program, have enabled the states to provide assistance equal to 177 percent of the federal capitalization invested in the program since its inception in 1997. In other words, for every $1 the federal government invests in this program, the states, in total, have been able to deliver $1.77 in assistance to water systems.

Prior to allotting funds to the states, the EPA is required to reserve certain national level allotments.[32] Two million dollars must, by statute, be allocated to small systems monitoring for unregulated contaminants. The EPA will continue to reserve up to 2 percent (up from 1.5 percent as outlined in Section 1452(i) of SDWA, as amended) of appropriated funds for Indian tribes and Alaska Native Villages. These funds are awarded either directly to tribes or, on behalf of tribes, to the Indian Health Service through interagency agreements. The EPA will continue to set aside up to 1.5 percent for territories (up from 0.33 percent as outlined in Section 1452 (j) of SDWA, as amended).[33]

While most small systems consistently provide safe, reliable drinking water to their customers, many small systems face a number of challenges in their ability to achieve and maintain system sustainability. These challenges include aging infrastructure, increased regulatory requirements, workforce shortages/high-turnover, increasing costs, and declining rate bases. The EPA will continue to implement its small systems approach to help these systems attain and maintain the technical, managerial and financial capacity to consistently meet regulatory requirements and achieve long-term sustainability. This approach resulted in high system compliance in FY 2011, as 90.7 percent of community water systems (CWSs) met all applicable health-based standards, surpassing the performance target of 90 percent. In addition, the goal of providing drinking water in compliance was achieved, as 93.2 percent of the population served by CWSs in FY 2011 received drinking water meeting all applicable health-based drinking water standards, surpassing the performance target of 91 percent. This success reached each of the U.S. Pacific Island Territories in FY 2011, as well, as 87 percent of the population was served by CWSs meeting all applicable health-based drinking water standards (on a four-quarter rolling average basis), surpassing the performance target of 75 percent.

The EPA and the states will continue extensive and detailed oversight of the DWSRF. The Agency will continue to work with the states to improve their capacity development and operator

[31] The 2007 Needs Survey was released in 2009.
[32] Safe Drinking Water Act Sections 1452(i)(1), 1452(i)(2), 1452(j), and 1452(o), as amended
[33] For more information please see:
https://www.cfda.gov/index?s=program&mode=form&tab=step1&id=d33d92f2df290e0c2365599cb09f0669

certification programs to ensure effective and ongoing compliance with the SDWA. The EPA will continue to partner with the United States Department of Agriculture's Rural Utilities Service to target funding and promote system sustainability as well as avoiding duplication of effort. The EPA also will further promote water system partnerships, including voluntary restructuring or combining of systems unable to provide the necessary technical, managerial, or financial resources to achieve compliance and long-term sustainability. Finally, the EPA, in concert with the states and other stakeholders, will continue to focus on rule compliance and system sustainability to ensure clean and safe water.

The DWSRF program provides access to financing and offers a limited subsidy to help utilities address long-term needs associated with water infrastructure. Most DWSRF assistance is offered in the form of loans which water utilities repay from the revenues they generate through the rates they charge their customers for service. Our nation's water utilities face the need to significantly increase the rate at which they invest in drinking water infrastructure repair and replacement to keep pace with their aging infrastructure, much of which is approaching the end of its useful life.

FY 2013 Activities and Performance Plan:

The Administration proposes to reduce funding for the EPA's Clean Water and Drinking Water State Revolving Funds (SRFs) which provide capitalization grants to states. States provide a 20 percent match and then make loans to municipalities for water infrastructure projects, with repayments returned to each state's own revolving fund, allowing them to finance additional projects.

The Administration has strongly supported the SRFs, having requested and/or received approximately $18 billion since 2009; since their inception, over $52 billion has been provided. This significant level of federal capitalization, combined with the state match and repayments, has allowed states to finance tens of thousands of water infrastructure projects that protect human health and the environment. At the level requested in the President's Budget, states will still be able to provide over $6 billion annually in water infrastructure loans to municipalities over the long-term. Additionally, the EPA will work to target assistance to small and underserved communities with limited ability to repay loans. A number of systems also will have access to capital through the Administration's proposed Infrastructure Bank.

In FY 2013, the EPA is requesting a total of $850 million to fund approximately 390 new infrastructure improvement projects to public drinking water systems. The requested funding for this program will support needed infrastructure investments to rebuild and enhance America's drinking water infrastructure.

As outlined in Section 1452(d)(2) of the SDWA, up to 30 percent of a state's capitalization grant may be used for subsidization. For FY 2013, the EPA will encourage states to utilize the subsidy to assist small systems with standards compliance. In addition, not less than 10 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities.

In FY 2013, the EPA will continue to implement a Sustainable Water Infrastructure Policy that focuses on working with states and communities to promote system-wide planning that helps align system goals for sustainability with other community sustainability priorities, analyzing a range of infrastructure alternatives, including green and decentralized alternatives, and ensures that systems have the financial capacity and rate structures to construct, operate, maintain, and replace infrastructure over time. As part of that strategy, the EPA is working to ensure that federal dollars provided through the State Revolving Funds act as a catalyst for efficient system-wide planning, improvements in technical, financial, and managerial capacity; and the design, construction, and ongoing management of sustainable water infrastructure.

Performance Targets:

Measure	(apc) Fund utilization rate for the DWSRF.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	83.3	85	86	89	86	89	89	89	Percent
Actual	86.9	88	90	92	91.3	90			

Measure	(aa) Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	93	94	90	90	90	91	91	92	Percent Population
Actual	89	91.5	92	92.1	92	93.2			

Measure	(apm) Percent of community water systems that meets all applicable health-based standards through approaches including effective treatment and source water protection.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	93.5	89	89.5	90	90	90	90	90	Percent Systems
Actual	89.3	89	89	89.1	89.6	90.7			

Measure	(pi1) Percent of population in each of the U.S. Pacific Island Territories (served by community water systems) that meets all applicable health-based drinking water standards, measured on a four-quarter rolling average basis.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target			72	73	73	75	80	82	Percent Population
Actual			79	80	82	87			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$67,892.0) This reflects a reduction for drinking water infrastructure projects. Combined with the FY 2009 appropriation ($829 million), American Recovery and Reinvestment Act (ARRA) funding ($2 billion), the FY 2010 enacted appropriation ($1.387 billion), the FY 2011 enacted appropriation ($963.1 million), and the FY 2012

enacted appropriation ($917.9 million), approximately $6 billion will have been invested through federal capitalization grants awarded to the DWSRF over the course of five years. As part of the Administration's long-term strategy, the EPA is implementing a Sustainable Water Infrastructure Policy that focuses on working with states and communities to enhance technical, managerial, and financial capacity.

Statutory Authority:

SDWA, 42 U.S.C. §300j-12, Section 1452.

Infrastructure Assistance: Alaska Native Villages
Program Area: State and Tribal Assistance Grants (STAG)
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$10,327.2***	***$9,984.0***	***$10,000.0***	***$16.0***
Total Budget Authority / Obligations	$10,327.2	$9,984.0	$10,000.0	$16.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Alaska Rural and Native Village (ANV) program addresses the lack of basic drinking water and sanitation infrastructure (i.e., flushing toilets and running water) in vulnerable rural and Native Alaska communities. In many of these at-risk communities, 'honeybuckets' and pit privies are the sole means of sewage collection and disposal. Alaskan water and sewer systems are challenged by issues associated with small system size in addition to the complications of permafrost and a shortened construction season.

The EPA's grant to the State of Alaska provides funding to underserved communities to improve or construct drinking water and wastewater treatment facilities. Investment in wastewater and drinking water infrastructure reduces health impacts from exposure to raw sewage and drinking water contaminants. The federal government pays for most of the healthcare costs of American Indians and Alaska Natives (most recently authorized by the 2010 Indian Health Care Improvement Act).

The State of Alaska is best positioned to deliver services as it coordinates across federal agencies and with the communities themselves. The State uses a risk-based prioritization process to fund projects that will have the greatest public health and environmental benefit. The EPA ANV program funding also supports training, technical assistance, and educational programs related to the financial management and operation and maintenance of sanitation systems. These training, technical assistance, and educational programs not only provide economic opportunities for communities facing often greater than 50 percent unemployment but also protect the federal investment in infrastructure.

Access to water and sanitation for serviceable Alaskan native village and rural community populations has increased from 60 percent in 1998 to 92 percent in 2010 (Indian Health Service Sanitation Deficiency Tracking and Reporting System). However, 99.3 percent of the non-Tribal/non-native population in the U.S. has access to water and sanitation (US Census 2000).

FY 2013 Activities and Performance Plan:

The Alaska Rural and Native Village program is administered by the State of Alaska and provides infrastructure funding to Native Villages and rural Alaska communities that lack access to basic sanitation. The FY 2013 request of $10 million will fund a portion of the need in rural Alaskan homes and will be used to maintain the existing level of wastewater and drinking water services that meets public health standards, given increased regulatory requirements on drinking water systems and the rate of construction of new homes in rural Alaska. Additionally, the FY 2013 request will continue to support training, technical assistance, and educational programs related to protecting existing federal investments in infrastructure.

In FY 2013, the Agency will continue to work with the State of Alaska to address sanitation conditions and determine how to maximize the value of the federal investment in rural Alaska. The EPA will continue to implement the Alaska Rural and Native Village "Management Controls Policy" (adopted in June 2007) to ensure that funds are used efficiently by allocating them to projects that are ready to proceed or progressing satisfactorily. The Agency has made great strides in implementing more focused and intensive oversight of the Alaska Rural and Native Village grant program through cost analyses, post-award monitoring, and timely closeout of projects. The EPA also has collaborated with the State of Alaska to establish program goals and objectives, which are incorporated directly into the state priority system for selecting candidate projects.

Performance Targets:

Measure	**(Opb) Percent of serviceable rural Alaska homes with access to drinking water supply and wastewater disposal.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target		92	94	96	98	92	93	91	Percent Homes
Actual		92	91	91	92	Data Avail 5/2012			

Measure	**(Opd) Percent of project federal funds expended on time within the anticipated project construction schedule set forth in the Management Control Policy.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target				94	94.5	95	95.5	95	Percent Projects
Actual				90.5	85	Data Avail 5/2012			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$16.0) This reflects an increase for infrastructure to Native Villages and rural Alaska communities that lack access to basic sanitation.

Statutory Authority:

Safe Drinking Water Act (SDWA) Amendments of 1996, Public Law 104-182, Section 303. 33 U.S.C. § 1263a. Public Law112-74, Consolidated Appropriations Act 2012.

Brownfields Projects

Program Area: State and Tribal Assistance Grants (STAG)
Goal: Cleaning Up Communities and Advancing Sustainable Development
Objective(s): Promote Sustainable and Livable Communities

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$106,685.8***	***$94,848.0***	***$93,291.0***	***($1,557.0)***
Hazardous Substance Superfund[34]	$1,403.5	$0.0	$0.0	$0.0
Total Budget Authority / Obligations	$108,089.3	$94,848.0	$93,291.0	($1,557.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Economic changes over several decades have left thousands of communities with contaminated properties and abandoned sites known as brownfields.[35] The Agency's Brownfields program coordinates a federal, state, Tribal, and local government approach to assist in addressing environmental site assessment and cleanup through grants and cooperative agreements authorized by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 104(k) and related authorities.[36]

Under this program, the EPA will provide: 1) assessment cooperative agreements for recipients to inventory, characterize, assess, and conduct cleanup and redevelopment planning related to Brownfields sites; 2) targeted Brownfields assessments performed under the EPA contracts and interagency agreements with federal partners; 3) cleanup cooperative agreements for recipients to clean up sites they own; 4) capitalization cooperative agreements for Revolving Loan Funds (RLFs) to provide low interest loans and subgrants for cleanups; 5) assessment and cleanup cooperative agreements for recipients to inventory, characterize, assess and conduct cleanup and redevelopment planning related to Brownfields petroleum sites; 6) environmental workforce development and job training cooperative agreements to recruit, train, and place local, unemployed residents of solid and hazardous waste-affected communities with the skills needed to secure full-time employment in the environmental field; and 7) financial assistance to localities, states, tribes, and non-profit organizations for research, training, and technical assistance for Brownfields-related activities. In addition, the EPA will offer technical assistance, research, and training assistance to individuals and organizations from the EPA's contractors and

[34] In 1995, EPA initiated the Brownfields Program via brownfield 'pilot' projects as authorized by CERCLA and funded through the Hazardous Substance Superfund appropriation. After the Small Business Liability Relief and Brownfields Act passed into law, starting with the FY 2003 Enacted Budget, funding for the Brownfields Program was appropriated out of the Environmental Programs Management and State and Tribal Assistance Grant appropriations. In FY 2011, funds originally provided under the 'pilot' projects from the Superfund appropriation were deobligated. In order to retain the same purpose as when the funds were first appropriated, the deobligated funds were recertified to Brownfields Projects. Therefore, FY 2011 Actuals include $1,403.5 thousand of Superfund prior year resources.
[35] Refer to http://www.epa.gov/swerosps/bf/index.html.
[36] Under CERCLA 104(k)(12)(B), the Brownfields program must allocate 25 percent of the funds appropriated to carry out CERCLA 104(k) to address sites contaminated by petroleum.

federal partners under interagency agreements to facilitate the inventory, assessment, and remediation of Brownfields sites, community involvement, and site preparation.

FY 2013 Activities and Performance Plan:

In FY 2013, the Brownfields program will continue to foster federal, state, local, and public-private partnerships to return properties to productive economic use in communities. This program will support the following activities, as described below:

- Funding will support at least 155 assessment cooperative agreements (estimated $33.9 million) that recipients may use to inventory, assess, cleanup and plan reuse at Brownfields sites, as authorized under CERCLA 104(k)(2). In FY 2013, the EPA expects to continue the Assessment Coalition option which allows three or more eligible entities to submit one grant proposal for up to $1.0 million to assess sites and target more areas. In order to maximize assessment funding, the EPA anticipates awarding these cooperative agreements at lesser amounts due to low draw downs in the first year of existing cooperative agreements. In this fiscal year, the Agency will continue to increase programmatic emphasis on direct assessment grants to help meet the growing demand for this type of grant.

- The Agency will award approximately 9 RLF cooperative agreements (estimated $6.1 million) of up to $1.0 million each. In order to maximize RLF funding, the EPA anticipates awarding these cooperative agreements at lesser amounts due to low draw downs in the first year of existing cooperative agreements. Additionally, the EPA anticipates providing supplemental funding (estimated $5.4 million) to existing high performing RLF recipients. The RLF program enables eligible entities to make loans and subgrants for the cleanup of properties and encourages communities to leverage other funds into their RLF pools and cleanup cooperative agreements as authorized under CERCLA 104(k)(3) and (4).

- Funding will support approximately 56 direct cleanup cooperative agreements (estimated $11.4 million) to enable eligible entities to clean up properties that the recipient owns. The Agency will award direct cleanup cooperative agreements of up to $200,000 per site to eligible entities and non-profits, as authorized under CERCLA 104(k)(3).

- Funding will also support assessment and cleanup of abandoned underground storage tanks (USTs) and other petroleum contamination found on Brownfields properties (estimated $23.3 million) for up to approximately 45 Brownfields communities, as authorized under CERCLA 104(k)(2) and CERCLA 104(k)(3). The Brownfields Law requires the program to select the highest ranking proposals. In order to award funding to the highest ranked proposals, the EPA is requesting the flexibility to use up to 25 percent of its CERCLA104 (k) funding to address petroleum contaminated sites versus an exact 25 percent identified by statute. The current 25 percent set-aside restricts the brownfields program from selecting higher-ranked applicants who requested hazardous substances funding. Elimination of the 25 percent set-aside requirement would provide the EPA with the flexibility to select the highest ranked project, regardless of the type of money

requested and therefore meet the demand of the communities applying for the various brownfields grants. For example, hazardous substances funding requests account for approximately 68 percent of all brownfields funding requests in the past three years, while the demand for petroleum funding hovers around 32 percent of brownfields funds requested. Allowing flexibility in the 25 percent set-aside requirement will provide the EPA with the flexibility to select the highest ranked projects, regardless of the type of money requested.

- Environmental Workforce Development and Job Training cooperative agreements (estimated $3 million) will provide funding for approximately 12 cooperative agreements of up to $250,000 each for a two year period. This funding will provide job training for community residents to take advantage of new jobs leveraged by the assessment and cleanup of Brownfields, as authorized under CERCLA 104(k)(6), as well as other "green jobs" opportunities.

- The EPA will provide funding for Targeted Brownfields Assessments in communities without access to other assessment resources or those that lack the capacity to manage a Brownfields assessment grant. These assessments will be performed through contracts and interagency agreements, as authorized by CERCLA 104(k)(2) and the terms of the EPA's appropriation act. This includes an estimated $3.4 million to perform Targeted Brownfields Assessments for 35 communities.

- Funding will also support additional training, research, and technical assistance grants and cooperative agreements and direct services from contractors and under interagency agreements (estimated $5.9 million), as authorized under CERCLA 104(k)(6).

During FY 2013, the Brownfields Program will continue to support the Agency's ongoing Brownfields Area-Wide Planning efforts. The cooperative agreements awarded and technical assistance provided for brownfields area-wide planning helps communities identify viable reuses of brownfields properties, as well as associated infrastructure investments and environmental improvements needed, which will help lead to site cleanup and area revitalization.

The first round of brownfields area-wide planning pilots (23 pilot projects) were selected in FY 2010 with an expected completion date of December 2012. The EPA is facilitating initial coordination with other federal/ state/tribal agencies and other EPA programs, as appropriate, as the pilot projects move forward. The EPA expects to select a new round of multi-year projects during FY 2012, which will continue through FY 2013 and beyond. In FY 2013, the EPA is committed to maintaining eligibility for area-wide planning activities within the Targeted Brownfields Assessment program.

Performance Targets:

Measure	**(B29) Brownfield properties assessed.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target	1,000	1,000	1,000	1,000	1,000	1,000	1,200	1,200	Properties
Actual	2,139	1,371	1,453	1,295	1,326	1,784			

Measure	(B32) Number of properties cleaned up using Brownfields funding.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	60	60	60	60	60	60	120	120	Properties
Actual	88	77	78	93	109	130			

Measure	(B34) Jobs leveraged from Brownfields activities.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	Jobs
Actual	5,504	5,209	5,484	6,490	5,177	6,447			

Measure	(B37) Billions of dollars of cleanup and redevelopment funds leveraged at Brownfields sites.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	1	0.9	0.9	0.9	0.9	0.9	1.2	1.2	Dollars (Billions)
Actual	1.48	1.69	1.48	1.06	1.40	2.14			

Measure	(B33) Acres of Brownfields properties made ready for reuse.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target	No Target Established	No Target Established	225	1,000	1,000	1,000	3,000	3,000	Acres
Actual	1,598	2,399	4,404	2,660	3,627	6,667			

The Brownfields program has recently undertaken a review of available performance data, which has resulted in the increase for several performance targets. Beginning in FY 2012, targets for brownfields assessments will increase from 1,000 to 1,200; properties cleaned up will increase from 60 to 120; acres ready for reuse will increase from 1,000 to 3,000; and cleanup and redevelopment dollars leveraged at brownfields sites will increase from 0.9 to 1.2 billion dollars. It is important to note that the Brownfields Program will be able to meet these targets based on the funded activity of the previous 3 to 5 years. Reduced funding for the program in FY 2013 will yield reduced outputs and outcomes relative to the performance targets beginning in 2014 and continuing in subsequent years due to the lagged effect of the funding.

The EPA's performance measures for the Brownfields program are mainly based on outputs and outcomes of assessment, cleanup and RLF cooperative agreements. These outputs and outcomes depend on the maturity of each cooperative agreement, which usually has a performance period range of three to five years. For assessment and cleanup cooperative agreements, the performance period is three years, and five years for RLF cooperative agreements.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$1,557.0) This reflects a reduction in the funding available for awarding assessment, RLF and cleanup cooperative agreements as authorized under 104(k)(2) and CERCLA

104(k)(3). For example, the agency may provide one less RLF ($1,000.0) and up to three fewer cleanup or assessment grants.

Statutory Authority:

Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Small Business Liability Relief and Brownfields Revitalization Act, 42 United States Code 9601 et seq. – Sections 101, 104 (k), and 107.

Diesel Emissions Reduction Grant Program

Program Area: State and Tribal Assistance Grants (STAG)
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$53,586.9***	***$29,952.0***	***$15,000.0***	***($14,952.0)***
Total Budget Authority / Obligations	$53,586.9	$29,952.0	$15,000.0	($14,952.0)
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Diesel Emissions Reduction Act (DERA) Grant Program provides immediate, cost-effective emission reductions from existing diesel engines through engine retrofits, rebuilds and replacements; switching to cleaner fuels; idling reduction strategies; and other clean diesel strategies. The DERA program was initially authorized in sections 791-797 of the Energy Policy Act of 2005. On January 4, 2011, the President signed into law the Diesel Emissions Reduction Act of 2010, which modifies and reauthorizes the EPA's Diesel Emission Reduction Program through FY 2016.

Given that diesel engines can stay in service for as long as 30 years, reducing emissions from pre-2007 diesel engines remains an important public health challenge facing certain parts of the country. The DERA program covers older, dirtier diesel engines, used in both road and nonroad vehicles, that are not subject to stringent emissions standards put in place on 2007 and newer model year engines. While the DERA grants accelerate the pace at which dirty engines are retired or retrofitted, pollution emissions from the legacy fleet will be reduced over time without additional DERA funding as portions of the fleet turnover and are replaced with new engines that meet modern emissions standards. However, even with attrition through fleet turnover, approximately 1.5 million old diesel engines would still remain in use in 2030. Retrofitting or replacing diesel engines reduces particulate matter (PM) emissions up to 95 percent, smog-forming emissions, such as hydrocarbons (HC) and nitrogen oxide (NOx), up to 90 percent, and greenhouse gases up to 20 percent in the upgraded vehicles with engine replacements.

Through FY 2010, the DERA program reduced the emissions of approximately 53,000 diesel vehicles, vessels or equipment. Based on EPA's experience to date, every $1 million of DERA program grants/loans successfully leveraged at least $2 million in additional funding assistance. These projects have or will eliminate tens of thousands of tons of pollution from the air we breathe. According to these same estimates, every $1 spent retrofitting or replacing the oldest and most polluting diesel engines leads to $13 in health benefits.

FY 2013 Activities and Performance Plan:

The FY 2013 budget includes a new approach designed to transition the DERA program away from ongoing Federal support. The modified funding strategy will use rebates and revolving loan funds to concentrate resources on communities in a limited set of high exposure areas such as near ports and freight distribution hubs.

The federal monies spent under the $15 million request would be split into two categories. The first category would allocate funds to a new rebate program established under DERA's reauthorization. Through the rebate mechanism, the Agency would be able to more efficiently and precisely target the awards toward the dirtiest, most polluting engines. The second component would allocate funds towards national low-cost revolving loans or other financing programs that help fleets reduce diesel emissions. Providing grants for revolving loan programs will subsidize retrofits and replacements of older engines without the need for additional infusions of Federal grant dollars.

Both approaches would be available to private fleets for the first time.

Performance Targets:

Work under this program supports multiple strategic objectives. EPA assesses program performance by tracking the number of projects completed and the resulting emission reductions.

Work under this program also supports performance results in the Federal Support for Air Quality Management Program in Environmental Programs and Management and can be found in the Performance Eight-Year Array in Tab 11.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (-$14,952.0) Funding is reduced for the DERA program. In lieu of the current DERA funding strategy, the Environmental Protection Agency (EPA) will use rebates on purchases of pollution control technology and grants to establish revolving loans to reduce diesel pollution in a targeted set of communities.

Statutory Authority:

Energy Policy Act of 2005, Sections 741 and 791-797; P. L. 111-364.

Infrastructure Assistance: Mexico Border
Program Area: State and Tribal Assistance Grants (STAG)
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$14,669.1***	***$4,992.0***	***$10,000.0***	***$5,008.0***
Total Budget Authority / Obligations	$14,669.1	$4,992.0	$10,000.0	$5,008.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The United States and Mexico share more than two thousand miles of common border. More than 14.6 million people live in the border area. The rapid increase in population and industrialization in the border cities has overwhelmed existing wastewater treatment and drinking water supply facilities. Lack of drinking water and wastewater services poses both a public health and environmental risk to communities. The close proximity and intermingling of border communities that have poor quality drinking water and sanitation pose a serious risk of disease transmission. Untreated sewage pollutes waters that flow north into the U.S. from Tijuana, Mexicali, and Nogales, into the Rio Grande, or into the Pacific Ocean. The EPA works closely with its program partners to evaluate public health and environmental needs and to provide U.S.-Mexico Border Water Infrastructure Program grant funding to underserved communities for the planning, design, and construction of high priority water and wastewater treatment facilities along the border.

The EPA implements the Border Water Infrastructure Program in collaboration with U.S. federal, state, and local partners and with Mexican water agencies to reduce the discharge of raw sewage into our shared waterways. Treating these waters after they have been contaminated and have crossed the border into the United States is neither technically nor financially feasible. The EPA's Border Water Infrastructure Program has the authority to work with Mexican agencies and provide the wastewater collection and treatment necessary to prevent untreated sewage discharge into our shared waterways. U.S. citizens benefit from all projects, whether located in the U.S. or Mexico, as all funded projects must demonstrate that they can provide a positive public health and/or environmental benefit to the United States, such as treating raw sewage at the source. The program thus provides the most effective way to protect public health and water quality along the border.

To date, the program has funded 97 projects. More than five million people are benefiting from 78 completed projects and more than eight million people will benefit once the 19 projects that are under construction are completed. These projects stimulate local economies through public health-related economic gains, job creation and increased demand for goods and services.

FY 2013 Activities and Performance Plan:

In FY 2013, the U.S.-Mexico Border Water Infrastructure Program will continue to fund high priority water and wastewater infrastructure projects. The FY 2013 request of $10 million will fund a portion of the need in border communities. Projects that receive funding have been evaluated and ranked using a risk-based prioritization system, which enables the program to direct grant funding to projects that demonstrate human health benefits, cost-effectiveness, institutional capacity and sustainability. EPA coordinates at local, national, and binational levels to assess the environmental needs and making prioritization funding decisions. All program funding will be invested in projects that, whether located in the United States or Mexico, provide a positive public health and/or environmental benefit to the United States. The demonstration of a U.S. benefit is one of the fundamental eligibility criteria for projects seeking program assistance.

The U.S.-Mexico Border Water Infrastructure Program will continue to work with the 10 border States (four U.S. and six Mexican) and local communities to improve the region's water quality and public health. The U.S. and Mexican governments will collaborate on water infrastructure projects to reduce health risks to residents including sensitive populations of children and elders who may currently lack access to safe drinking water and sanitation. Additionally, by providing homes with access to basic sanitation, the EPA and its partners will reduce the discharge of untreated wastewater into surface water and groundwater. The Border Water Infrastructure Program also will continue to expedite project completions and actively manage the disbursement of unliquidated construction funding.

The Border Water Infrastructure Program has a portfolio of construction-ready projects that are awaiting funding. It is anticipated that most of the requested FY 2013 funding (approximately 80 percent) will fund these construction-ready projects. A significantly smaller portion (approximately 20 percent) will fund the planning and design of new projects, with the purpose of continuing to build and thus maintain a portfolio of projects that are ready for construction. Final decisions on use of FY 2013 funding will be based on balancing the construction needs of fully designed projects with the planning and design needs of prioritized projects.

Performance Targets:

Measure	**(4pg) Loading of biochemical oxygen demand (BOD) removed (million pounds/year) from the U.S.-Mexico border area since 2003.**								**Units**
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	
Target						108.2	115	121.5	Million Pounds/Year
Actual						108.5			

Measure	(xb2) Number of additional homes provided safe drinking water in the U.S.-Mexico border area that lacked access to safe drinking water in 2003.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target		1,200 (Annual)	2,500 (Annual)	1,500 (Annual)	28,434 (Cumulative)	54,130 (Cumulative)	1,000 (Annual)	3,000 (Annual)	Homes
Actual		1,276 (Annual)	5,162 (Annual)	1,584 (Annual)	52,130 (Cumulative)	54,734 (Cumulative)			

Measure	(xb3) Number of additional homes provided adequate wastewater sanitation in the U.S.-Mexico border area that lacked access to wastewater sanitation in 2003.								Units
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	
Target		70,750 (Annual)	15,000 (Annual)	105,500 (Annual)	246,175 (Cumulative)	461,125 (Cumulative)	10,500 (Annual)	27,000 (Annual)	Homes
Actual		73,475 (Annual)	31,686 (Annual)	43,594 (Annual)	254,125 (Cumulative)	513,041 (Cumulative)			

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- (+$5,008.0) This increase reflects funding to provide critical drinking water and wastewater services to border residents that reduce public health risks and improve the environment for U.S. citizens.

Statutory Authority:

Treaty entitled "Agreement between the United States of America and the United Mexican States on Cooperation for the Protection and Improvement of the Environment in the Border Area, August 14, 1983;" Public Law 112-74, Consolidated Appropriations Act 2012.

Table of Contents - Program Performance and Assessment

PERFORMANCE: STRATEGIC GOALS 1-5 EIGHT-YEAR ARRAY

(Boxes shaded gray indicate that a measure has been terminated for FY 2012 and beyond, therefore, data are no longer collected.)

GOAL 1: TAKING ACTION ON CLIMATE CHANGE AND IMPROVING AIR QUALITY

Reduce greenhouse gas emissions and develop adaptation strategies to address climate change, and protect and improve air quality.

Objective 1 - Address Climate Change: Reduce the threats posed by climate change by reducing greenhouse gas emissions and taking actions that help communities and ecosystems become more resilient to the effects of climate change

Program Area	Performance Measures and Data
(1) Address Climate Change	**Strategic Measure:** By 2015, additional programs from across EPA will promote practices to help Americans save energy and conserve resources, leading to expected greenhouse gas emissions reductions of 740.1 MMTCO2Eq.From a baseline without adoption of efficient practices. This reduction compares to 500.4 MMTCO2Eq. Reduced in 2008. (Baseline FY 2008: ENERGY STAR 140.8 MMTCO2Eq., Industrial Programs1 314.2 MMTCO2Eq., SmartWay Transportation Partnership 5.9 MMTCO2Eq., Pollution Prevention Programs 6.5 MMTCO2Eq., Sustainable Materials Management Programs2 34.3 MMTCO2Eq., WaterSense Program 0.4 MMTCO2Eq., Executive Order 135143 GHG Reduction Program 0.0 MMTCO2Eq.)

(PM G02) Million metric tons of carbon equivalent (MMTCO2E) of greenhouse gas reductions in the buildings sector.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	97.2	107.8	118.8	130.2	143.0	156.9	168.7	182.6	MMTCO2e
Actual	110.4	132.4	140.8	143.4	163.5	Data Avail 12/2012			

Additional Information: The baseline in 2004 is 89.5 million metric tons of carbon dioxide equivalent reductions. To serve as a basis for comparison in future years, EPA used the 2004 baseline to project into the future assuming no impact on greenhouse gas emissions from U.S. climate change programs. The baseline was developed as part of an interagency evaluation of the U.S. climate change programs in 2002, which built on similar baseline forecasts developed in 1993 and 1997 in the U.S. Climate Change Action Report (2002). Baseline data for carbon emissions related to energy use is based on data from the Energy Information Agency (EIA) and from EPA's Integrated Planning Model of the U.S. electric power sector. Baseline data for non-carbon dioxide (CO2) emissions, including nitrous oxide and other high global warming potential gases are maintained by EPA.

(PM G06) Million metric tons of carbon equivalent (MMTCO2E) of greenhouse gas reductions in the transportation sector.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	2.2	3.3	5.5	9.5	7.2	9.0	11.3	14.0	MMTCO2e
Actual	2.2	4.2	5.9	6.0	7.0	Data Avail 12/2012			

Program Area	Performance Measures and Data

Additional Information: The baseline in 2004 is 0.7 million metric tons of carbon dioxide equivalent reductions from the SmartWay program. To serve as a basis for comparison in future years, EPA projected from the 2004 baseline into the future assuming no impact on greenhouse gas emissions from U.S. climate change programs. The baseline was developed as part of an interagency evaluation of the U.S. climate change programs in 2002, which built on similar baseline forecasts developed in 1993 and 1997 in the U.S. Climate Change Action Report (2002). Baseline data for carbon emissions related to energy use is based on data from the Energy Information Agency (EIA) and from EPA's Integrated Planning Model of the U.S. electric power sector. Baseline data for non-carbon dioxide (CO2) emissions, including nitrous oxide and other high global warming potential gases are maintained by EPA.

(PM G16) Million metric tons of carbon equivalent (MMTCO2E) of greenhouse gas reductions in the industry sector.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	212.0	229.6	248.3	267.3	304.0	346.2	372.9	421.9	MMTCO2e
Actual	251.9	267.3	289.7	293.7	362.8	Data Avail 12/2012			

Additional Information: The baseline in 2004 is 201 million metric tons of carbon dioxide equivalent reductions from ENERGY STAR for the Industrial Sector, Non-CO2 Partnership Programs, Combined Heat and Power Partnership, Significant New Alternatives Policy (SNAP), and the Landfill Rule. To serve as a basis for comparison in future years, EPA projected from the 2004 baseline into the future assuming no impact on greenhouse gas emissions from U.S. climate change programs. The baseline was developed as part of an interagency evaluation of the U.S. climate change programs in 2002, which built on similar baseline forecasts developed in 1993 and 1997 in the U.S. Climate Change Action Report (2002). Baseline data is based on data from the Energy Information Agency (EIA) and from EPA's Integrated Planning Model of the U.S. electric power sector. Baseline data for non-carbon dioxide (CO2) emissions, including nitrous oxide and other high global warming potential gases are maintained by EPA.

Strategic Measure: By 2015, EPA will integrate climate change science trend and scenario information into five major scientific models and/or decision-support tools used in implementing Agency environmental management programs to further EPA's mission, consistent with existing authorities (preference for one related to air quality, water quality, cleanup programs, and chemical safety). (Baseline FY 2010: 0 scientific models)

(PM AD1) Cumulative number of major scientific models and decision support tools used in implementing environmental management programs that integrate climate change science data.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							3	4	Major Models and Tools
Actual									

Additional Information: To ensure EPA's mission, EPA will build resilience to climate change by integrating considerations of climate data into major scientific models and decision support tools. Many of the outcomes EPA is working to attain are sensitive to climate, and every action EPA takes must be resilient to these fluctuations. The FY 2011 baseline is 0 major scientific models/decision support tools.

Strategic Measure: By 2015, EPA will account for climate change by integrating climate change science trend and scenario

Program Area	Performance Measures and Data

information into five rule-making processes to further EPA's mission, consistent with existing authorities (preference for one related to air quality, water quality, cleanup programs, and chemical safety). (Baseline FY 2010: 0)

(PM AD2) Cumulative number of major rulemakings with climate sensitive, environmental impacts, and within existing authorities, that integrate climate change science data.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							1	2	Major Rulemakings
Actual									

Additional Information: To ensure EPA's mission, EPA will build resilience to climate change by integrating considerations of climate data into major rule making processes. Many of the outcomes EPA is working to attain are sensitive to climate, and every action EPA takes must be resilient to these fluctuations. The FY 2011 baseline is 0 major proposed rules.

Strategic Measure: By 2015, EPA will build resilience to climate change by integrating considerations of climate change impacts and adaptive measures into five major grant, loan, contract, or technical assistance programs to further EPA's mission, consistent with existing authorities (preference for one related to air quality, water quality, cleanup programs, and scientific research). (Baseline FY 2010: 0)

(PM AD3) Cumulative number of major grant, loan, contract, or technical assistance agreement programs that integrate climate science data into climate sensitive projects that have an environmental outcome.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							1	2	Major Programs
Actual									

Additional Information: To ensure EPA's mission, EPA will build resilience to climate change by integrating considerations of climate data into grant, loan, contract, and technical assistance programs. Many of the outcomes EPA is working to attain are sensitive to climate, and every action EPA takes must be resilient to these fluctuations. The FY 2011 baseline is 0 programs

(PM G17) Percentage of registered facilities that submit required and complete GHG data by the annual reporting deadline.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent of Facilities
Actual									

Additional Information: The Greenhouse Gas Reporting Registry tracks the number registered facilities emitting greenhouse gases. Approximately 13,000 reporters will be required to submit reports by September 30, 2011 (the first reporting cycle), but the exact number of required reporters is unknown and may vary each year.

Objective 2 - Improve Air Quality: Achieve and maintain health-based air pollution standards and reduce risk from toxic air pollutants and indoor air contaminants.

Program Area	Performance Measures and Data
(1) Reduce Criteria Pollutants and Regional Haze	**Strategic Measure:** By 2015, the population-weighted average concentrations of ozone (smog) in all monitored counties will decrease to .073 ppm compared to the average of 0.078 ppm in 2009.

(PM A01) Annual emissions of sulfur dioxide (SO2) from electric power generation sources.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	10,300,000	9,900,000	9,400,000	9,400,000	8,450,000	6,000,000	6,000,000	6,000,000	Tons Emitted
Actual	9,300,000	8,900,000	7,600,000	5,700,000	5,166,000	Data Avail 12/2012			

Additional Information: The baseline in 1980 is 17.4 million tons of SO2 emissions from electric utility sources. Statutory SO2 emissions capped in 2010 at 8.95 million tons, approximately 8.5 million tons below 1980 emissions level. "Allowable SO2 emission level" consists of allowance allocations granted to sources each year under several provisions of the Act and additional allowances carried over, or banked, from previous years. This inventory was developed by National Acid Precipitation Assessment Program (NAPAP) and is used as the basis for reductions in Title IV of the Clean Air Act Amendments. The data is contained in EPA's National Air Pollutant Emissions Trends Report. Targets for this measure through 2010 are based on implementation of the Acid Rain Program alone whereas the (lower) target of 6 million tons for 2011 and 2012 recognizes implementation of the Cross State Air Pollution Rule program in eastern states in combination with the nationwide Acid Rain Program

(PM M9) Cumulative percentage reduction in population-weighted ambient concentration of ozone in monitored counties from 2003 baseline.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	5	6	8	10	11	12	13	15	Percent Reduction
Actual	7	6	9	13	15	Data Avail 12/2012			

Additional Information: The baseline in 2003 is 15,972 million people parts per billion. The ozone concentration measure reflects improvements (reductions) in ambient ozone concentrations across all monitored counties, weighted by the populations in those areas. To calculate the weighting, pollutant concentrations in monitored counties are multiplied by the associated county populations.

Strategic Measure: By 2015, the population-weighted average concentrations of inhalable fine particles in all monitored counties will decrease to 10.5 µg/m3 compared to the average of 11.7 µg/m3 2009.

(PM M91) Cumulative percentage reduction in population-weighted ambient concentration of fine particulate matter (PM-2.5) in all monitored counties from 2003 baseline.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit

Program Area	Performance Measures and Data									
	Target	2	3	4	5	6	15	16	29	Percent Reduction
	Actual	7	8	13	17	23	Data Avail 12/2012			
	Additional Information: The baseline in 2003 is 2,581 million people micrograms per cubic meter. The PM-2.5 concentration reduction annual measure reflects improvements (reductions) in the ambient concentration of fine particulate matter PM-2.5 pollution across all monitored counties, weighted by the populations in those areas. To calculate this weighting, pollutant concentrations in monitored counties are multiplied by the associated county populations.									
	Strategic Measure: By 2015, reduce emissions of nitrogen oxides (NOx) to 14.7 million tons per year compared to the 2009 level of 19.4 million tons emitted.									
	(PM O34) Cumulative millions of tons of Nitrogen Oxides (NOx) reduced since 2000 from mobile sources.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	2.03	2.37	2.71	3.05	3.39	3.73	4.07	4.41	Tons Reduced
	Actual	2.03	2.37	2.71	3.05	3.38	3.73			
	Additional Information: The baseline in 2000 for Nitrogen Oxide emissions from mobile sources is 11.8 million tons. The 2000 Mobile6 inventory is used as the baseline for mobile source emissions.									
	Strategic Measure: By 2015, reduce emissions of direct particulate matter (PM) to 3.9 tons per year compared to the 2009 level 4.2 million tons emitted.									
	(PM P33) Tons of PM-10 Reduced since 2000 from mobile sources.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	74,594	87,026	99,458	111,890	124,322	136,755			Tons Reduced
	Actual	74,594	87,026	99,458	111,890	124,322	Data Avail 12/2012			
	Additional Information: The 2000 Mobile6 inventory is used as the baseline for mobile source emissions. The 2000 baseline for PM-10 emissions from mobile sources is 613,000 tons.									
	(PM P34) Cumulative tons of PM-2.5 reduced since 2000 from mobile sources.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	73,460	85,704	97,947	110,190	122,434	136,677	146,921	159,164	Tons Reduced
	Actual	73,460	85,704	97,497	110,190	122,434	136,677			

Program Area	Performance Measures and Data

(PM M92) Cumulative percentage reduction in the number of days with Air Quality Index (AQI) values over 100 since 2003, weighted by population and AQI value.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	17	21	25	29	33	37	50	80	Percent Reduction
Actual	39	42	52	59	70	Data Avail 12/2012			

Additional Information: The baseline in 2003 for the Air Quality Index (AQI) is zero percent reduction and the 2004 result is a 15.5% reduction. The AQI is an index for reporting daily air quality. An AQI value of 100 generally corresponds to the national air quality standard for the pollutant, which is the level EPA has set to protect public health. AQI values below 100 are generally thought of as satisfactory. When AQI values are above 100, air quality is considered to be unhealthy for certain sensitive groups of people and then for everyone as AQI values get higher.

(PM M93) Cumulative percentage reduction in the number of days with (AQI) values over 100 since 2003 per grant dollar allocated to the states in support of the NAAQS.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	21	21	25	29	33	37	41		Percent Reduction
Actual	28	31	34	31	43	Data Avail 12/2012			

(PM M94) Percent of major NSR permits issued within one year of receiving a complete permit application.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	70	75	78	78	78	78	78	78	Percent Issued
Actual	70	83	79	76	46	Data Avail 12/2012			

Additional Information: The baseline in 2004 is 61%. New Source Review (NSR) requires stationary sources of air pollution to get permits before they start construction. Permits are legal documents that the source must follow, and they specify what construction is allowed, what emission limits must be met, and often how the source must be operated. Usually NSR permits are issued by state or local air pollution control agencies, and the EPA issues the permit in some cases.

(PM M95) Percent of significant Title V operating permit revisions issued within 18 months of receiving a complete permit application.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	91	94	97	100	100	100	100	100	Percent

Program Area	Performance Measures and Data									
	Actual	91	81	85	87	82	Data Avail 12/2012			Issued
	Additional Information: The baseline in 2004 is 100%. Operating permits are legally enforceable documents that permitting authorities issue to air pollution sources after the source has begun to operate. Usually Title V permits are issued by state or local air pollution control agencies, and the EPA issues the permit in some cases. Title V permits must be renewed every five years.									
	(PM M96) Percent of new Title V operating permits issued within 18 months of receiving a complete permit application.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	83	87	91	95	99	99	99	99	Percent Issued
	Actual	83	51	72	70	67	Data Avail 12/2012			
	Additional Information: The baseline in 2004 is 75%. Operating permits are legally enforceable documents that permitting authorities issue to air pollution sources after the source has begun to operate. Usually Title V permits are issued by state or local air pollution control agencies, and the EPA issues the permit in some cases. Title V permits must be renewed every five years.									
	(PM MM8) Cumulative percentage reduction in the number of days to process State Implementation Plan revisions, weighted by complexity.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target			1.2	2.4	2.9	3.1	3.1	3.1	Percent Reduction
	Actual			3.3	1.8	14	Data Avail 12/2012			
	Additional Information: When a State Implementation Plan (SIP) is received by a Regional office for processing, the submittal is assigned a complexity factor. For most SIP elements the complexity factor will be 1.0, which corresponds to the overall processing time of 14 months. Under certain circumstances, in particular for SIP elements that are very complex such as attainment demonstrations for metropolitan statistical areas (MSAs) and for all redesignation requests, a complexity factor of 1.28, corresponding to a review time of 18 months will be assigned.									
	(PM MM9) Cumulative percentage reduction in the average number of days during the ozone season that the ozone standard is exceeded in non-attainment areas, weighted by population.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target			19	23	26	29	45	50	Percent Reduction
	Actual			37	47	56	Data Avail 12/2012			
	Additional Information: The baseline in 2003 is zero.									

Program Area	Performance Measures and Data

(PM N35) Limit the increase of Carbon Monoxide (CO) emissions from mobile sources compared to a 2000 baseline.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	1.01	1.18	1.35	1.52	1.69	1.86	2.02	2.19	Tons Emitted
Actual	1.01	1.18	1.35	1.52	1.69	1.86			

Additional Information: The baseline in 2000 for Carbon Monoxide emissions from mobile sources is 79.2 million tons. The 2000 Mobile6 inventory is used as the baseline for mobile source emissions.

(PM O33) Cumulative millions of tons of Volatile Organic Compounds (VOCs) reduced since 2000 from mobile sources.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	1.03	1.20	1.37	1.54	1.71	1.88	2.05	2.23	Tons Reduced
Actual	1.03	1.20	1.37	1.54	1.71	1.88			

Additional Information: The baseline in 2000 for Volatile Organic Compounds emissions from mobile sources is 7.7 million tons. The 2000 Mobile6 inventory is used as the baseline for mobile source emissions.

(PM O39) Tons of pollutants (VOC, NOX, PM, CO) reduced per total emission reduction dollars spent.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					.011	.012	.012	.013	Tons per Dollar
Actual					.011	Data Avail 12/2012			

(2) Reduce Air Toxics

Strategic Measure: By 2015, reduce emissions of air toxics (toxicity-weighted for cancer) to 4.2 million tons from the 1993 toxicity-weighted baseline of 7.2 million tons

(PM 001) Cumulative percentage reduction in tons of toxicity-weighted (for cancer risk) emissions of air toxics from 1993 baseline.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	34	35	35	36	36	36	37	42	Percent Reduction
Actual	38	39	40	40	40	Data Avail 12/2012			

Additional Information: The baseline in 1993 is 7.24 million tons. The toxicity-weighted emission inventory utilizes the National Emissions Inventory (NEI) for air toxics along with the Agency's compendium of cancer and non-cancer health risk criteria to develop a risk metric that can be tabulated on an annual basis. Air toxics

Program Area	Performance Measures and Data
	emissions data are revised every three years with intervening years (the two years after the inventory year) interpolated utilizing inventory projection models.

(PM 002) Cumulative percentage reduction in tons of toxicity-weighted (for non-cancer risk) emissions of air toxics from 1993 baseline.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	58	58	59	59	59	59	59	58	Percent Reduction
Actual	52	53	53	53	53	Data Avail 12/2012			

Additional Information: The baseline in 1993 is 7.24 million tons. The toxicity-weighted emission inventory utilizes the National Emissions Inventory (NEI) for air toxics along with the Agency's compendium of cancer and non-cancer health risk criteria to develop a risk metric that can be tabulated on an annual basis. Air toxics emissions data are revised every three years with intervening years (the two years after the inventory year) interpolated utilizing inventory projection models.

(4) Reduce Exposure to Indoor Pollutants

Strategic Measure: By 2015, the number of future premature lung cancer deaths prevented annually through lowered radon exposure will increase to 1,460 from the 2008 baseline of 756 future premature lung cancer deaths prevented.

(PM R50) Percentage of existing homes with an operating radon mitigation system compared to the estimated number of homes at or above EPA's 4pCi/L action level.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	No Target Established	No Target Established	11.1	11.5	12.0	12.5	13.3	13.9	Percent of Homes
Actual	9.4	10.3	11.0	12.0	12.3	Data Avail 12/2012			

Additional Information: The baseline in 2003 is 6.9 percent of homes with radon operating mitigation systems. Radon causes lung cancer, and is a threat to health because it tends to collect in homes, sometimes to very high concentrations. As a result, radon is the largest source of exposure to naturally occurring radiation.

(PM R51) Percentage of all new single-family homes (SFH) in high radon potential areas built with radon reducing features.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	No Target Established	No Target Established	30.0	31.5	33.0	34.5	36.0	37.5	Percent of Homes
Actual	27.4	28.6	31.0	36.1	40.1	Data Avail 10/2012			

Additional Information: The baseline in 2003 is 20.7 percent of all new single-family homes. Radon causes lung cancer, and is a threat to health because it tends to collect in homes, sometimes to very high concentrations. As a result, radon is the largest source of exposure to naturally occurring radiation.

Program Area	Performance Measures and Data

Strategic Measure: By 2015, the number of people taking all essential actions to reduce exposure to indoor environmental asthma triggers will increase to 7.6 million from the 2003 baseline of 3 million. EPA will place special emphasis on children at home and in schools, and on other disproportionately impacted populations.

(PM R16) Percentage of the public that is aware of the asthma program's media campaign.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	>20	>20	>20	>20	>30	>30	>30	>30	Percent Aware
Actual	33	Data Not Avail	Data Not Avail	33	Data Avail 4/2012	Data Avail 12/2012			

Additional Information: The baseline in 2003 is 27%. Public awareness is measured before and after the launch of a new wave of the campaign. "Data not available" indicates a time point that was not included in the assessment plan.

(PM R17) Additional health care professionals trained annually on the environmental management of asthma triggers.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	2,000	2,000	2,000	2,000	2,000	2,000	3,000	3,000	Professionals Trained
Actual	3,582	4,582	4,558	4,614	4,153	Data Avail 12/2012			

Additional Information: The baseline in 2003 is 2,360 trained health care professionals. Asthma is a serious, life-threatening respiratory disease that affects millions of Americans. In response to the growing asthma problem, EPA created a national, multifaceted asthma education and outreach program to share information about environmental factors that trigger asthma.

(PM R22) Estimated annual number of schools establishing indoor air quality management plans consistent with EPA guidance.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	1,200	1, 100	1,100	1,000	1,000	1,000	1,000	1,000	Schools
Actual	1,200	1,346	1,614	1,765	2,448	Data Avail 12/2012			

Additional Information: The baseline in 2003 is 3,200 schools. Significant progress has been realized as a result of key program investments that drive bottom line results. The EPA remains concerned about and committed to improving the health of America's children and the staff at the schools they attend. Targets reflect realistic estimates of the progress that regional/state/local leadership will achieve.

Objective 3 - Restore the Ozone Layer: Restore the earth's stratospheric ozone layer and protect the public from the harmful effects of UV radiation.

Program Area	Performance Measures and Data
(1) Reduce Consumption of Ozone-depleting Substances	**Strategic Measure:** By 2015, U.S. consumption of hydrochlorofluorocarbons (HCFCs), chemicals that deplete the Earth's protective ozone layer, will be less than 1,520 tons per year of ozone depletion potential from the 2009 baseline of 9,900 tons per year. By this time, as a result of worldwide reduction in ozone-depletion substances, the level of "equivalent effective stratospheric chlorine" (EESC) in the atmosphere will have peaked at 3.185 parts per billion (ppb) of air by volume and begun its gradual decline to less than 1.8 ppb (1980 level).

(PM S01) Remaining US Consumption of hydrochlorofluorocarbons (HCFCs), chemicals that deplete the Earth's protective ozone layer, measured in tons of Ozone Depleting Potential (ODP).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	<9,900	<9,900	<9,900	<9,900	<3,811	<3,811	<3,700	<3,700	ODP Tons
Actual	6,205	6,296	5,667	3,414	2,435	Data Avail 12/2012			

Additional Information: The baseline in 1989 for Ozone Depleting Substances consumed is 15,240 tons. The base of comparison for assessing progress is the domestic consumption cap of Class II HCFCs as set by the Parties to the Montreal Protocol. Each Ozone Depleting Substance (ODS) is weighted based on the damage it does to the stratospheric ozone - this is its ozone-depletion potential (ODP). Beginning on January 1, 1996, the cap was set at the sum of 2.8 percent of the domestic ODP-weighted consumption of CFCs in 1989 plus the ODP-weighted level of HCFCs in 1989. Consumption equals production plus import minus export.

(PM S17) Total federal dollars spent per school joining the SunWise program.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	560	525	485	455	433	433	433		Dollars per School
Actual	544	484	414	385	405	Data Avail 12/2012			

Objective 4 - Reduce Unnecessary Exposure to Radiation: Minimize unnecessary releases of radiation and be prepared to minimize impacts should unwanted releases occur.

Program Area	Performance Measures and Data
(1) Prepare for Radiological Emergencies	**Strategic Measure:** Through 2015, EPA will maintain a 90 percent level of readiness of radiation program personnel and assets to support federal radiological emergency response and recovery operations, maintaining the 2010 baseline of 90 percent.

(PM R34) Percentage of most populous US cities with a RadNet ambient radiation air monitoring system, which will

Program Area	Performance Measures and Data									
	provide data to assist in protective action determinations.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	67	80	85	90	95	100			Percent
	Actual	67	87	92	98	100	Data Avail 12/2012			
	Additional Information: The baseline is 55% for the 100 most populous cities.									
	(PM R35) Level of readiness of radiation program personnel and assets to support federal radiological emergency response and recovery operations.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	78	80	85	90	90	90	90	90	Percent Readiness
	Actual	78	83	87	90	97	Data Avail 6/2012			
	Additional Information: The baseline in 2005 is a 50% level of readiness. The level of readiness is measured as the percentage of response team members and assets that meet scenario-based response criteria.									
	(PM R36) Average time before availability of quality assured ambient radiation air monitoring data during an emergency.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	1.9	1.3	1.0	0.8	0.7	0.7	0.5	0.5	Days
	Actual	1.9	1.3	0.8	0.8	0.5	Data Avail 12/2012			
	Additional Information: The baseline in 2005 is 2.5 days. The average time in availability is measured as time in days between collection and availability of data for release by EPA during emergency operations.									
	(PM R37) Time to approve site changes affecting waste characterization at DOE waste generator sites to ensure safe disposal of transuranic radioactive waste at WIPP.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	105	90	80	70	70	70	70	70	Days
	Actual	100	86	75	75	66	Data Avail 12/2012			

Program Area	Performance Measures and Data									
	Additional Information: The baseline in 2004 is 150 days.									
	(PM R38) Population covered by Radiation Protection Program monitors per million dollars invested.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	3,471,000	4,159,000	4,729,000	5,254,000	5,779,000	5,779,000			Population per Million Dollars
	Actual	3,471,000	4,418,000	4,536,000	5,228,000	Data Avail 4/2012	Data Avail 12/2012			

GOAL 2: PROTECTING AMERICA'S WATERS

Protect and restore our waters to ensure that drinking water is safe, and that aquatic ecosystems sustain fish, plants and wildlife, and economic, recreational, and subsistence activities.

Objective 1 - Protect Human Health: Reduce human exposure to contaminants in drinking water, fish and shellfish, and recreational waters, including protecting source waters.

Program Area	Performance Measures and Data
(1) Water Safe to Drink	**Strategic Measure:** By 2015, 90 percent of community water systems will provide drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection. (2005 baseline:89 percent. Status as of FY 2009: 89 percent.)

(PM F) Percent of community water systems for which minimized risk to public health through source water protection is achieved.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			No Target Established	No Target Established	No Target Established	50			Percent CWSs
Actual						40.2			

Explanation of Results: The target of 50 percent was established during the development of the 2006-11 Strategic Plan. As the target has remained unchanged, the measure has not performed as well as the program initially anticipated; however, performance has improved over each year.

Additional Information: In 2002, community water systems for which minimized risk to public health through source water protection is achieved was at 8 percent.

(PM aa) Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches including effective treatment and source water protection.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	93	94	90	90	90	91	91	92	Percent Population
Actual	89	91.5	92	92.1	92	93.2			

Additional Information: In 2005, 89 percent of the population served by community water systems received drinking water that met applicable drinking water standards.

(PM apc) Fund utilization rate for the DWSRF.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	83.3	85	86	89	86	89	89	89	Percent

Program Area	Performance Measures and Data									
	Actual	86.9	88	90	92	91.3	90			

Additional Information: In 2005, the fund utilization rate for the Drinking Water State Revolving Fund was 85 percent.

(PM apd) Number of additional projects initiating operations.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	425	433	440	445	450	500			Projects
Actual	399	438	445	480	668	840			

Additional Information: In 2005, 2,611 Drinking Water State Revolving Fund projects initiated operations (annual).

(PM apg) People receiving drinking water that meets all applicable health-based standards per million dollars spent to manage the national drinking water program.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			No Target Established	No Target Established	No Target Established	131,000			People/Million
Actual						124,165			

Explanation of Results: EPA missed its target for this measure due to the difficulty of small drinking water systems in maintaining their managerial, technical, and financial capacity.

Additional Information: In 2005, 128,493 people were receiving drinking water that met all applicable health-based standards per million dollars spent to manage the national drinking water program.

(PM aph) Percent of community water systems that have undergone a sanitary survey within the past three years (five years for outstanding performance).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	95	95	95	95	95	95	95	95	Percent CWSs
Actual	94	92	87	88	87	92			

Explanation of Results: This measure was not met as a result of fewer state resources. Sanitary surveys are resource-intensive efforts as state staff or contractors must physically visit the system to perform a sanitary survey.

Additional Information: In 2007, 92 percent of community water systems had undergone a sanitary survey. Prior to FY 2007, this measure tracked states rather than community water systems in compliance with this regulation.

(PM apj) Percent of identified Class V motor vehicle waste disposal wells and other high-priority Class V wells closed or permitted.

Program Area	Performance Measures and Data									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target					80	76			Percent Wells
	Actual					91	92			
	Additional Information: "Sensitive ground water protection areas" are defined by the UIC primacy program director but at a minimum must include groundwater-based community water system source water areas. In 2005, 72 percent of Class V wells were closed or permitted.									
	(PM apm) Percent of community water systems that meets all applicable health-based standards through approaches including effective treatment and source water protection.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target	93.5	89	89.5	90	90	90	90	90	Percent Systems
	Actual	89.3	89	89	89.1	89.6	90.7			
	Additional Information: In 2005, 89 percent of community water systems met all applicable health-based drinking water standards.									
	(PM apn) Percent of data for violations of health-based standards at public water systems that are accurate and complete in SDWIS/FED for all MCL and TT rules.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target			No Target Established	No Target Established	No Target Established	90			Percent Data
	Actual						Data Avail 1/2014			
	Additional Information: In 2003, 65 percent of data for violations of health-based standards at public water systems were accurate and complete in SDWIS/FED for all MCL and TT rules.									
	(PM apo) Percent of deep injection wells that are used to inject industrial, municipal, or hazardous waste (Class I) that lose mechanical integrity and are returned to compliance within 180 days, thereby reducing the potential to endanger underground sources of drinking water.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target					92	92			Percent Wells
	Actual					96	83			
	Explanation of Results: The number of wells that lost mechanical integrity was very small (22). In returning 18 of the 22 wells back into compliance within the 180 days, the percentage (86 percent) doesn't completely express the complexity of having a small universe. The measure has been revised to account for classes I, II, and III wells,									

Program Area	Performance Measures and Data

collectively allowing for a broader universe. The hope is that this change provides an improved measure while eliminating the challenge of the smaller universe with separate classes. Knowing how many wells that will lose mechanical integrity (MI) in a given year is very critical to establishing the target for this measure. It is nearly impossible to predict how many wells will lose mechanical integrity in a given year. Many regions estimate the target based on historical trends and how many wells they believe they can address within the 180 days. When more wells lose mechanical integrity than anticipated, it becomes more difficult to achieve the target. In addition, the measure is hampered by its very low universe. For example, out of the 22 wells nationally, some regions may only have 3 wells, and if their target is 100 percent, but they're only able to return 2 of 3 wells back into compliance within the 180 days, then missing 1 immediately drops them to 67 percent. For many regions, this measure is pretty much all or nothing. The measure has been revised in the NWPG for 2012 to account for all three classes of wells together rather than separately. We anticipate this change will improve the denominator so that the measure is less of a hit or miss due to the smaller denominator.

Additional Information: In 2009, 100 percent of Class I wells that lost mechanical integrity were returned to compliance within 180 days.

(PM app) Percent of deep injection wells that are used to enhance oil/natural gas recovery or for the injection of other (Class II) fluids associated with oil and natural gas production that have lost mechanical integrity and are returned to compliance within 180 days, thereby reducing the potential to endanger underground sources of drinking water.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					89	89			Percent Wells
Actual					89	86			

Explanation of Results: The number of wells that lost mechanical integrity was very small (22). In returning 18 of the 22 wells back into compliance within the 180 days, the percentage (86 percent) doesn't completely express the complexity of having a small universe. The measure has been revised to account for classes I, II, and III wells, collectively allowing for a broader universe. The hope is that this change provides an improved measure while eliminating the challenge of the smaller universe with separate classes. Knowing how many wells will lose mechanical integrity (MI) in a given year is very critical to establishing the target for this measure. It is nearly impossible to predict how many wells that will lose mechanical integrity in a given year. Many regions estimate the target based on historical trends and how many wells they believe they can address within the 180 days. When more wells lose mechanical integrity than anticipated, it becomes more difficult to achieve the target. In addition, the measure is hampered by its very low universe. For example, out of the 22 wells nationally, some regions may only have 3 wells, and if their target is 100 percent, but they're only able to return 2 of 3 wells back into compliance within the 180 days, then missing 1 immediately drops them to 67 percent. For many regions, this measure is pretty much all or nothing. The measure has been revised in the NWPG for 2012 to account for all three classes of wells together rather than separately. We anticipate this change will improve the denominator so that the measure is less of a hit or miss due to the smaller denominator.

Additional Information: In 2009, 90 percent of Class II wells that lost mechanical integrity were returned to compliance within 180 days.

(PM apq) Percent of deep injection wells that are used for salt solution mining (Class III) that lose mechanical integrity and are returned to compliance within 180 days, thereby reducing the potential to endanger underground sources of drinking water.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					93	93			Percent Wells
Actual					75	100			

Additional Information: In 2009, 100 percent of Class III wells that lost mechanical integrity were returned to compliance within 180 days.

Program Area	Performance Measures and Data

(PM aps) Percent of Classes I, II and III salt solution mining wells that have lost mechanical integrity and are returned to compliance within 180 days, thereby reducing the potential to endanger underground sources of drinking water.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							90	90	Percent (Class Wells)
Actual									

Additional Information: There is no fixed point that can be used as a baseline for this measure, since the activity that we are monitoring - "MI Loss" - has not yet occurred. The universe of wells losing mechanical integrity is not static.

(PM apt) Number of Class V motor vehicle waste disposal wells (MVWDW) and large capacity cesspools (LCC) [approximately 23,640 in FY 2010] that are closed or permitted (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							20,840	24,327	Wells
Actual									

Additional Information: OW will be establishing a baseline this year, as it is our first year reporting. This can be problematic, however, since regions don't know exactly how many new facilities they will identify.

(PM dw2) Percent of person months during which community water systems provide drinking water that meets all applicable health-based standards.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			95	95	95	95	95	95	Percent Months
Actual			97	97.2	97.3	97.4			

Additional Information: In 2005, community water systems provided drinking water that met all applicable health-based drinking water standards during 95 percent of "person months."

(PM pi1) Percent of population in each of the U.S. Pacific Island Territories (served by community water systems) that meets all applicable health-based drinking water standards, measured on a four-quarter rolling average basis.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			72	73	73	75	80	82	Percent Population
Actual			79	80	82	87			

Program Area	Performance Measures and Data

Additional Information: In 2005, 95 percent of the population in American Samoa, 10 percent in the Commonwealth of the Northern Mariana Islands (CNMI) and 80 percent of Guam were served by CWSs that received drinking water that meets all applicable health-based standards. This measure is on a four-quarter rolling average basis.

Strategic Measure: By 2015, 88 percent of the population in Indian Country served by community water systems will receive drinking water that meets all applicable health-based drinking water standards. (2005 baseline:86 percent. Status as of FY 2009:81 percent.)

(PM E) Percent of the population in Indian Country served by community water systems that receive drinking water that meets all applicable health-based drinking water standards.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	90	87	87	87	87	87	87	87	Percent Population
Actual	86.6	87	83	81.2	87.2	81.2			

Explanation of Results: Almost all tribal water systems are small; many of these systems have poor source water quality, and there is difficulty supporting sustainable pricing for water services.

Additional Information: In 2005, 86 percent of the population served by community water systems received drinking water that met applicable drinking water standards.

Strategic Measure: By 2015, in coordination with other federal agencies, provide access to safe drinking water for 136,100 American Indian and Alaska Native homes. (FY 2009 baseline: 80,900 homes. Universe: 360,000 homes.)

(PM Gpa) Percent of Alaska population served by public water systems in compliance with Safe Drinking Water Act regulatory requirements.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		No Target Established	No Target Established	No Target Established	No Target Established	100			Households
Actual						Data Avail 6/2012			

(PM dw5) Percent of homes on tribal lands lacking access to safe drinking water.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			No Target Established	No Target Established	No Target Established	8			Households
Actual						8.5			

Program Area	Performance Measures and Data
	Explanation of Results: The percent of tribal homes that lack access to safe drinking water missed the target for a couple of reasons. The percent calculation is based on a static 2003 baseline, and since 2003, there has been an increase in the total number of tribal homes included in the Indian Health Service (IHS) data system and an increase in the need for basic drinking water infrastructure to serve homes which previously had access to safe drinking water. As a result, the Agency has recategorized this measure to an indicator measure. The agency is now measuring the number of homes "provided" access to safe drinking water (in coordination with other federal agencies) rather than a percentage of homes. The Agency has established targets for and begun reporting against this new matrix. ***Additional Information:*** In 2005, 11 percent of homes on tribal lands lacked access to safe drinking water. The 2011 universe is currently 385,822.

(2) Fish and Shellfish Safe to Eat

Strategic Measure: By 2015, reduce the percentage of women of childbearing age having mercury levels in blood above the level of concern to 4.6 percent. (2002 baseline: 5.7 percent of women of childbearing age have mercury blood levels above levels of concern identified by the National Health and Nutrition Examination Survey (NHANES).)

(PM fs1) Percent of women of childbearing age having mercury levels in blood above the level of concern.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			5.5	5.2	5.1	4.9	4.9	4.9	Percent Women
Actual			Data Unavailable	2.8	Data Unavailable	Data Unavailable			

Explanation of Results: EPA has received data for this measure from the CDC's National Health and Nutrition Examination Survey (NHANES) and is in the process of analyzing and validating the information.

Additional Information: Baseline is 7.8 percent based on data collected in 1999-2000. Universe is population of women of childbearing age.

(3) Water Safe for Swimming

Strategic Measure: By 2015, maintain the percentage of days of the beach season that coastal and Great Lakes beaches monitored by state beach safety programs are open and safe for swimming at 95 percent. (2007 baseline: Beaches open 95 percent of the 679,589 days of the beach season (beach season days are equal to 3,647 beaches multiplied by variable number of days of beach season at each beach). Status as of FY 2009:95 percent.)

(PM pi3) Percent of days of the beach season that beaches in each of the U.S. Pacific Island Territories monitored under the Beach Safety Program will be open and safe for swimming.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			70	80	80	82			Percent Days
Actual			80	81	80	77			

Explanation of Results: Specific reasons for not meeting the target are unknown, but the lower than expected result may be due to an increase in precipitation (which can cause an increase in indicator bacteria detected at beaches). This measure is scheduled to be deleted in FY 2012.

Additional Information: In 2005, beaches were open and safe 64 percent of the beach season in American Samoa, 97 percent in the CNMI & 76 percent in Guam.

Program Area	Performance Measures and Data

(PM ss1) Number of waterborne disease outbreaks attributable to swimming in or other recreational contact with coastal and Great Lakes waters measured as a 5-year average.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			2	2	2	2	2		Outbreaks
Actual			0	0	0	0			

Additional Information: Very few outbreaks have been reported over the ten years of data reviewed in consideration of a baseline for this measure. In 2005, two waterborne diseases were reported. Universe is not applicable to this baseline.

(PM ss2) Percent of days of beach season that coastal and Great Lakes beaches monitored by state beach safety programs are open and safe for swimming.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	94	92.6	92.6	93	95	95	95		Percent Days/Season
Actual	97	95.20	95	95	95	95			

Additional Information: In 2005, beaches were open 96% of the 743,036 days of the beach season (i.e., beach season days are equal to 4,025 beaches multiplied by variable number of days of beach season at each beach).

Objective 2 - Protect and Restore Watersheds and Aquatic Ecosystems: Protect the quality of rivers, lakes, streams, and wetlands on a watershed basis, and protect urban, coastal, and ocean waters.

Program Area	Performance Measures and Data
(1) Improve Water Quality on a Watershed Basis	**Strategic Measure:** By 2015, attain water quality standards for all pollutants and impairments in more than 3,360 water bodies identified in 2002 as not attaining standards (cumulative). (2002 universe: 39,798 water bodies identified by states and tribes as not meeting water quality standards. Water bodies where mercury is among multiple pollutants causing impairment may be counted toward this target when all pollutants but mercury attain standards but must be identified as still needing restoration for mercury; 1,703 impaired water bodies are impaired by multiple pollutants, including mercury, and 6,501 are impaired by mercury alone. Status as of FY 2009: 2,505 water bodies attained standards.)

(PM L) Number of water body segments identified by states in 2002 as not attaining standards, where water quality standards are now fully attained (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit

Program Area	Performance Measures and Data									
	Target		1,166	1,550	2,270	2,809	3,073	3,324	3,524	Segments
	Actual		1,409	2,165	2,505	2,909	3,119			

Additional Information: 2002 baseline: 39,798 water bodies identified by states and tribes as not meeting water quality standards. Water bodies where mercury is among multiple pollutants causing impairment may be counted toward this target when all pollutants but mercury attain standards but must be identified as still needing restoration for mercury; 1,703 impaired water bodies are impaired by multiple pollutants, including mercury, and 6,501 are impaired by mercury alone.

(PM bpa) CWSRF long-term revolving level ($billion/yr).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		No Target Established	No Target Established	No Target Established	No Target Established	3.4			Dollars (Billion)/Year
Actual						Data Unavailable			

Explanation of Results: The $3.4 billion target assumed a set level of federal funding through 2011. ARRA, FY 2010 and FY 2011 appropriations have greatly impacted this assumption.

Additional Information: In 2001, $3.9 billion of Clean Water SRF dollars were at the long term revolving level. The $3.4 billion was a forecasted average of what the CWSRFs could provide once federal capitalization ended. It was developed under the assumption that federal capitalization would continue until 2011 and then cease. It was also assumed that it would take approximately 4 to 5 years for the federal funds to work through the program. The $3.4 billion was calculated by taking a 25-year average over the projection period of 2015 through 2040.

(PM bpb) Fund utilization rate for the CWSRF.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	93.3	93.4	93.5	94.5	92	94.5	94.5	94.5	Percent
Actual	94.7	96.7	98	98	100	98			

Additional Information: In 2002, 91 percent was used as the baseline for this measure. It was calculated using data collected annually from all 51 state CWSRF programs (50 states and Puerto Rico).

(PM bpc) Percent of all major publicly owned treatment works (POTWs) that comply with their permitted wastewater discharge standards.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			86	86	86	86	86	86	Percent POTWs
Actual			86	Data Unavailable	86.9	86.7			

Program Area	Performance Measures and Data

(PM bpf) Estimated annual reduction in millions of pounds of phosphorus from nonpoint sources to water bodies (Section 319 funded projects only).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	Pounds (Million)
Actual	11.8	7.5	3.5	3.5	2.6	Data Avail 4/2012			

Explanation of Results: EPA collects this information in its Grants Reporting and Tracking System (GRTS) for Section 319-funded on-the-ground implementation projects that will reduce phosphorus loads to water bodies. States are not required to enter this information into GRTS until after one full year of project implementation so that field data can be collected to support the model calculations. Results are expected by April 2012.

Additional Information: In 2005, there was a reduction of 558,000 lbs of phosphorus from nonpoint sources.

(PM bpg) Estimated additional reduction in million pounds of nitrogen from nonpoint sources to water bodies (Section 319 funded projects only).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	8.5	8.5	8.5	8.5	8.5	8.5	8.5	8.5	Pounds (Million)
Actual	14.5	19.1	11.3	9.1	9.8	Data Avail 4/2012			

Explanation of Results: EPA collects this information in its Grants Reporting and Tracking System (GRTS) for Section 319-funded on-the-ground implementation projects that will reduce phosphorus loads to water bodies. States are not required to enter this information into GRTS until after one full year of project implementation so that field data can be collected to support the model calculations. Results are expected by April 2012.

Additional Information: In 2005, there was a reduction of 3.7 million lbs of nitrogen from nonpoint sources.

(PM bph) Estimated additional reduction in thousands of tons of sediment from nonpoint sources to water bodies (Section 319 funded projects only).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	700	700	700	700	700	700	700	700	Tons (Thousand)
Actual	1,200	1,200	2,100	2,300	2,100	Data Avail 4/2012			

Explanation of Results: EPA collects this information in its Grants Reporting and Tracking System (GRTS) for Section 319-funded on-the-ground implementation projects that will reduce phosphorus loads to water bodies. States are not required to enter this information into GRTS until after one full year of project implementation so

Program Area	Performance Measures and Data

that field data can be collected to support the model calculations. Results are expected by April 2012.

Additional Information: In 2005, there was a reduction of 1.68 million tons of sediment from nonpoint sources.

(PM bpk) Number of TMDLs that are established by states and approved by the EPA [state TMDL] on a schedule consistent with national policy (cumulative). [A TMDL is a technical plan for reducing pollutants in order to obtain water quality standards. The terms "approved" and "established" refer to the completion and approval of the TMDL itself.]

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	15,428	20,232	28,527	33,540	39,101	41,235	43,781	46,331	TMDLs
Actual	17,682	21,685	30,658	36,487	38,749	41,231			

Explanation of Results: In FY 2011, States developed 2,482 TMDLs. Alabama, Kentucky, and South Carolina had several TMDLs with technical and/or legal issues that still need to be resolved, and most states continue to suffer due to budget shortfalls. Additionally, Region 10 states are developing watershed TMDLs, which require a significant amount of resources and time.

Additional Information: Cumulatively, more than 40,000 state TMDLs were completed through FY 2011. A TMDL is a technical plan for reducing pollutants in order to attain water quality standards. The terms "approved" and "established" refer to the completion and approval of the TMDL itself.

(PM bpl) Percent of high-priority state NPDES permits that are issued in the fiscal year.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	95	95	95	95	95	100	100	80	Percent Permits
Actual	96.4	112	120	147	142	135			

Explanation of Results: States have continued their efforts in coordination with the EPA Regions to maintain strong performance in the issuance of their high priority permits. When states establish their lists each year, they designate a pool of priority permits and commit to issuing a certain number of these in the fiscal year. If a State is able to issue permits designated as priority ahead of schedule, they receive credit toward the current fiscal year target, which may result in issuing more permits than originally targeted.

Additional Information: Priority Permits are permits in need of reissuance that have been identified by states as environmentally or programmatically significant. The annual universe of Priority Permits includes the number of permits selected as priority, from which a subset will be issued in the current fiscal year. In 2005, 104% of the designated priority permits were issued in the fiscal year. Starting in FY2013, results can no longer exceed 100% issuance due to a refinement of the measure definition, and the target was revised accordingly. The universe used to calculate percentage results changed from the number of permits committed to issuance in the current fiscal year to the total number of permits selected as priority.

(PM bpm) Cost per water segment restored.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	1,358,351	615,694	684,200	708,276	771,000	681,445	721,715	685,885	Dollars

Program Area	Performance Measures and Data									
	Actual	576,618	512,735	547,676	570,250	581,281	578,410			
	Additional Information: The cost per water segment restored was $1,544,998 in 2004.									
	(PM bpn) Percent of major dischargers in Significant Noncompliance (SNC) at any time during the fiscal year.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	22.5	22.5	22.5	22.5	22.5	22.5	22.5	22.5	Percent Dischargers
	Actual	20.2	22.6	23.9	23.3	23.5	Data Avail 3/2012			
	Explanation of Results: The FY 2011 EOY data is not available at this time due to the current DMR reporting cycle. Final EOY data will be available March 2012.									
	(PM bpp) Percent of submissions of new or revised water quality standards from states and territories that are approved by the EPA.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	90.9	85	87	85	85	85	85	87	Percent Submissions
	Actual	89	85.6	92.5	93.2	90.9	91.8			
	Additional Information: In 2004, the baseline was 87.6 percent submissions approved. Approval rates are expected to decline in 2011 and 2012 due to the increasing complexity of technical and policy issues that rose in state standards revisions submitted to the EPA.									
	(PM bpr) Loading (pounds) of pollutants removed per program dollar expended.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	233	285	332	368	371	377	385	385	Pounds
	Actual	233	331	332	368	371	377			
	Additional Information: The loading (pounds) of pollutants removed per program dollar expended was 122 in 2004.									
	(PM bps) Number of TMDLs that are established or approved by the EPA [total TMDL] on a schedule consistent with national policy (cumulative). [A TMDL is a technical plan for reducing pollutants in order to attain water quality standards. The terms "approved" and "established" refer to the completion and approval of the TMDL itself.]									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	20,275	25,274	33,801	38,978	44,560	49,375	52,218	54,773	TMDLs
	Actual	22,648	26,844	35,979	41,866	46,817	49,663			

Program Area	Performance Measures and Data

Additional Information: Cumulatively, EPA and states completed more than 49,000 TMDLs through FY 2011. A TMDL is a technical plan for reducing pollutants in order to attain water quality standards. The terms "approved" and "established" refer to the completion and approval of the TMDL itself.

(PM bpt) Percent of waters assessed using statistically valid surveys.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	54	54	65	65	82	100			Percent Waters
Actual	54	54	65	65	82	100			

Additional Information: In 2000, 31 percent of waters were assessed using statistically valid surveys.

(PM bpv) Percent of high-priority EPA and state NPDES permits (including tribal) that are issued in the fiscal year.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	95	95	95	95	95	100	100	80	Percent Permits
Actual	98.5	104	119	144	138	132			

Explanation of Results: States and EPA have continued their efforts in coordination with the EPA Regions to maintain strong performance in the issuance of their high priority permits. When states establish their lists each year, they designate a pool of priority permits and commit to issuing a certain number of these in the fiscal year. If a State or EPA Region is able to issue permits designated as priority ahead of schedule, they receive credit toward the current fiscal year target, which may result in issuing more permits than originally targeted.

Additional Information: Priority Permits are permits in need of reissuance that have been identified by states or EPA Regions as environmentally or programmatically significant. The annual universe of Priority Permits includes the number of permits selected as priority, from which a subset will be issued in the current fiscal year. In 2005, 104% of the designated priority permits were issued in the fiscal year. Starting in FY2013, results can no longer exceed 100% issuance due to a refinement of the measure definition, and the target was revised accordingly. The universe used to calculate percentage results changed from the number of permits committed to issuance in the current fiscal year to the total number of permits selected as priority.

(PM bpw) Percent of states and territories that, within the preceding 3-year period, submitted new or revised water quality criteria acceptable to the EPA that reflect new scientific information from the EPA or sources not considered in previous standards.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	66	67	68	68	66	64.3	64.3	64.3	Percent States and Territories
Actual	66.1	66.1	62.5	62.5	67.9	69.6			

Additional Information: In 2004, the baseline was 70% of states and territories submitting acceptable water quality criteria reflecting new scientific information. In response to an EPA national priority, states are focusing on adopting water quality criteria for nutrients (e.g., nitrogen, phosphorus). Because developing these criteria is a complex multi-year process for many states, EPA expects some decline in performance in the short term.

Program Area	Performance Measures and Data

(PM cr2) Clean up acres of known contaminated sediments (cumulative starting FY 2006).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target				5	20	60			Acres
Actual				10	20	63			

Additional Information: In 2006, 400 acres of known highly contaminated sediments were found in the main-stem of the Lower Columbia and Lower Willamette Rivers.

(PM cr3) Demonstrate a reduction in mean concentration of contaminants of concern found in water and fish tissue (cumulative starting in FY 2006).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target						10			Mean Concentration
Actual						Data Avail 3/2012			

Additional Information: In 2005, 5 sites demonstrated a reduction in mean concentration of certain contaminants of concern found in water and fish tissue.

(PM pi2) Percent of time that sewage treatment plants in the U.S. Pacific Island Territories comply with permit limits for biochemical oxygen demand (BOD) and total suspended solids (TSS).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			67	62	62	63	64		Percent Time
Actual			67	65	52	50			

Explanation of Results: The EOY result reflects continued noncompliance at Guam treatment plants (Guam plants were in compliance only 21% of the time in FY11). We expect this trend to continue in FY12.

Additional Information: The sewage treatment plants in the Pacific Island Territories complied 59 percent of the time with BOD and TSS permit limits.

(PM wq2) Remove the specific causes of water body impairment identified by states in 2002 (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			4,607	6,891	8,512	9,016	10,161	10,711	Causes
Actual			6,723	7,530	8,446	9,527			

Additional Information: In 2002, an estimate of 69,677 specific causes of water body impairments were identified by states.

Strategic Measure: By 2015, improve water quality conditions in 330 impaired watersheds nationwide using the watershed

Program Area	Performance Measures and Data

approach (cumulative). (2002 baseline: Zero watersheds improved of an estimated 4,800 impaired watersheds of focus having one or more water bodies impaired. The watershed boundaries for this measure are those established at the "12-digit" scale by the U.S. Geological Survey (USGS). Watersheds at this scale average 22 square miles in size. "Improved" means that one or more of the impairment causes identified in 2002 are removed for at least 40 percent of the impaired water bodies or impaired miles/acres or there is significant watershed-wide improvement (as demonstrated by valid scientific information) in one or more water quality parameters associated with the impairments. Status as of FY 2009: 104 improved watersheds.)

(PM uw1) Number of urban water projects initiated addressing water quality issues in the community.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							3	3	Projects
Actual									

Additional Information: This measure tracks progress in the implementation of grants that help communities access, improve, and benefit from their urban waters and surrounding land. Projects that address water quality in the community will be tracked through grantee reporting and can include the following activities (as authorized under Section 104(b)(3) of the Clean Water Act): planning, outreach, training, studies, monitoring, and demonstration of innovative approaches to manage water quality.

(PM wq3) Improve water quality conditions in impaired watersheds nationwide using the watershed approach (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			40	102	141	208	312	352	Watersheds
Actual			60	104	168	271			

Additional Information: In 2002, there were 10 watersheds improved of an estimated 4,800 impaired watershed of focus having 1 or more water bodies impaired. The watershed boundaries for this measure are those established at the "12-digit" scale by the U.S. Geological Survey. Watersheds at this scale average 22 square miles in size. "Improved" means that that one or more of the impairment causes identified in 2002 are removed for at least 40 percent of the impaired water bodies or impaired miles/acres, or there is significant watershed-wide improvement, as demonstrated by valid scientific information, in one or more water quality parameters associated with the impairments.

Strategic Measure: By 2015, in coordination with other federal agencies, provide access to basic sanitation for 67,900 American Indian and Alaska Native homes. (FY 2009 baseline: 43,600 homes. Universe: 360,000 homes.)

(PM Opb) Percent of serviceable rural Alaska homes with access to drinking water supply and wastewater disposal.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		92	94	96	98	92	93	91	Percent Homes
Actual		92	91	91	92	Data Avail 5/2012			

Program Area	Performance Measures and Data

Additional Information: In 2003, 77 percent of serviceable rural Alaska homes had access to drinking water supply and wastewater disposal.

(PM wq6) Percent of homes on tribal lands lacking access to basic sanitation.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			No Target Established	No Target Established	No Target Established	6			Percent Homes
Actual						8.6			

Explanation of Results: The percent of tribal homes lacking access to basic sanitation target was not met for two reasons; 1.) the percent calculation is based on a static 2003 baseline and since 2003 there has been an increase in the total number of tribal homes included in the Indian Health Service (IHS) data system and 2.) An increase in the need for basic sanitation infrastructure to serve homes which previously had access to basic sanitation. As a result, the Agency has re-categorized this measure as an indicator and is now measuring, identifying targets, and reporting out on the number of homes provided basic sanitation (in coordination with other federal agencies) rather than a percentage of homes.

Additional Information: In 2005, 6.64 percent of homes on tribal lands lacked access to basic sanitation.

(PM uw2) Number of urban water projects completed addressing water quality issues in the community.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							0	0	Projects
Actual									

Additional Information: As this is a new measure, it is not anticipated that any projects will be completed in FY 2013.

(2) Improve Coastal and Ocean Waters

Strategic Measure: By 2015, improve regional coastal aquatic ecosystem health, as measured on the "Good/Fair/Poor" scale of the National Coastal Condition Report. (FY 2009 baseline: National rating of "Fair" or 2.8, where the rating is based on a 4-point system ranging from 1 to 5, in which "1" is "Poor" and "5" is "Good" using the National Coastal Condition Report indicators for water and sediment, coastal habitat, benthic index, and fish contamination.)

(PM sf3) At least seventy-five percent of the monitored stations in the near shore and coastal waters of the Florida Keys National Marine Sanctuary will maintain Chlorophyll a(CHLA) levels at less than or equal to 0.35 ug l-1 and light clarity (Kd) levels at less than or equal to 0.20 m-1.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target						75	75	75	Percent Stations
Actual						85.4			

Additional Information: In 2005, total water quality was at chl < 0.2 ug/l, light attenuation < 0.13/meter, DIN < 0.75 micromolar, and TP < 0.2 micromolar.

Program Area	Performance Measures and Data

(PM sf4) At least seventy-five percent of the monitored stations in the near shore and coastal waters of the Florida Keys National Marine Sanctuary will maintain dissolved inorganic nitrogen (DIN) levels at less than or equal to 0.75 uM and total phosphorus (TP) levels at less than or equal to 0.25 uM.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target						75	75	75	Percent Stations
Actual						73.6			

Explanation of Results: In 2010, a total of 1,000 stations exhibited dissolved inorganic nitrogen (DIN) levels at less than or equal to 0.75uM for results of 84.3% that met the target. Total phosphorus numbers did not achieve the measure with 738 of 1,003 stations meeting the target for results of 73.6%.

Additional Information: The baseline for DIN is <0.75 uM (76.3 percent); TP < 0.25 uM (89.9 percent).

(PM sf5) Improve the water quality of the Everglades ecosystem as measured by total phosphorus, including meeting the 10 ppb total phosphorus criterion throughout the Everglades Protection Area marsh.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			Maintain	Maintain	Maintain	Maintain	Maintain	Maintain	Parts/Billion
Actual			Not Maintained	Not Maintained	Not Maintained	Not Maintained			

Explanation of Results: This measure is tracked in 2 parts: 1) Water year 2011 annual geometric mean total phosphorus (TP) concentration throughout the Everglades Protection Area did not meet the 10 ppb water quality criterion in the impacted portions of the Refuge, WCA2 and WCA3. 2) Water year 2011 annual phosphorus load reductions for the Stormwater Treatment Areas (STA) did not meet their permit discharge limits. Inflow phosphorus concentrations to the Everglades continue to exceed the 10ppb criterion, in spite of significant progress.

Additional Information: In 2005, the average annual geometric mean phosphorus concentrations were 5 ppb in the Everglades National Park, 10 ppb in Water Conservation 3A, 13 ppb in the Loxahatchee National Wildlife Refuge, and 18 ppb in Water Conservation Area 2A; annual average flow-weighted from total phosphorus discharges from Stormwater Treatment Areas ranged from 13 ppb for area 3/4 and 98 ppb for area 1W. Effluent limits will be established for all discharges, including Stormwater Treatment Areas.

Strategic Measure: By 2015, 95 percent of active dredged material ocean dumping sites, as determined by the 3-year average, will have achieved environmentally acceptable conditions (as reflected in each site's management plan and measured through onsite monitoring programs). (2009 baseline: 99 percent. FY 2009 universe is 65.) (Due to variability in the universe of sites, results vary from year to year (e.g., between 85 percent and 99 percent). While this much variability is not expected every year, the results are expected to have some change each year.)

(PM co5) Percent of active dredged material ocean dumping sites that will have achieved environmentally acceptable conditions (as reflected in each site's management plan).

Program Area	Performance Measures and Data									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target			95	98	98	98	95	95	Percent Sites
	Actual			99	99	90.1	93			

Explanation of Results: Gulfport Western Ocean Dredged Material Disposal Sites (ODMDS) has exceeded the minimum depth limitation. The Miami ODMDS has elevated PCB levels. In addition, multiple Gulf of Mexico (ODMDSs) likely do not meet environmentally acceptable conditions due to the Deep Water Horizon Oil Spill and need to be evaluated.

Additional Information: The baseline was calculated in 2005 at 60 sites.

Strategic Measure: By 2015, working with partners, protect or restore an additional (i.e., measuring from 2009 forward) 600,000 acres of habitat within the study areas for the 28 estuaries that are part of the National Estuary Program. (2009 baseline: 900,956 acres of habitat protected or restored, cumulative from 2002-2009. In FY 2009, 125,437 acres were protected or restored.)

(PM 202) Acres protected or restored in National Estuary Program study areas.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	25,000	50,000	50,000	100,000	100,000	100,000	100,000	100,000	Acres
Actual	140,033	102,462.9	83,490	125,410	89,985	62,213			

Explanation of Results: There are a large number of variables that affect the habitat acres actually reported at EOY. Two of the biggest factors affecting the NEP's work and acres reported are: 1) the economy (non-federal match is a significant challenge because state and local budgets have been severely cut), 2) the number of larger ready-to-go projects has greatly diminished over these last years, leaving much smaller projects. We expect these factors will continue to influence our results in the future. Therefore, we are working to determine a more appropriate target for the future.

Additional Information: 2009 Baseline: 900,956 acres of habitat protected or restored; cumulative from 2002-2009.

(PM 4pc) Program dollars per acre of habitat protected or restored.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	510	505	500	500	500	500			Dollars
Actual	401	492	909	659	2,046	2,454			

Explanation of Results: Our target was missed due to receiving unexpected appropriations and fewer than expected habitat acres protected or restored in FY 2011. There are a large number of variables that affect the habitat acres actually reported at the end of the year. Two of the biggest factors affecting the NEPs' work and therefore acres reported are: 1) the economy (non-federal match is a significant challenge because state and local budgets have been severely cut so funds are extremely tight), and 2) the number of larger ready to go projects has greatly diminished over these last year's leaving much smaller ones. FY 2011 was the last year for reporting on this performance measure.

Additional Information: In 2004, $519 program dollars per acre of habitat protected or restored.

Program Area	Performance Measures and Data
(3) Increase Wetlands	**Strategic Measure:** By 2015, working with partners, achieve a net increase of wetlands nationwide, with additional focus on coastal wetlands, and biological and functional measures and assessment of wetland condition. (2004 baseline: 32,000 acres annual net national wetland gain.)

(PM 4E) In partnership with the U.S. Army Corps of Engineers, states, and tribes, achieve no net loss of wetlands each year under the Clean Water Act Section 404 regulatory program.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	No Net Loss	Acres
Actual	Data Not Available	Data Not Available	Data Not Available	No Net Loss	No Net Loss	No Net Loss			

Additional Information: EPA receives data for this measure from the Army Corps of Engineers (ACE). ACE recently finalized its database and was able to collect actual data for the first time in FY 2009.

(PM 4G) Number of acres restored and improved under the 5-Star, NEP, 319, and great water body programs (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			75,000	88,000	110,000	150,000	170,000	180,000	Acres
Actual			82,875	103,507	130,000	154,000			

Additional Information: This measure describes the wetland acres restored through only EPA programs. Information on the national status of wetland gains and losses regardless of the cause is provided every five years by the USFWS. The most recent report noted an annual net loss of 13,800 acres.

(PM Opd) Percent of project federal funds expended on time within the anticipated project construction schedule set forth in the Management Control Policy.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target				94	94.5	95	95.5	95	Percent Projects
Actual				90.5	85	Data Avail 5/2012			

Explanation of Results: Data available May 2012

Additional Information: A baseline had been set in 2008 of 93.5 percent.

(PM cr1) Protect, enhance, or restore acres of wetland habitat and acres of upland habitat in the Lower Columbia River watershed (cumulative starting FY 2006).

Program Area	Performance Measures and Data									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target			8,000	10,000	16,000	16,300			Acres
	Actual			12,986	15,700	16,000	16,661			
	Additional Information: In 2005, 96,770 acres of wetlands were available for protection, enhancement or restoration in the Lower Columbia River Estuary.									
(4) Improve the Health of the Great Lakes	**Strategic Measure:** By 2015, prevent water pollution and protect aquatic systems so that the overall ecosystem health of the Great Lakes is at least 24.7 points on a 40-point scale. (2009 baseline: Great Lakes rating of 22.5 (expected) on the 40-point scale where the rating uses select Great Lakes State of the Lakes Ecosystem indicators based on a 1- to -5 rating system for each indicator, where "1" is "Poor" and "5" is "Good".)									
	(PM 433) Improve the overall ecosystem health of the Great Lakes by preventing water pollution and protecting aquatic systems (using a 40-point scale).									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target	21	21	21	No Target Established	No Target Established	23.4	21.9	23.4	The 40-point scale has no unit
	Actual	21.1	22.7	23.7			21.9			
	Explanation of Results: The Great Lakes Index score of 21.9 does not indicate worsening environmental conditions in the Great Lakes over the long term. Rather, the change is a result of an adjustment to one of the eight index components - beach closures. In 2010, 62% of Great Lakes beaches were reported as open more than 95% of the swimming season. This represents a large decrease from the previous year (82%), and caused the beach closure component of the index to drop from a "2" to a "1." While this gives the appearance that beach - and therefore general Great Lakes - conditions are deteriorating, approximately the same number of beaches did not meet the 95% threshold in 2010 as in 2009. This is attributable to a more rigorous standard of reporting. Prior to 2010, states had been considering non-monitored beaches as open and safe for swimming for 100% of the beach season because the lack of monitoring resulted in no closings. The inclusion of non-monitored beaches in the category of "beaches meeting the criteria of being open more than 95% of the swimming season" raised the number of beaches considered safe for swimming, and in turn raised the percentage. In 2010, non-monitored beaches were no longer reported by states, which resulted in a smaller number of beaches monitored and counted in this component of the index. Starting in FY12, the beach closure component of the index will be revised to assess the percentage of days of the beach season that the Great Lakes beaches monitored by state beach safety programs are open and safe for swimming. This component will then be consistent with the national beach program measure and the revised Great Lakes beach program measure under the GLRI Action Plan. ***Additional Information:*** The ecosystem health index for the Great Lakes in 2002 was 20. Index value for 2010 = 22.7. This was previously a long-term measure, so no data is included for FY 2009 or FY 2010.									
	(PM 620) Cumulative percentage decline for the long-term trend in concentrations of PCBs in whole lake trout and walleye samples.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit

Program Area	Performance Measures and Data									
	Target	5	5	5	5	10	37	40	43	Percent Decline
	Actual	6	6	6	6	43	44			

Additional Information: On average, total PCB concentrations in whole Great Lakes top predator fish have recently declined 5 percent annually - average concentrations at Lake sites from 2002 were: L Superior-9ug/g; L Michigan- 1.6ug/g; L Huron- .8ug/g L Erie- 1.8ug/g; and L Ontario- 1.2ug/g.

(PM 625) Number of Beneficial Use Impairments removed within Areas of Concern (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			16	21	20	26	33	41	BUIs Removed
Actual			11	12	12	26			

Additional Information: Under the GLRI, EPA collaborated extensively with state and federal partners to conduct projects supporting the removal of the following beneficial use impairments: 'Restrictions on Drinking Water' BUI at Rochester Embayment AOC (11/3) and Detroit River AOC (7/9); 'Beach Closing' BUI at Kalamazoo River AOC (3/3), Lower Menominee AOC (3/3), Waukegan Harbor AOC (9/28), Manistique River AOC (5/5/10 - not previously counted); 'Restrictions on Dredging' BUI at St. Clair River AOC (3/3), Muskegon Lake AOC (9/26), and White Lake AOC (9/30); 'Added Costs to Agriculture or Industry' BUI at Rochester Embayment AOC (7/9) and Grand Calumet River AOC (9/30); 'Eutrophication' BUI at Deer Lake AOC (9/26); 'Bird or Animal Deformities' BUI at Deer Lake AOC (9/26); and 'Tainting of Fish and Wildlife' BUI at St. Clair River AOC (11/17/09 - not previously counted).

(PM 626) Number of Areas of Concern in the Great Lakes where all management actions necessary for delisting have been implemented (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					1	1	3	4	AOCs
Actual						2			

Additional Information: Universe of 31; baseline of 1.

(PM 627) Number of nonnative species newly detected in the Great Lakes ecosystem.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					1.1	1.0	0.8	0.8	Species
Actual						0.83			

Additional Information: During the ten-year period prior to the Great Lakes Restoration Initiative (2000-2009), thirteen new invasive species were believed to be discovered within the Great Lakes. This is a baseline rate of invasion of 1.3 species per year. NOAA scientists have since reclassified the detection dates of three species based on a reassessment and categorization of available data. This alters the baseline to 1.0 species per year (10 species from 2000-2009). The FY 2012 target of 0.8 is based on this new baseline of 1.0 species per year. This target also assumes the same rate of detection (one species over the five years of the Action Plan) as the original targets.

Program Area	Performance Measures and Data

(PM 628) Acres managed for populations of invasive species controlled to a target level (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					1,000	1,500	15,500	18,000	Acres
Actual						13,045			

Explanation of Results: This result is higher than anticipated. The unprecedented level of funding for invasive species work capitalized on a backlog of projects and appears to have achieved economies of scale due to significantly larger projects. Approximately 4,800 acres of this effort contribute to efforts to protect, restore, and enhance costal habitat (GL-12) and are also included in the results for that measure. Reporting for this measure relies heavily upon receiving and validating information from funding recipients (grantees, states, federal agencies, sub-grantees).

Additional Information: There were zero acres managed for populations of invasive species controlled to a target level in 2005.

(PM 629) Number of multi-agency rapid response plans established, mock exercises to practice responses carried out under those plans, and/or actual response actions (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					4	4	12	15	Number Responses/Plans
Actual						8			

Additional Information: There were zero multi-agency rapid response plans established, mock exercises to practice responses carried out under those plans, and/or actual response actions in 2005.

(PM 630) Five-year average annual loadings of soluble reactive phosphorus (metric tons per year) from tributaries draining targeted watersheds.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					0	0	0.5	1.0	Metric Tons/Year
Actual						Data Unavailable			

Explanation of Results: Sufficient historical data does not currently exist to allow for calculation of 5-year averages through the 2010 water year for the Saginaw, Genesee, and St. Louis Rivers. This measure tracks changes in the five-year average annual loadings of SRP. Under the Great Lakes Restoration Initiative, improved phosphorus data are now being collected in all five targeted watersheds (Fox, Saginaw, Maumee, St. Louis, and Genesee) to better estimate annual loadings of soluble reactive phosphorus (SRP). Some historical data reflecting five years or more of sampling does exist for the Fox and Maumee Rivers, allowing for loads to be estimated. While limited data is available, the assessment of these 5-year average annual loadings illustrate the inherent problems with tracking changes to SRP loadings from tributaries, given the yearly variability of rainfall and other climatic factors; therefore, results of this measure may not indicate a trend from year to year.

Additional Information: This measure is being reported in percent reductions of five-year average annual loadings of soluble reactive phosphorus (metric tons per year).

Program Area	Performance Measures and Data

The existing measure cannot provide technically sound and statistically valid results sufficient to provide long-term trend information. The program proposes to develop a replacement for this measure in the summer of 2012.

(PM 631) Percentage of beaches meeting bacteria standards 95 percent or more of beach days.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					86	87			Percent Beaches
Actual						62			

Explanation of Results: The measure has been changed for FY 2012 so that it only counts monitored beaches and is consistent with the national coastal and Great Lakes beach measure. Reasons for missing the target included a change in reporting so that non-monitored beaches were not counted as "open."

Additional Information: The baseline is 86 percent (2006).

(PM 632) Acres in Great Lakes watershed with USDA conservation practices implemented to reduce erosion, nutrients, and/or pesticide loading.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					2	2	8	20	Percent Acres
Actual						62			

Explanation of Results: In FY 2011, 268,107 acres in the Great Lakes watershed were put into USDA conservation practices to reduce erosion, nutrients and/or pesticide loadings under Farm Bill Programs. This represents a 62 percent increase over the baseline of 165,000 acres (based on FY 2008 data). The significant increase in FY 2011 is a combined result of greater funding (base USDA programs and GLRI) and increased participation in NRCS programs. The acres tracked in this measure are not cumulative but are for new conservation practices implemented in a given fiscal year. The percent increase will vary considerably from year to year due to funding, the conservation universe, and the difficulty of conservation practices.

Additional Information: The baseline is 165,000 acres in the Great Lakes watershed with USDA conservation practices implemented to reduce erosion, nutrients, and/or pesticide loading.

(PM 633) Percent of populations of native aquatic non-threatened and non-endangered species self-sustaining in the wild (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					33%; 48/147	33%; 48/147	33%; 48/147	34%; 50/147	Species
Actual						31; 46/147			

Explanation of Results: Actions have been taken which we believe will increase the percentage of populations self-sustaining in the wild; however, this environmental indicator will require additional time for the impacts to affect species populations. We expect that the actions taken will realize the targets established, albeit on a delayed schedule. Lake Huron whitefish and lake trout populations (two species targeted to meet this measure) are making significant progress in measurable population metrics, but the impacts of our efforts will not be fully known for several years, since lake trout are a long-lived, slow-growing, late maturing species that does not recruit to most

Program Area	Performance Measures and Data

sampling gears until age 5+.

Additional Information: In 2009, 27 percent of populations of native aquatic non-threatened and non-endangered species were self-sustaining in the wild.

(PM 634) Number of acres of wetlands and wetland-associated uplands protected, restored and enhanced (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					5,000	5,000	11,000	13,000	Acres
Actual						9,624			

Additional Information: There were zero acres of wetlands and wetland-associated uplands protected, restored and enhanced in 2005 through GLRI.

(PM 635) Number of acres of coastal, upland, and island habitats protected, restored and enhanced (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					15,000	15,000	15,000	20,000	Acres
Actual						12,103			

Explanation of Results: Funding delays and permitting process delays have slowed project implementation. These project areas are expected to be protected, restored, or enhanced in CY 2012.

Additional Information: There were zero acres of coastal, upland, and island habitats protected, restored and enhanced in 2005.

(PM 636) Number of species delisted due to recovery.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					0	0	1	2	Species
Actual						1			

Additional Information: There were zero species delisted due to recovery in 2005.

(PM 637) Percent of days of the beach season that the Great Lakes beaches monitored by state beach safety programs are open and safe for swimming.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							90	90	Percent Days
Actual									

Additional Information: Results do not indicate a worsening of beach conditions since approximately the same number of beaches did not meet the 95% threshold in 2010 as in 2009. The measure was revised for FY 2012 so that it only counts monitored beaches and is consistent with the national coastal and Great Lakes beach measure (SS-SP9.N11). Furthermore, non-monitored beaches are not counted as "open."

Program Area	Performance Measures and Data									
	Strategic Measure: By 2015, remediate a cumulative total of 10.2 million cubic yards of contaminated sediment in the Great Lakes. (2009 baseline: Of the 46.5 million cubic yards once estimated to need remediation in the Great Lakes, 6.0 million cubic yards of contaminated sediments have been remediated from 1997 through 2008.)									
	(PM 606) Cubic yards of contaminated sediment remediated (cumulative from 1997) in the Great Lakes.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	3.2	4.5	5.0	5.9	6.3	8	9.1	9.6	Cubic Yards (Million)
	Actual	4.1	4.5	5.5	6.0	7.3	8.4			
	Additional Information: 7.3 million cubic yards of contaminated sediments were remediated from 1997 through 2009 of the 46.5 million requiring remediation.									
	(PM 623) Cost per cubic yard of contaminated sediments remediated (cumulative).									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target				200	200	200	200	200	Dollars/Cubic Yard
	Actual				122	125	144			
	Additional Information: In 2006, the cost per cubic yard of contaminated sediments remediated was $115.									
(5) Improve the Health of the Chesapeake Bay Ecosystem	**Strategic Measure:** By 2015, achieve 50 percent (92,500 acres) of the 185,000 acres of submerged aquatic vegetation necessary to achieve Chesapeake Bay water quality standards. (2008 baseline: 35 percent, 64,912 acres.)									
	(PM 233) Total nitrogen reduction practices implementation achieved as a result of agricultural best management practice implementation per million dollars to implement agricultural BMPs.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target		47,031	48,134	49,237	49,237	49,237	49,660		Pounds/Dollars (Millions)
	Actual		43,529	45,533	49,660	49,660	Data Unavailable			
	Explanation of Results: Not able to track this measure since FY 2010 (due to the development of the Bay TMDL). Measure replaced with PM 234. ***Additional Information:*** The 2001 baseline is 43,289.									
	(PM cb1) Percent of submerged Aquatic Vegetation goal of 185,000 acres achieved based on annual monitoring from previous goal.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**

Program Area	Performance Measures and Data									
	Target			No Target Established	No Target Established	No Target Established	45			Percent Acres
	Actual						43			
	Additional Information: In 1985, 21percent of the Submerged Aquatic Vegetation goal of 185,000 acres was achieved (38,226 acres).									
	(PM cb6) Percent of goal achieved for implementing nitrogen reduction actions to achieve the final TMDL allocations, as measured through the phase 5.3 watershed model.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target						1	15	22.5	Percent Goal Achieved
	Actual						8			
	Additional Information: The FY 2010 baseline is 0 percent. The universe is 100 percent goal achievement by December 31, 2025 (FY 2026). FY 2013 target is a placeholder and will be revised after finalization of Phase 2 WIPs being developed in association with Bay TMDL.									
	(PM cb7) Percent of goal achieved for implementing phosphorus reduction actions to achieve final TMDL allocations, as measured through the phase 5.3 watershed model.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target						1	15	22.5	Percent Goal Achieved
	Actual						1			
	Additional Information: The FY 2010 baseline is 0 percent. The universe is 100 percent goal achievement by December 31, 2025 (FY 2026). FY 2013 target is a placeholder and will be revised after finalization of Phase 2 WIPs being developed in association with Bay TMDL.									
	(PM cb8) Percent of goal achieved for implementing sediment reduction actions to achieve final TMDL allocations, as measured through the phase 5.3 watershed model.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target						1	15	22.5	Percent Goal Achieved
	Actual						11			
	Additional Information: The FY 2010 baseline is 0 percent. The universe is 100 percent goal achievement by December 31, 2025 (FY 2026). FY 2013 target is a placeholder and will be revised after finalization of Phase 2 WIPs being developed in association with Bay TMDL.									
	(PM 234) Reduce per capita nitrogen loads (pounds per person per year) to levels necessary to achieve Chesapeake Bay Total Maximum Daily Load allocations.									

Program Area	Performance Measures and Data									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target								15.17	Pounds/Person/Year
	Actual									
	Additional Information: FY 1986 baseline is 27.4 pounds of nitrogen/person/year. Universe is 10.57 pounds of nitrogen/person/year by December 31, 2025 (FY 2026).									
	(PM cb2) Percent of Dissolved Oxygen goal of 100 percent standards attainment achieved based on annual monitoring from the previous calendar year and the preceding 2 years.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target			No Target Established	No Target Established	No Target Established	40			Percent Dissolved Oxygen
	Actual						38.5			
	Additional Information: Historic data for measure changed due to new assessment method adopted during development of the Bay TMDL. Results from FY 2011 reflect new method, The revised historic results are FY 2006: 35.2 percent; FY 2007: 32.3 percent; FY 2008: 40.5 percent; FY 2009: 42.1 percent; FY 2010: 39.4 percent.									
(6) Restore and Protect the Gulf of Mexico	**Strategic Measure:** By 2015, reduce releases of nutrients throughout the Mississippi River Basin to reduce the size of the hypoxic zone in the Gulf of Mexico to less than 5,000 km², as measured by the 5-year running average of the size of the zone. (Baseline: 2005-2009 running average size is 15,670 km².)									
	(PM 22b) Improve the overall health of coastal waters of the Gulf of Mexico on the Good/Fair/Poor scale of the National Coastal Condition Report.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target	2.4	2.4	2.5	2.5	2.5	2.5	2.4	2.4	Scale
	Actual	2.4	2.4	2.2	2.2	2.4	2.4			
	Explanation of Results: The NCCR IV assessment is based on environmental stressor and response data collected by the states of Florida, Alabama, Mississippi, Louisiana, and Texas from 2003-2006. The hurricanes of 2005 (Katrina and Rita) significantly affected the data collected and Alabama, Mississippi, and Louisiana did not collect data in 2005 except for water quality indicators in Mississippi. These factors influenced the overall condition score which represents no significant change from the previous ratings in NCCR II and III but did not improve. ***Additional Information:*** In 2008, the Gulf of Mexico rating of Fair/Poor was 2.2, where the rating is based on a 5-point system in which 1 is Poor and 5 is Good and is expressed as an aerially weighted mean of regional scores using the National Coastal Condition Report II indicators: water quality index, sediment quality index, benthic index, coastal habitat index, and fish tissue contaminants.									
	(PM xg1) Restore water and habitat quality to meet water quality standards in impaired segments in 13 priority coastal areas (cumulative starting in FY 2007).									

Program Area	Performance Measures and Data									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target			64	96	96	202	320	360	Impaired Segments
	Actual			131	131	170	286			
	Additional Information: In 2008, the Gulf of Mexico coastal wetlands habitats included 3,769,370 acres.									
	(PM xg2) Restore, enhance, or protect a cumulative number of acres of important coastal and marine habitats.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target			18,200	26,000	27,500	30,000	30,600	30,600	Acres
	Actual			25,215	29,344	29,552	30,052			
	Additional Information: In 2008, 25,215 acres were restored, enhanced, or protected in the Gulf of Mexico.									
(7) Restore and Protect the Long Island Sound	**Strategic Measure:** By 2015, reduce the maximum area of hypoxia in Long Island Sound by 15 percent from the pre-TMDL average of 208 square miles as measured by the 5-year running average size of the zone. (Baseline: Pre-total maximum daily load (TMDL) average conditions based on 1987-1999 data is 208 square miles. Post-TMDL includes years 2000-2014. Universe: The total surface area of Long Island Sound is approximately 1,268 square miles; the potential for the maximum area of hypoxia would be 1,268 square miles.)									
	(PM li5) Percent of goal achieved in reducing trade-equalized (TE) point source nitrogen discharges to Long Island Sound from the 1999 baseline of 59,146 TE lbs/day.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target					52	72	74	76	Percent Goal Achieved
	Actual					70	Data Avail 3/2012			
	Additional Information: The 2000 TMDL baseline is 59,146 Trade-Equalized (TE) pounds/day. The 2014 TMDL target is 22,774 TE pounds/day.									
	(PM li8) Restore, protect or enhance acres of coastal habitat from the 2010 baseline of 2,975 acres.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target							218	480	Acres
	Actual									
	Additional Information: The 2010 baseline is 2,975 acres. The long-term goal of this measure was significantly exceeded in FY 2010. EPA revised this measure in FY 2012 to measure acres instead of percent of goal achieved. EPA establishes annual targets with partners to measure annual progress. Out-year estimates are based on									

Program Area	Performance Measures and Data

continued state progress, feasibility, and funding for habitat restoration projects.

(PM li9) Reopen miles of river and stream corridors to diadromous fish passage from the 2010 baseline of 17.7 river miles by removal of dams and barriers or by installation of bypass structures.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							28	51	Miles
Actual									

Additional Information: The long-term goal of this measure was significantly exceeded in FY 2010. The EPA revised this measure in FY 2012 to measure river miles instead of percent of goal achieved. The EPA will establish annual targets with partners to measure annual progress. Out-year estimates are based on continued state progress, feasibility, and funding for fish passage and bypass projects. The EPA revised its FY 2012 target for this measure in the FY 2013 submission due to a miscalculation. It is not a reflection of reduced effort.

(PM li6) Percent of goal achieved in restoring, protecting or enhancing 240 acres of coastal habitat from the 2008 baseline of 1,199 acres.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					33	50			Percent Goal Achieved
Actual					740	890			

Explanation of Results: Achieved 890 percent of the 2014 habitat acres goal. The 2014 target was significantly exceeded in FY 2011 due partially to increased prior year appropriations that enabled the leveraging of funding for acquisitions of several properties that helped exceed expectations for this measure.

Additional Information: The Long Island Sound Study established a goal to restore or protect 240 additional acres of coastal habitat from 2009-2014, from a 2008 baseline of 1,199 acres.

(PM li7) Percent of goal achieved in reopening 50 river and stream miles to diadromous fish passage from the 2008 baseline of 124 miles.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					33	50			Percent Goal Achieved
Actual					72	72			

Additional Information: The Long Island Sound Study established a goal to reopen 50 river/stream miles to diadromous fish passages in 2009-2014, from a 2008 baseline of 124 miles.

(8) Restore and Protect the Puget	**Strategic Measure:** By 2015, improve water quality and enable the lifting of harvest restrictions in 4,300 acres of shellfish bed growing areas impacted by degraded or declining water quality in the Puget Sound. (2009 baseline: 1,730 acres of shellfish beds with harvest restrictions in 2006 had their restrictions lifted. Universe: 30,000 acres of commercial shellfish beds with harvest

Program Area	Performance Measures and Data
Sound Basin	restrictions in 2006.)

(PM ps1) Improve water quality and enable the lifting of harvest restrictions in acres of shellfish bed growing areas impacted by degrading or declining water quality.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			450	600	1,800	4,953	3,878	7,758	Acres
Actual			1,566	1,730	4,453	1,525			

Explanation of Results: In FY 2011, Puget Sound's Samish Bay 4,037 acres were placed under new harvest restrictions primarily due to pathogen pollution. Also, in FY 2011, there were 1,109 acres in Puget Sound that had harvest restrictions lifted. The net loss in harvestable acres for FY 2011 is 2,928 acres; an EOY FY cumulative total of 1,525 acres.

Additional Information: The universe of potentially recoverable shellfish beds in Puget Sound closed due to nonpoint source pollution is approximately 10,000 acres. In 2010, 4,453 acres (cumulative) of shellfish-bed growing areas had improved water quality, resulting in the lifting of harvest restrictions. In 2011, a downgrading of approximately 4,000 acres in Samish Bay occurred due to non-point pollution exacerbated by La Niña weather conditions. The Puget Sound program is strategically directing resources in FY 2012 and beyond to address the pathogen pollution problem impacting shellfish harvest in Puget Sound. The program is addressing this both in the near term - focusing on specific geographical locations (e.g. Samish Bay), and in the long term for the universe of potentially recoverable shellfish acres basin-wide in Puget Sound.

(PM ps2) Remediate acres of prioritized contaminated sediments.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			100	125	123	127			Acres
Actual			123	123.1	123.1	123			

Explanation of Results: Work anticipated to meet this measure was delayed. The additional acres projected for remediation in FY 2011 are still being worked on to complete the clean-up (expected in February 2012).

Additional Information: In 2008, 123 acres of prioritized contaminated sediments were remediated.

(PM ps3) Number of near shore, riparian, and wetland habitat acres protected or restored.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			2,310	3,000	6,500	12,363	19,063	24,063	Acres
Actual			4,413	5,751	10,062	14,629			

Additional Information: In 2008, 4,413 acres (cumulative) of tidally- and seasonally-influenced estuarine wetlands were restored.

(9) Sustain and Restore the	**Strategic Measure:** By 2015, provide safe drinking water or adequate wastewater sanitation to 75 percent of the homes in the U.S.-Mexico Border area that lacked access to either service in 2003. (2003 Universe: 98,515 homes lacked drinking water, and

Program Area	Performance Measures and Data
U.S.-Mexico Border Environmental Health	690,723 homes lacked adequate wastewater sanitation, based on a 2003 assessment of homes in the U.S.-Mexico Border area. 2015 target: 73,886 homes provided with safe drinking water, and 518,042 homes with adequate wastewater sanitation.)

(PM 4pg) Loading of biochemical oxygen demand (BOD) removed (million pounds/year) from the U.S.-Mexico border area since 2003.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target						108.2	115	121.5	Million Pounds/Year
Actual						108.5			

Additional Information: The baseline starts in 2003 with zero pounds of biochemical oxygen demand (BOD) removed.

(PM xb2) Number of additional homes provided safe drinking water in the U.S.-Mexico border area that lacked access to safe drinking water in 2003.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		1,200 (Annual)	2,500 (Annual)	1,500 (Annual)	28,434 (Cumulative)	54,130 (Cumulative)	1,000 (Annual)	3,000 (Annual)	Homes
Actual		1,276 (Annual)	5,162 (Annual)	1,584 (Annual)	52,130 (Cumulative)	54,734 (Cumulative)			

Additional Information: Units and Baseline: "Additional homes" represents the number of existing households that are provided access (i.e., connected) to safe drinking water as a result of Border Environment Infrastructure Fund (BEIF)-supported projects. The program measures from a baseline of zero additional homes since this measure was developed in 2003. Universe: The known universe is the number of existing households in the U.S.-Mexico border area lacking access to safe drinking water in 2003 (98,515 homes). The known universe was calculated from U.S. Census and the Mexican National Water Commission (CONAGUA) sources. This measure was modified from cumulative to annual beginning in FY 2012 to better capture annual program progress.

(PM xb3) Number of additional homes provided adequate wastewater sanitation in the U.S.-Mexico border area that lacked access to wastewater sanitation in 2003.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		70,750 (Annual)	15,000 (Annual)	105,500 (Annual)	246,175 (Cumulative)	461,125 (Cumulative)	10,500 (Annual)	27,000 (Annual)	Homes
Actual		73,475 (Annual)	31,686 (Annual)	43,594 (Annual)	254,125 (Cumulative)	513,041 (Cumulative)			

Additional Information: Units and Baseline: "Additional homes" represents the number of existing households that are provided access (i.e., connected) to adequate wastewater sanitation as a result of Border Environment Infrastructure Fund (BEIF)-supported projects. The program measures from a baseline of zero additional homes since this measure was developed in 2003. Universe: The known universe is the number of existing households in the U.S.-Mexico border area lacking access to adequate wastewater sanitation services in 2003 (690,723). The known universe of unconnected homes was calculated from U.S. Census and the Mexican National Water

Program Area	Performance Measures and Data
	Commission (CONAGUA) sources. This measure was modified from cumulative to annual beginning in FY 2012 to better capture annual program progress.

GOAL 3: CLEANING UP COMMUNITIES AND ADVANCING SUSTAINABLE DEVELOPMENT

Clean up communities, advance sustainable development, and protect disproportionately impacted low-income, minority, and tribal communities. Prevent releases of harmful substances and clean up and restore contaminated areas.

Objective 1 - Promote Sustainable and Livable Communities: Support sustainable, resilient, and livable communities by working with local, state, tribal, and federal partners to promote smart growth, emergency preparedness and recovery planning, brownfield redevelopment, and the equitable distribution of environmental benefits.

Program Area	Performance Measures and Data									
(2) Assess and Cleanup Brownfields	**Strategic Measure:** By 2015, conduct environmental assessments at 20,600 (cumulative) brownfield properties. (Baseline: As of the end of FY 2009, EPA assessed 14,600 properties.)									
	(PM B29) Brownfield properties assessed.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	1,000	1,000	1,000	1,000	1,000	1,000	1,200	1,200	Properties
	Actual	2,139	1,371	1,453	1,295	1,326	1,784			
	Explanation of Results: In FY 2011, the Agency embarked on a major data improvement effort to collect additional data and prior existing data. The Agency is increasing the target for this measure in FY 2012. ***Additional Information:*** The program which this measure supports receives funds from ARRA. However, the targets above are not estimated based on these additional funds. ARRA resources and performance measures for EPA's Brownfields program are tracked separately on EPA's internet site http://www.epa.gov/recovery/plans.html#quarterly and the government-wide ARRA site www.recovery.gov.									
	Strategic Measure: By 2015, make an additional 17,800 acres of brownfield properties ready for reuse from the 2009 baseline. (Baseline: As of the end of FY 2009, EPA made 11,800 acres ready for reuse.)									
	(PM B33) Acres of Brownfields properties made ready for reuse.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	No Target Established	No Target Established	225	1,000	1,000	1,000	3,000	3,000	Acres
	Actual	1,598	2,399	4,404	2,660	3,627	6,667			
	Explanation of Results: In FY 2011, the Agency embarked on a major data improvement effort to collect additional data and prior existing data. The Agency is increasing the target for this measure in FY 2012. ***Additional Information:*** The program which this measure supports receives funds from ARRA. However, the targets above are not estimated based on these additional funds. ARRA resources and performance measures for EPA's Brownfields program are tracked separately on EPA's internet site									

Program Area	Performance Measures and Data

http://www.epa.gov/recovery/plans.html#quarterly and the government-wide ARRA site www.recovery.gov.

(PM B32) Number of properties cleaned up using Brownfields funding.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	60	60	60	60	60	60	120	120	Properties
Actual	88	77	78	93	109	130			

Explanation of Results: In FY 2011, the Agency embarked on a major data improvement effort to collect additional data and prior existing data. The Agency is increasing the target for this measure in FY 2012.

Additional Information: The program which this measure supports receives funds from ARRA. However, the targets above are not estimated based on these additional funds. ARRA resources and performance measures for EPA's Brownfields program are tracked separately on EPA's internet site http://www.epa.gov/recovery/plans.html#quarterly and the government-wide ARRA site www.recovery.gov.

(PM B34) Jobs leveraged from Brownfields activities.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	Jobs
Actual	5,504	5,209	5,484	6,490	5,177	6,447			

Explanation of Results: In FY 2011, the Agency embarked on a major data improvement effort to collect additional data and prior existing data. The Agency is increasing the target for this measure in FY 2012.

Additional Information: The program which this measure supports receives funds from ARRA. However, the targets above are not estimated based on these additional funds. ARRA resources and performance measures for EPA's Brownfields program are tracked separately on EPA's internet site http://www.epa.gov/recovery/plans.html#quarterly and the government-wide ARRA site www.recovery.gov.

(PM B37) Billions of dollars of cleanup and redevelopment funds leveraged at Brownfields sites.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	1.0	0.9	0.9	0.9	0.9	0.9	1.2	1.2	Dollars (Billions)
Actual	1.48	1.69	1.48	1.06	1.40	2.14			

Explanation of Results: In FY 2011, the Agency embarked on a major data improvement effort to collect additional data and prior existing data. The Agency is increasing the target for this measure in FY 2012.

Additional Information: The program which this measure supports receives funds from ARRA. However, the targets above are not estimated based on these additional funds. ARRA resources and performance measures for EPA's Brownfields program are tracked separately on EPA's internet site http://www.epa.gov/recovery/plans.html#quarterly and the government-wide ARRA site www.recovery.gov.

(3) Reduce

Strategic Measure: By 2015, continue to maintain the Risk Management Plan (RMP) prevention program and further reduce

Program Area	Performance Measures and Data									
Chemical Risks at Facilities and in Communities	by 10 percent the number of accidents at RMP facilities. (Baseline: There was an annual average of 190 accidents based on RMP program data between 2005-2009).									
	(PM CH2) Number of risk management plan audits and inspections conducted.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	400	400	400	400	400	560	530	500	Audits
	Actual	550	628	628	654	618	630			
	Additional Information: Between FY 2000 and FY 2011, more than 6,800 Risk Management Plan audits/inspections were completed.									

Objective 2 - Preserve Land: Conserve resources and prevent land contamination by reducing waste generation, increasing recycling, and ensuring proper management of waste and petroleum products.

Program Area	Performance Measures and Data									
(1) Waste Generation and Recycling	**Strategic Measure:** By 2015, increase the amount of municipal solid waste reduced, reused, or recycled by 2.5 billion pounds. (At the end of FY 2008, 22.5 billion pounds of municipal solid waste had been reduced, reused, or recycled.)									
	(PM MW9) Billions of pounds of municipal solid waste reduced, reused, or recycled.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target				19.5	20.5	21	22		Pounds (Billions)
	Actual				23.7	22.6	Data Avail 12/2012			
	Additional Information: EPA is discontinuing this measure in FY 2013. FY 2012 data will be available December 2013.									
	(PM SM1) Tons of materials and products offsetting use of virgin resources through sustainable materials management.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target						No Target Established	8,549,502	8,650,995	Tons
	Actual						8,449,458			
	Additional Information: New measure to reflect the national program shift from waste management to sustainable materials management. This new measure replaces our retired waste management measure, "Billions of pounds of municipal solid waste reduced, reused or recycled." The FY 2011 results will be used as the baseline for this new measure.									

Program Area	Performance Measures and Data

Strategic Measure: By 2015, increase beneficial use of coal combustion ash to 50 percent from 40 percent in 2008.

(PM MW2) Increase in percentage of coal combustion ash that is beneficially used instead of disposed.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		1.8	1.8	1.8	1.4	1.4	1.4	1.4	Percent Increase
Actual		-0.7	1.8	-6	Data Avail 12/2012	Data Avail 12/2013			

Additional Information: In 2008, approximately 136 million tons of coal combustion ash was generated, and 40 percent was used rather than landfilled. Data lag for FY 2010 and FY 2011 results is two years, to allow for the use of finalized survey numbers in the budget cycle.

Strategic Measure: By 2015, increase by 78 the number of tribes covered by an integrated waste management plan compared to FY 2009. (At the end of FY 2009, 94 of 572 federally recognized tribes were covered by an integrated waste management plan.)

(PM MW8) Number of tribes covered by an integrated solid waste management plan.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		27	26	16	23	14	3	3	Tribes
Actual		28	35	31	23	17			

Additional Information: The baseline for this measure was set at zero, in response to new criteria for reporting identified in 2006. Beginning in FY 2012, RCRA Program grant funding supporting the development of integrated waste management plans is no longer available. However, the performance target may be achieved with the assistance of other funding sources, including tribes, other EPA programs, or other federal agencies. Technical assistance to the tribes, such as that provided through tribal circuit riders, will remain available. At the end of FY 2011, 134 of 574 federally recognized tribes were covered by an integrated waste management plan.

Strategic Measure: By 2015, close, clean up, or upgrade 281 open dumps in Indian country and on other tribal lands compared to FY 2009. (At the end of FY 2009, 412 open dumps were closed, cleaned up, or upgraded. As of April 1, 2010, 3,464 open dumps were listed in the Indian Health Service Operation and Maintenance System Database, which is dynamic because of the ongoing assessment of open dumps.)

(PM MW5) Number of closed, cleaned up, or upgraded open dumps in Indian country or on other tribal lands.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		30	30	27	22	45	45	57	Dumps
Actual		107	166	129	141	82			

Explanation of Results: Leveraged available EPA resources and tribal funds to greatly accelerate the expected pace of open tribal lands.

Program Area	Performance Measures and Data
	Additional Information: The baseline for this measure was set at zero, in response to new criteria for reporting identified in 2006.
(2) Minimize Releases of Hazardous Waste and Petroleum Products	**Strategic Measure:** By 2015, prevent releases at 500 hazardous waste management facilities with initial approved controls or updated controls resulting in the protection of an estimated 3 million people living within a mile of all facilities with controls. (Baseline: At the end of FY 2009, it was estimated that 789 facilities will require these controls out of the universe of 2,468 facilities with about 10,000 process units. The goal of 500 represents 63 percent of the facilities needing controls.)

(PM HW0) Number of hazardous waste facilities with new or updated controls.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target				100	100	100	100	100	Facilities
Actual				115	140	130			

Explanation of Results: Regional offices and their state counterparts were able to maintain a high permit renewal rate, which accounts for over half of the reported results.

Additional Information: There are an estimated 894 facilities that will require initial approved or updated controls out of the universe of 2,450 facilities.

(PM HWE) Number of facilities with new or updated controls per million dollars of program cost.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		2.00	3.64	3.68	3.72	3.75	3.79		Facilities
Actual		3.36	3.72	3.75	3.91	4.01			

Additional Information: EPA is discontinuing this measure in FY 2013. FY 2012 is the last year that results will be reported.

(PM PB5) Number of pounds of priority chemicals reduced from all phases of the manufacturing lifecycle through source reduction and/or recycling.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		0.5	1.0	1.0	0.8	2.0			Million Pounds
Actual		1.3	5.7	7.1	3.7	12.3			

Explanation of Results: Several Regions reported unexpected results from their partners, partly due to the closeout of this measure. Region 6 was able to challenge and encourage a partner to make a significant component substitution which accounted for almost half the national total.

Additional Information: The National Partnership Environmental Program (NPEP) has over 260 partners, including many federal and state facilities, who have removed more than nearly 30 million pounds of priority chemicals through both source reduction and recycling activities.

Strategic Measure: Each year through 2015, increase the percentage of UST facilities that are in significant operational compliance (SOC) with both release detection and release prevention requirements by 0.5 percent over the previous year's

Program Area	Performance Measures and Data
	target. (Baseline: This means an increase of facilities in SOC from 65.5 percent in 2010 to 68 percent in 2015.)

(PM ST6) Increase the percentage of UST facilities that are in significant operational compliance (SOC) with both release detection and release prevention requirements by 0.5% over the previous year's target.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	66	67	68	65	65.5	66	66.5	67	Percent
Actual	62	63	66	66	69	71			

Additional Information: Implementing the 2005 Energy Policy Act requirements, EPA and states are inspecting infrequently inspected facilities, and are finding many out of compliance, impacting our ability to achieve compliance rate goals. As a result, the significant operational compliance targets have been adjusted to reflect a 0.5 percent increase each year to maintain aggressive goals.

Strategic Measure: Each year through 2015, reduce the number of confirmed releases at UST facilities to 5 percent fewer than the prior year's target. (Baseline: Between FY 1999 and FY 2009, confirmed UST releases averaged 8,113.)

(PM ST1) Reduce the number of confirmed releases at UST facilities to five percent (5%) fewer than the prior year's target.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	<10,000	<10,000	<9,000	<9,000	<9,000	<8,550	<8,120	<7,715	Releases
Actual	8,361	7,570	7,364	7,168	6,328	5.998			

Explanation of Results: EPA attributes this success to the implementation of its program and the impact of statutorily required three year inspections. The target decreases by 5 percent per year, so the program recognizes that as implementation of the prevention program and the inspection cycle proceeds over time, the target can be more aggressive and expect fewer confirmed releases.

Additional Information: Between FY 2006 and FY 2011, confirmed UST releases averaged 7,132.

Objective 3 - Restore Land: Prepare for and respond to accidental or intentional releases of contaminants and clean up and restore polluted sites.

Program Area	Performance Measures and Data
(2) Emergency Preparedness and Response	**Strategic Measure:** By 2015, achieve and maintain at least 80 percent of the maximum score on the Core National Approach to Response (NAR) evaluation criteria. (Baseline: In FY 2009, the average Core NAR Score was 84 percent for EPA headquarters, regions, and special teams prepared for responding to emergencies).
	(PM C1) Score on annual Core NAR.

Program Area	Performance Measures and Data									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target				No Target Established	55	60	70	72	Percent
	Actual				84.3	87.9	77.5			
	Explanation of Results: The value of 77.5 is a composite score that includes both Core ER and Core CBRN for all 10 Regions, EPA HQ and EPA Special Teams. The Regional scores are only the Core ER portion of the evaluation. ***Additional Information:*** In FY 2009, the average Core NAR Score was 84 percent for EPA headquarters, regions, and special teams prepared for responding to emergencies.									
	Strategic Measure: By 2015, complete an additional 1,700 Superfund removals through Agency-financed actions and through oversight of removals conducted by potentially responsible parties (PRPs). (Baseline: In FY 2009, there were 434 Superfund removal actions completed including 214 funded by the Agency and 220 overseen by the Agency that were conducted by PRPs under a voluntary agreement, an administrative order on consent or a unilateral administrative order).									
	(PM 132) Superfund-lead removal actions completed annually.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target	195	195	195	195	170	170	170	170	Removals
	Actual	157	200	215	214	199	214			
	Explanation of Results: The Removal program is designed to respond to threats as they arise. It is difficult to predict how many will occur in a year. However, due to the experience and expertise of EPA's On-Scene Coordinators, EPA is able to quickly and effectively respond to those that do occur. ***Additional Information:*** Between 2006 and 2011 EPA completed an average of 200 Superfund-lead removal response actions.									
	(PM 135) PRP removal completions (including voluntary, AOC, and UAO actions) overseen by EPA.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target	115	120	125	130	170	170	170	170	Removals
	Actual	93	151	157	154	192	191			
	Additional Information: In FY 2010, EPA will begin implementing a new measure to track removals undertaken by potentially responsible parties, either voluntarily or pursuant to an enforcement instrument, where EPA has overseen the removals. Between 2006 and 2011, EPA completed an average of 156 PRP-lead removal response actions.									
	(PM 136) Superfund-lead removal actions completed annually per million dollars.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit

Program Area	Performance Measures and Data									
	Target	0.91	0.92	0.93	0.94	0.95	0.96	0.97		Removals
	Actual	1.02	1.04	1.05	1.30	1.97	2.04			
	Additional Information: EPA is discontinuing this measure in FY 2013. FY 2012 is the last year that results will be reported.									
	Strategic Measure: By 2015, no more than 1.5 million gallons will be spilled annually at Facility Response Plan (FRP) facilities, a 15 percent reduction from the annual average of 1.7 million gallons spilled from 2005-2009.									
	(PM 325) Gallons of oil spilled to navigable waters per million program dollar spent annually on prevention and preparedness at Facility Response Plan (FRP) facilities.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	No Target Established	No Target Established	90,000	No Target Established	No Target Established	81,000			Gallons
	Actual	Triennial	Triennial	152,165	Triennial	Triennial	Data Avail 3/2012			
	Additional Information: EPA is discontinuing this measure in FY 2012. FY 2011 is the last year that results will be reported.									
	(PM 337) Percent of all FRP inspected facilities found to be non-compliant which are brought into compliance.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target					15	30	35	40	Percent
	Actual					48	48			
	Explanation of Results: Since the establishment of this measure, there has been a change in focus in the program to bring facilities into compliance. The measure does not have Regional Commitments, and due to the short history of this measure (baseline established in 2010), it is difficult to establish expectations for Regional performance. Despite this difficulty, the Agency intends to increase the target percentage by 5 percent each year from 2011 through 2013. ***Additional Information:*** New measure in FY 2010.									
	(PM 338) Percent of all SPCC inspected facilities found to be non-compliant which are brought into compliance.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target					15	30	35	40	Percent
	Actual					36	45			
	Explanation of Results: Since the establishment of this measure, there has been a change in focus in the program to bring facilities into compliance. The measure does not have Regional Commitments, and due to the short history of this measure (baseline established in 2010), it is difficult to establish expectations for Regional performance. Despite this difficulty, the Agency intends to increase the target percentage by 5 percent each year from 2011 through 2013.									

Program Area	Performance Measures and Data
	Additional Information: New measure in FY 2010.

(3) Cleanup Contaminated Land

Strategic Measure: By 2015, complete 93,400 assessments at potential hazardous waste sites to determine if they warrant Comprehensive Emergency Response, Compensation, and Liability Act (CERCLA) remedial response or other cleanup activities. (Baseline: As of 2010, the cumulative total number of assessments completed was 88,000.)

(PM 115) Number of Superfund remedial site assessments completed.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target						900	900	650	Assessments
Actual						1,020			

Additional Information: This measure accounts for all remedial assessments performed at sites addressed under the Superfund program. At the end of FY 2011, the cumulative total number of assessments completed was 89,916.

Strategic Measure: By 2015, increase to 84 percent the number of Superfund final and deleted NPL sites and RCRA facilities where human exposures to toxins from contaminated sites are under control. (Baseline: As of October 2009, 70 percent Superfund final and deleted NPL sites and RCRA facilities have human exposures under control out of a universe of 5,330.)

(PM 151) Number of Superfund sites with human exposures under control.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	10	10	10	10	10	10	10	10	Sites
Actual	34	8	24	11	18	10			

Additional Information: Through FY 2011, Superfund had controlled human exposures at 1,348 final and deleted NPL sites. The FY 2010 through FY 2012 targets represent the expected total from base funding plus ARRA.

(PM 157) Human exposures under control per million dollars.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		6.1	6.4	6.7	7.0	7.3			Sites
Actual		6.9	7.6	8.5	7.9	7.5			

Additional Information: EPA is discontinuing this measure in FY 2012. FY 2011 is the last year that results will be reported.

(PM CA1) Cumulative percentage of RCRA facilities with human exposures to toxins under control.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target				No Target	69	72	81	85	Percent

Program Area	Performance Measures and Data									
					Established					
	Actual				65	72	77			

Additional Information: There is a universe of 3,746 low, medium, and high National Corrective Action Prioritization System-ranked facilities.

Strategic Measure: By 2015, increase to 78 percent the number of Resource Conservation and Recovery Act (RCRA) facilities with migration of contaminated groundwater under control. (Baseline: At the end of FY 2009, the migration of contaminated groundwater was controlled at 58 percent of all 3,746 facilities needing corrective action.)

(PM CA2) Cumulative percentage of RCRA facilities with migration of contaminated groundwater under control.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target				No Target Established	61	64	69	73	Percent
Actual				58	63	67			

Additional Information: There is a universe of 3,746 low, medium, and high National Corrective Action Prioritization System-ranked facilities.

Strategic Measure: By 2015, increase to 56 percent the number of RCRA facilities with final remedies constructed. (Baseline: At the end of FY 2009, all cleanup remedies had been constructed at 32 percent of all 3,746 facilities needing corrective action.)

(PM 117) Percent increase of final remedy components constructed at RCRA corrective action facilities per federal, state, and private sector dollars per year.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		3	3	3	3	3	3		Percent Increase
Actual		6	7	40	-9	-11.7			

Explanation of Results: The 11.7 percent decrease in efficiency in FY 2011 is due to the complexity of sites currently in the corrective action pipeline. As some of the smaller and less complex sites are cleaned up, the remaining universe has a greater proportion of more complicated sites which takes more resources to clean up, meaning a longer time frame.

Additional Information: EPA is discontinuing this measure in FY 2013. FY 2012 is the last year that results will be reported.

(PM CA5) Cumulative percentage of RCRA facilities with final remedies constructed.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target				No Target Established	35	38	46	51	Percent
Actual				32	37	42			

Program Area	Performance Measures and Data

Additional Information: There is a universe of 3,746 low, medium and high National Corrective Action Prioritization System-ranked facilities.

Strategic Measure: Each year through 2015, reduce the backlog of LUST cleanups (confirmed releases that have yet to be cleaned up) that do not meet state risk-based standards for human exposure and groundwater migration by 1 percent. This means a decrease from 21 percent in 2009 to 14 percent in 2015.(At the end of FY 2009, there were 100,165 releases not yet cleaned up.)

(PM 112) Number of LUST cleanups completed that meet risk-based standards for human exposure and groundwater migration.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	13,600	13,000	13,000	12,250	12,250	12,250	11,250	10,100	Cleanups
Actual	14,493	13,862	12,768	12,944	11,591	11,169			

Explanation of Results: Completing cleanups continues to get more challenging. Many states are facing significant staff and resource constraints, while at the same time cleanup costs are rising.

Additional Information: Through FY 2011, EPA completed a cumulative total of 413,740 leaking underground storage tank cleanups. The program which this measure supports receives funds from ARRA. The FY 2010 through FY 2012 targets represent the expected total from base funding plus ARRA.

Strategic Measure: Each year through 2015, reduce the backlog of LUST cleanups (confirmed releases that have yet to be cleaned up) in Indian country that do not meet applicable risk-based standards for human exposure and groundwater migration by 1 percent. This means a decrease from 28 percent in 2009 to 22 percent in 2015.

(PM 113) Number of LUST cleanups completed that meet risk-based standards for human exposure and groundwater migration in Indian Country.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	30	30	30	30	30	38	42	45	Cleanups
Actual	43	54	40	49	62	42			

Additional Information: Through FY 2011, EPA completed a cumulative total of 961 leaking underground storage tank cleanups in Indian country, out of a universe of 1,284 confirmed releases. This is a subset of the national total of 413,740 leaking underground storage tanks cleanups completed.

Strategic Measure: By 2015, ensure that 799 Superfund NPL sites are "sitewide ready for anticipated use." (Baseline:-As of October 2009, 409 final and deleted NPL sites had achieved "sitewide ready for anticipated use.")

(PM 162) Number of Federal Facility Superfund sites where all remedies have completed construction.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit

Program Area	Performance Measures and Data									
	Target	51	56	60	64	68	70			Sites
	Actual	55	59	61	65	69	70			

Additional Information: EPA is discontinuing this measure in FY 2012 because the Federal Facility Program has limited control over achieving this output and is dependent on the lead Federal agencies' budget, contracts, and timeliness. The number of Federal Facility Superfund sites completing construction has always been reported as part of the overall Superfund Construction Completion measure (PM 141). FY 2011 is the last year that results will be reported in a separate measure.

(PM 163) Cumulative number of Federal Facility Superfund sites where the final remedial decision for contaminants at the site has been determined.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	61	76	81	77	92	104			Sites
Actual	70	71	73	77	82	82			

Explanation of Results: Measure not met due to a variety of factors including delayed cleanup schedules, new contamination, funding shortfalls, documentation issues, weather conditions, and change of site personnel.

Additional Information: EPA is discontinuing this measure in FY 2012 because the Federal Facility Program has limited control over achieving this output and is dependent on the lead Federal agencies' budget, contracts, and timeliness. FY 2011 is the last year that results will be reported under this measure.

(PM S10) Number of Superfund sites ready for anticipated use site-wide.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		30	30	65	65	65	65	60	Sites
Actual		64	85	66	66	65			

Additional Information: Through FY 2011, EPA's Superfund program had ensured that 540 final and deleted NPL sites met the criteria to be determined ready for anticipated use site-wide.

(PM 141) Annual number of Superfund sites with remedy construction completed.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	40	24	30	20	22	22	22	19	Completions
Actual	40	24	30	20	18	22			

Additional Information: Through FY 2011, Superfund had completed construction at 1,120 final and deleted NPL sites. The program which this measure supports receives funds from ARRA. The FY 2010 through FY 2012 targets represent the expected total from base funding plus ARRA.

(PM 152) Number of Superfund sites with contaminated groundwater migration under control.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit

Program Area	Performance Measures and Data									
	Target	10	10	15	15	15	15	15	15	Sites
	Actual	21	19	20	16	18	21			

Explanation of Results: Superfund reviews groundwater data regularly during its 5-year Review of Completed Remedies. Until the 5th year, the program cannot accurately predict whether a contaminated plume has stabilized or not. In FY11, several sites underwent the 5th year review in the 4th quarter. Based on the data, Regions determined that the sites should be categorized as Under Control, which resulted in exceeding the target.

Additional Information: Through FY 2011, Superfund had controlled groundwater migration at 1,051 final and deleted NPL sites.

(PM 170) Number of remedial action project completions at Superfund NPL sites.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target						103	130	115	Completions
Actual						132			

Explanation of Results: This is a new measure. Substantial effort was made to clarify relevant guidance, stress the importance of finalizing RA completion documentation in a timely manner, hold contractors, responsible parties, and other federal agencies accountable for deadlines and submitting documentation. Projects were completed using base funding plus ARRA.

Additional Information: Since program inception through the end of FY 2011, Superfund had completed 2,830 remedial action projects at final and deleted NPL sites. The program which this measure supports receives funds from ARRA. The FY 2010 through FY 2012 targets represent the expected total from base funding plus ARRA.

Objective 4 - Strengthen Human Health and Environmental Protection in Indian Country: Support federally-recognized tribes to build environmental management capacity, assess environmental conditions and measure results, and implement environmental programs in Indian country.

Program Area	Performance Measures and Data									
(1) Improve Human Health and the Environment in Indian Country	**Strategic Measure:** By 2015, increase the percent of tribes implementing federal regulatory environmental programs in Indian country to 18 percent. (FY 2009 baseline:13 percent of 572 tribes).									
	(PM 5PQ) Percent of Tribes implementing federal regulatory environmental programs in Indian country (cumulative).									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target			6	7	14	18	22	24	Percent
	Actual			14	13	14	17			

Explanation of Results: While a substantial increase was made in the number of total tribes with TAS approval in FY 2011, the total percentage of tribes implementing federal regulatory programs barely missed the target due to tribes moving from the use of DITCAs (a portion of how the measure is calculated) to other cooperative

Program Area	Performance Measures and Data

agreements such as PPGs.

Additional Information: There are 572 tribal entities that are eligible for GAP funding. The Strategic Measure refers to the total number of tribes and inter-tribal consortia that are eligible for GAP funding.

Strategic Measure: By 2015, increase the percent of tribes conducting EPA-approved environmental monitoring and assessment activities in Indian country to 50 percent. (FY 2009 baseline: 40 percent of 572 tribes).

(PM 5PR) Percent of Tribes conducting EPA approved environmental monitoring and assessment activities in Indian country (cumulative.)

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			21	23	42	52	54	57	Percent
Actual			42	40	50	52			

Additional Information: There are 572 tribal entities that are eligible for GAP funding. The Strategic Measure refers to the total number of tribes and inter-tribal consortia that are eligible for GAP funding.

(PM 5PS) Percent of Tribes with an environmental program (cumulative).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			57	60	65	70	73		Percent
Actual			57	64	68	72			

Additional Information: There are 572 tribal entities that are eligible for GAP funding. The Strategic Measure refers to the total number of tribes and inter-tribal consortia that are eligible for GAP funding. During the past four years, significant progress has been made in GAP, adding environmental programs for almost 75 tribes. In efforts to focus the EPA's suite of annual performance to the most important and useful information, the EPA will no longer be collecting this specific data in future years.

GOAL 4: ENSURING THE SAFETY OF CHEMICALS AND PREVENTING POLLUTION

Reduce the risk and increase the safety of chemicals and prevent pollution at the source.

Objective 1 - Ensure Chemical Safety: Reduce the risk of chemicals that enter our products, our environment, and our bodies.

Program Area	Performance Measures and Data									
(1) Protect Human Health from Chemical Risks	**Strategic Measure:** By 2015, reduce by 40 percent the number of moderate to severe exposure incidents associated with organophosphates and carbamate insecticides in the general population. (Baseline is 316 moderate and severe incidents reported to the Poison Control Center (PCC) National Poison Data System (NPDS) in 2008 for organophosphate and carbamate pesticides.)									
	(PM 143) Percentage of agricultural acres treated with reduced-risk pesticides.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	17	18	18.5	20	21	21	22	22.5	Percent
	Actual	18	20	21	21.5	21	Data Avail 10/2012			
	Explanation of Results: Data Lags one year. ***Additional Information:*** Baseline year is 1998 using Doane Marketing Research, Inc. a private sector research database. Baseline was 3.6% of total acreage. Results are reported end of calendar year.									
	(PM J11) Reduction in moderate to severe exposure incidents associated with organophosphates and carbamate insecticides in the general population.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target							10	15	Percent
	Actual									
	Additional Information: Moderate to severe exposure incidents reported during 2008 is 316 as reported in the American Association of Poison Control Centers' National Poisoning Data System.									
	Strategic Measure: By 2014, reduce the percentage of children with blood lead levels above 5 ìg/dl to 1.0 percent or less. (Baseline is 3.0 percent in the 2005-2008 sampling period.)									
	(PM 008) Percent of children (aged 1-5 years) with blood lead levels (>5 ug/dl).									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**

Program Area	Performance Measures and Data									
	Target					3.5	No Target Established	1.5	No Target Established	Percent
	Actual					Data Avail 11/2012	Biennial			
	Additional Information: Data released by CDC from the National Health and Nutritional Evaluation Survey (NHANES) in March of 2009 estimated 4.1% of children aged 1 - 5 with lead poisoning (blood lead levels of 5 ug/dl or greater) from 2003/4 sampling data. Data for this measure are reported biennially.									
	(PM 009) Cumulative number of certified Renovation Repair and Painting firms									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target					100,000	100,000	140,000	152,000	Firms
	Actual					59,143	114,834			
	Explanation of Results: Twelve states are now authorized to implement the RRP Program and contributed additional Firm Certifications to those processed by EPA in states without authorized programs. ***Additional Information:*** The baseline is zero in 2009. This year was chosen because 2010 is the first year that firms will submit applications to EPA to become certified. Over time, firms will either become certified directly through EPA (tracked through Federal Lead-based Paint Program (FLPP) or through an authorized State program (tracked through grant reports/ACS).									
	(PM 10A) Annual percentage of lead-based paint certification and refund applications that require less than 20 days of EPA effort to process.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target		90	91	92	92	92	95	95	Percent
	Actual		92	91	92	96	95			
	Additional Information: Baseline for percentage of lead-based paint certification and refund applications that require less than 20 days of EPA effort to process is 87% in 2008, which is taken from the Federal Lead Based Paint Program (FLPP) database records.									
	(PM 10D) Percent difference in the geometric mean blood level in low-income children 1-5 years old as compared to the geometric mean for non-low income children 1-5 years old.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	29	No Target Established	29	No Target Established	28	No Target Established	13	No Target Established	Percent
	Actual	35.6	Biennial	23.5	Biennial	Data Avail 10/2012	Biennial			

Program Area	Performance Measures and Data

Additional Information: Baseline for percent difference in the geometric mean blood level in low-income children 1-5 years old as compared to the geometric mean for non-low income children 1-5 years old is 32% in 1999-2002. Data for this measure is reported biennially.

Strategic Measure: By 2014, reduce the percent difference in the geometric mean blood lead level in low-income children 1 to 5 years old as compared to the geometric mean for non-low income children 1 to 5 years old to 10.0 percent. (Baseline is 23.4 percent difference in the geometric mean blood lead level in low-income children 1 to 5 years old as compared to the geometric mean for non-low-income children 1 to 5 years old in 2005-2008.)

(PM D6A) Reduction in concentration of PFOA in serum in the general population.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							1	No Target Established	Percent Reduction
Actual									

Additional Information: Baselines are derived from the Centers for Disease Control's National Health and Nutrition Examination Survey (NHANES) concentration data in the general population and results are reported biennially. PFOA baselines are based on 2005/2006 geometric mean data in serum: 3.92 µg/L.

Strategic Measure: By 2014, reduce concentration for the following chemicals in children: non-specific organophosphate metabolites by 75 percent and chlorpyrifos metabolite (TCPy) by 75 percent. (Baselines are derived from the Centers for Disease Control and Prevention's National Health and Nutrition Examination Survey (NHANES) metabolite concentration data in children and results are reported biennially. Pesticide baselines are based on 2001-2002 data for non-specific organophosphate metabolites (0.55 ìmol/L) and chlorpyrifos metabolite (TCPy) (16.0 ìg/L).)

(PM 012) Percent reduction of children's exposure to rodenticides.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target						10	5	5	Percent
Actual						0			

Explanation of Results: Mitigation actions not yet fully represented by the data.

Additional Information: The total number of confirmed and likely rodenticide exposures to children in 2008 is 11,674 based data from the Poison Control Centers' National Poison Data System.

(PM 091) Percent of decisions completed on time (on or before PRIA or negotiated due date).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					99	99	99	99	Percent

Program Area	Performance Measures and Data									
	Actual					99.7	98.4			

Explanation of Results: In order to ensure adequate protection to human health and the environment, EPA delayed registration decisions on certain actions until measures sufficient to allow these protections were in place. Some of the issues involved in seven of the actions included pollinator risk, impurities, and child resistant packaging. In these cases, the registrants were unwilling to allow a time extension and negotiation of the PRIA due date. An additional nine actions were delayed because the chemical associated with those actions was the subject of a lawsuit. All existing registrations for the chemical were vacated in response to the lawsuit, and therefore the pending PRIA actions associated with amendments to those registrations could not move forward within the PRIA time frame.

Additional Information: Baseline for decisions completed on time is 99.9% in 2008.

(PM 164) Number of pesticide registration review dockets opened.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					70	70	70	72	Dockets
Actual					75	81			

Explanation of Results: The chemical cases in FY 2011 required less effort than average cases reviewed. Future (pending) cases are expected to be more resources intensive. Exceeding the goal is a result of closing cases that involved active ingredients for which there are no longer active registrations. Because there are no active registrations, these cases did not require risk assessments. When a case is closed a count is given for docket / workplans target(s). The remaining cases have active registrations and will require full-fledged risk assessments.

Additional Information: Baseline for registration review work dockets is 71 opened in 2008.

(PM J15) Reduction in concentration of targeted pesticide analytes in children.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							50,50	No Target Established	Percent
Actual									

Additional Information: NHANES (2001-2002 baseline) measure is based on NHANES 95th percentile concentrations for six no-specific organophosphate analytes (0.55 µmol/L), and a chlorpyrifos-specific metabolite (TCPy) (16.0 µg/L). Data for this measure are reported biennially.

Strategic Measure: By 2015, complete endocrine disruptor screening program (EDSP) decisions for 100 percent of chemicals for which complete EDSP information is expected to be available by the end of 2014. (Baseline is no decisions have been completed through 2009 for any of the chemicals for which complete EDSP information is anticipated to be available by the end of 2014. EDSP decisions for a chemical can range from determining potential to interact with the estrogen, androgen, or thyroid hormone systems to otherwise determining whether further endocrine related testing is necessary.)

(PM E01) Number of chemicals for which Endocrine Disruptor Screening Program (EDSP) decisions have been completed

Program Area	Performance Measures and Data									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target						3	5	20	Chemicals
	Actual						3			
	Additional Information: FY 2010 baseline is 11 chemicals for which EDSP decisions have been completed. Several factors will impact the schedule for completing EDSP decisions including, for example, the number of pesticide cancellations and other actions that will remove a chemical from commerce and/or discontinue manufacture and import, the number of pesticide cancellations involving minor agricultural uses, the number of pre-enforcement challenges to test orders, unforeseen laboratory capacity limits, and unforeseen technical problems with completing the Tier 1 assays for a particular chemical.									
	(PM 240) Maintain timeliness of Section 18 Emergency Exemption Decisions									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target	45	45	45	45	45	45	45	45	Days
	Actual	48	36.60	34	40	50	52			
	Explanation of Results: Active Ingredients with significant risks elements required more time to review. ***Additional Information:*** Baseline for S18 decisions is 45 days in 2005.									
	(PM 247) Percent of new chemicals or organisms introduced into commerce that do not pose unreasonable risks to workers, consumers, or the environment.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target	100	100	100	100	100	100	100	100	Percent
	Actual	100	100	100	97	91	Data Avail 10/2012			
	Explanation of Results: Data lag ***Additional Information:*** Baseline for percent of new chemicals or organisms introduced into commerce that do not pose unreasonable risks to workers, consumers, or the environment was developed from a 2 year analysis from 2004-2005 comparing 8(e) reports to New Chemical submissions and is 100%.									
	(PM 281) Reduction in the cost per submission of managing PreManufacture Notices (PMNs) through the Focus meetings as a percentage of baseline year cost per submission.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target					61	63	65	67	Percent
	Actual					50	59			
	Explanation of Results: Target missed due to revision of baseline cost and because final PMN e-reporting rule allowed paper submissions to continue longer than									

Program Area	Performance Measures and Data

anticipated when targets were set and provided option for submitting via CDs through first half of FY 2012, resulting in lower than anticipated portion of submissions coming in electronically.

Additional Information: Baseline for percent reduction from baseline year the cost per submission of managing PMNs through the Focus meeting is $160 in FY 2009. The current cost per submission is $65.60.

(PM 282) Annual reduction in the production adjusted risk based score of releases and transfers of IUR chemicals from manufacturing facilities

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	3.0	2.6	2.5	2.4	2.2	2.0			% RSEI Rel Risk
Actual	0.27	5.09	Data Avail 10/2012	Data Avail 10/2012	Data Avail 10/2012	Data Avail 10/2012			

Explanation of Results: Results for FY 2004 - FY 2006 are revised to reflect changes made in the RSEI model that calculates them and reflect revisions made by facilities to prior years TRI reports. FY 2007 target exceeded significantly in part due to these changes. The FY 2008 - 2010 data are still undergoing quality review. Measure terminates in FY 2012 so no future target adjustments are warranted.

Additional Information: Baseline for the analysis of IUR chemicals using the Risk Screening Environmental Indicators Model in 1998 was zero percent. 1998 was selected as the baseline year because this was the first year that most of these chemicals were targeted through the HPV challenge program. Targets for this measure were established in 2004, however, a 35% reduction has been observed from 1998-2006.

(PM Ar5) Number of countries completing phase out of leaded gasoline. (incremental)

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	7	No Target Established	7	4	3	1			Countries
Actual	7	13	7	2	3	2			

Additional Information: As of 2006, the baseline is 159 countries, out of a universe of 194, that have phased out lead gasoline. Since 2006, 186 countries have completed the phase out of leaded gasoline. As a result of these successes, EPA's two performance measures related to the Partnership will no longer be tracked after FY 2011.

(PM Ar8) Number of countries introducing low sulfur in fuels. (incremental)

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	2	No Target Established	2	3	9	2			Countries
Actual	5	14	5	2	5	5			

Additional Information: As of 2006, out of a universe of 194, 39 countries introduced low-sulfur gasoline. Since 2006, 61 countries introduced low-sulfur gasoline. As a result of these successes, EPA's two performance measures related to the Partnership will no longer be tracked after FY 2011.

Program Area	Performance Measures and Data

(PM E02) Number of chemicals for which EDSP Tier 1 test orders have been issued

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target						40	40	40	Chemicals
Actual						0			

Explanation of Results: Test orders for the first list of 67 pesticide chemicals were issued in FY 2010 (baseline). Before test orders for additional chemicals can be issued, amendment to the existing Information Collection Request (ICR) is necessary. Once the ICR is amended and approved, test orders for additional chemicals can be ordered. The Agency is in the process of developing the ICR amendment and related documents.

Additional Information: FY 2010 baseline is 67 chemicals for which EDSP Tier 1 test orders have been issued.

(PM E03) Number of screening and testing assays for which validation decisions have been reached

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target						2	4	6	Assays
Actual						2			

Additional Information: FY 2010 baseline is 15 screening and testing assays for which validation decisions have been reached. There are several steps within the validation process including: preparation of detailed review papers, performance of prevalidation studies, validation by multiple labs, and peer reviews. A decision to discontinue validation efforts for a particular assay could occur during any of these steps while a decision to accept an assay as validated occurs after all the steps are successfully completed.

(PM HC1) Annual number of hazard characterizations completed for HPV chemicals

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					230	300	300	450	Chemicals
Actual					270	318			

Additional Information: The cumulative baseline through FY 2009 is 1,095. This is made up on US and internationally sponsored Hazard Characterization through 2009. International HCs started being produced in the early 1990's and US sponsored HCs started to be produced in 2007. Through FY 2011 1,683 hazard characterizations have been completed.

(2) Protect Ecosystems from Chemical Risks

Strategic Measure: By 2015, no watersheds will exceed aquatic life benchmarks for targeted pesticides. (Based on FY 1992-2001 data from the watersheds sampled by the USGS National Water Quality Assessment (NAWQA) program, urban watersheds that exceed the National Pesticide Program aquatic life benchmarks are 73 percent for diazinon, 37 percent for chlorpyrifos, and 13 percent for carbaryl. Agricultural watersheds that exceed the National Pesticide Program aquatic life benchmarks are 18 percent for azinphos-methyl and 18 percent for chlorpyrifos.)

(PM 011) Number of Product Re-registration Decisions

Program Area	Performance Measures and Data									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target		545	1,075	2,000	1,500	1,500	1,200	1,200	Decisions
	Actual		962	1,194	1,482	1,712	1,218			
	Explanation of Results: The number of products subject to review has declined. Outyear targets were reduced in expectation of continued decline. ***Additional Information:*** Actual in FY 2005 is 501 product re-registrations.									
	(PM 230) Number of pesticide registration review final work plans completed.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target					70	70	70	72	Work Plans
	Actual					70	75			
	Explanation of Results: In FY 2011 the Agency was able to close cases that involved active ingredients for which there are no longer active registrations. Because there are no active registrations, these cases did not require risk assessments. When a case is closed a count is given for docket / work plans performance. The remaining cases have active registrations and will require risk assessments. ***Additional Information:*** Baseline for final work plans for registered pesticides reviewed is 47 in 2008.									
	(PM 268) Percent of urban watersheds that do not exceed EPA aquatic life benchmarks for three key pesticides of concern (diazinon, chlorpyrifos and carbaryl).									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target			25, 25, 30	No Target Established	5, 0, 20	No Target Established	5, 0, 10	No Target Established	Percent
	Actual			40, 0, 30	Biennial	6.7, 0, 33	Biennial			
	Additional Information: Based on FY 1992 - 2001 data from the watersheds sampled by the USGS National Water Quality Assessment (NAWQA) program, urban watersheds that exceeded the National Pesticide Program aquatic life benchmarks are 73% for diazinon, 37% for chlorpyrifos, and 13% for carbaryl. Data for this measure are reported biennially.									
	(PM 269) Percent of agricultural watersheds that do not exceed EPA aquatic life benchmarks for two key pesticides of concern (azinphos-methyl and chlorpyrifos).									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target					0, 10	No Target Established	0, 10	No Target Established	Percent
	Actual					0, 8	Biennial			

Program Area	Performance Measures and Data

Additional Information: Based on FY 1992 - 2001 data from the watersheds sampled by the USGS National Water Quality Assessment (NAWQA) program, agricultural watersheds that exceeded the National Pesticide Program aquatic life benchmarks are 18% for azinphos-methyl and 18% for chlorpyrifos. Data for this measure are reported biennially.

(PM 276) Percent of registration review chemicals with identified endangered species concerns, for which EPA obtains any mitigation of risk prior to consultation with DOC and DOI.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							5	5	Percent
Actual									

Additional Information: The baseline is 0% for each annual reporting period as percentages are not cumulative. The data is tracked by OPP using internal tracking numbers. The data is obtained from ecological risk assessments and effects determinations prepared to support a registration review case.

(3) Ensure Transparency of Chemical Health and Safety Information

Strategic Measure: Through 2015, make all health and safety studies available to the public for chemicals in commerce, to the extent allowed by law. (Baseline is 21,994 confidential business information (CBI) cases of Toxic Substances Control Act (TSCA) health and safety studies as defined in TSCA Section 3(6) that were submitted for chemicals potentially in commerce between the enactment of TSCA and January 21, 2010.)

(PM C18) Percentage of existing CBI claims for chemical identity in health and safety studies reviewed and, as appropriate, challenged.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target						5	10	20	Percent
Actual						5.3			

Additional Information: Prior to August 2010, 22,483 existing TSCA CBI claims for chemical identity, which potentially contain health and safety studies, had not been reviewed or challenged, where appropriate. Through FY 2011 that number has declined to roughly 21,300.

(PM C19) Percentage of CBI claims for chemical identity in health and safety studies reviewed and challenged, as appropriate, as they are submitted.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target						100	100	100	Percent
Actual						100			

Additional Information: Prior to August 2010, 0% of TSCA CBI cases with claims for chemical identity, which potentially contain health and safety studies, had been reviewed or challenged, where appropriate.

Objective 2 - Promote Pollution Prevention: Conserve and protect natural resources by promoting pollution prevention and the adoption of other stewardship practices by companies, communities, governmental organizations, and individuals.

Program Area	Performance Measures and Data									
(1) Prevent Pollution and Promote Environmental Stewardship	**Strategic Measure:** By 2015, reduce 15 billion pounds of hazardous materials cumulatively through pollution prevention. (Baseline is 4.8 billion pounds reduced through 2008.)									
	(PM 264) Pounds of hazardous materials reduced through pollution prevention.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	401	414	429	494	1,625	1,549	1,064	1,030	Pounds (Millions)
	Actual	394	386.1	469.8	605.6	1,383.7	Data Avail 10/2012			
	Explanation of Results: Incomplete data due to data lag from Regions and Centers. ***Additional Information:*** Baseline is 4.8 billion pounds reduced from 1997 through 2008. Commencing in 2010 targets and results incorporate both new annual results and recurring results for up to 10 prior years for each of the six individual Pollution Prevention programs.									
	Strategic Measure: By 2015, reduce 9 million metric tons of carbon dioxide equivalent (MMTCO2Eq.) cumulatively through pollution prevention. (Baseline is 6.5 MMTCO2Eq. reduced through 2008. The data from this measure are also calculated into the Agency's overall GHG measure under Goal 1.)									
	(PM 297) Metric Tons of Carbon Dioxide Equivalent (MTCO2e) reduced or offset through pollution prevention.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target				2	5.9	5.7	6.8	4.2	MTCO2e (Millions)
	Actual				1.618	3.45	Data Avail 10/2012			
	Explanation of Results: Incomplete data due to data lag from Regions and Centers. ***Additional Information:*** Baseline is 6.5 MMTC02e reduced through from 1997 through 2008. Commencing in 2010 targets and results incorporate both new annual results and recurring results for up to 10 prior years for each of the six individual Pollution Prevention programs.									
	Strategic Measure: By 2015, reduce water use by an additional 24 billion gallons cumulatively through pollution prevention. (Baseline is 51 billion gallons reduced through 2008.)									
	(PM 262) Gallons of water reduced through pollution prevention.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**

Program Area	Performance Measures and Data									
	Target	0.329	1.79	1.64	1.79	26.2	28.6	27.8	24.8	Gallons (Billions)
	Actual	2.27	1.75	21.18	4.67	29.8	Data Avail 10/2012			

Explanation of Results: Incomplete data due to data lag from Regions and Centers.

Additional Information: Baseline is 51.3 billion gallons reduced from 1997 through 2008. Commencing in 2010 targets and results incorporate both new annual results and recurring results for up to 10 prior years for each of the six individual Pollution Prevention programs.

Strategic Measure: By 2015, save $1.2 billion through pollution prevention improvements in business, institutional, and government costs cumulatively. (Baseline is $3.1 billion saved through 2008.)

(PM 263) Business, institutional and government costs reduced through pollution prevention.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	38.2	44.3	45.9	130	1,060	1,042	847	738	Dollars Saved (Millions)
Actual	282.7	282.7	227.2	276.5	935.6	Data Avail 10/2012			

Explanation of Results: Incomplete data due to data lag from Regions and Centers.

Additional Information: Baseline is 3.1 billion dollars saved from 1997 through 2008. Commencing in 2010 targets and results incorporate both new annual results and recurring results for up to 10 prior years for each of the six individual Pollution Prevention programs.

Strategic Measure: Through 2015, increase the use of safer chemicals cumulatively by 40 percent. (Baseline: 476 million pounds of safer chemicals used in 2009 as reported to be in commerce by Design for the Environment program.)

(PM 239) Annual number of chemicals with final values for Acute Exposure Guideline Levels (AEGL).

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			37	6	14	20			Chemicals
Actual			37	4	15	7			

Explanation of Results: FY 2011 performance has been hampered by delays in the transition to new contract support vehicles and uncertainty over FY 2011 and future program funding levels, which prompted the program to allocate available resources in a manner that placed priority on developing information supporting technical aspects of the AEGL values development process (preparing dossiers for consideration by the review committee) at the expense of supporting the work to formally publish the final values. Final Values for 7 chemicals will be published in September, 2011. The FY 2011 target will be achieved in the first quarter of FY 2012 supported by resources already allocated to the program.

Additional Information: Baseline from program initiation in 1996 through 2008 is 37 chemicals.

(PM P25) Percent increased in use of safer chemicals

Program Area	Performance Measures and Data									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target						No Target Est.	7	7	Percent
	Actual						60.1			
	Explanation of Results: No target was established for FY 2011 since this was a new measure for FY 2012. In FY 2011, the Program made substantial one year progress through heavy reliance on leveraging partner resources. The level of FY 2011 success is not expected to be achieved in future years. Third-parties, paid for by product manufacturers and approved by DfE, now conduct a significant portion of the product reviews for manufacturers who seek the DfE label and manage the CleanGredients database, a marketplace for chemicals that meet DfE criteria. While the third-parties gather ingredient information, conduct literature reviews, and summarize their findings in a report, DfE maintains quality control over the process by reviewing each and every report and application for the DfE label. These activities have allowed DfE to meet the growing demand for the DfE label. ***Additional Information:*** Baseline is 476 M lbs. of safer chemicals in commerce in 2009 as reported by Design for the Environment.									
	(PM 298) Energy savings per dollar invested in the Federal Electronics Challenge (FEC) program.									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target				1.31 M	1.89	2.19 M	2.32 M		BTUs/$
	Actual				1.66 M	1.24 M	Data Avail 10/2012			
	Explanation of Results: Incomplete data due to data lag from Regions and Centers. ***Additional Information:*** The baseline for energy saved per dollar invested in 2007 is 0.79 M BTUs/$.									

GOAL 5: ENFORCING ENVIRONMENTAL LAWS

Protect human health and the environment through vigorous and targeted civil and criminal enforcement. Assure compliance with environmental laws.

Objective 1 - Enforce Environmental Laws: Pursue vigorous civil and criminal enforcement that targets the most serious water, air, and chemical hazards in communities. Assure strong, consistent, and effective enforcement of federal environmental laws nationwide.

Program Area	Performance Measures and Data									
(1) Maintain Enforcement Presence	**Strategic Measure:** By 2015, conduct 105,000 federal inspections and evaluations (5-year cumulative). (FY 2005-2009 baseline: 21,000 annually)									
	(PM 409) Number of federal inspections and evaluations.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target							19,000	17,000	Inspections/ Evaluations
	Actual									
	Additional Information: FY 2005-2009 baseline: 21,000 annually. The FY 2012 President's Budget provides additional resources to the Office of Enforcement and Compliance Assurance to strengthen its monitoring program and expand the use of electronic reporting. The President's Budget also provides additional resources to EPA's Office of Solid Waste and Emergency Response for enforcement and compliance activities for two programs: Oil Spill Prevention and Preparedness, and the Resource Conservation and Recovery Act Hazardous Waste and Risk Management Programs.									
	Strategic Measure: By 2015, initiate 19,500 civil judicial and administrative enforcement cases (5-year cumulative). (FY 2005-2009 baseline: 3,900 annually)									
	(PM 410) Number of civil judicial and administrative enforcement cases initiated.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target							3,300	3,200	Cases
	Actual									
	Additional Information: FY 2005-2009 baseline: 3,900 cases annually.									
	Strategic Measure: By 2015, conclude 19,000 civil judicial and administrative enforcement cases (5-year cumulative). (FY 2005-2009 baseline: 3,800 annually)									
	(PM 411) Number of civil judicial and administrative enforcement cases concluded.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**

Program Area	Performance Measures and Data									
	Target							3,200	3,000	Cases
	Actual									
	Additional Information: FY 2005-2009 baseline: 3,800 annually.									
	Strategic Measure: By 2015, maintain review of the overall compliance status of 100 percent of the open consent decrees. (Baseline 2009: 100 percent)									
	(PM 412) Percentage of open consent decrees reviewed for overall compliance status.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target							100	100	Percent
	Actual									
	Additional Information: FY 2009 baseline: 100 percent.									
	Strategic Measure: Each year through 2015, support cleanups and save federal dollars for sites where there are no alternatives by: (1) reaching a settlement or taking an enforcement action before the start of a remedial action at 99 percent of Superfund sites having viable responsible parties other than the federal government; and (2) addressing all cost recovery statute of limitation cases with total past costs greater than or equal to $200,000. [Baseline: 99 percent of sites reaching a settlement or EPA taking an enforcement action (FY 2007-2009 annual average); 100 percent cost recovery statute of limitation cases addressed (FY 2009)]									
	(PM 418) Percentage of criminal cases having the most significant health, environmental, and deterrence impacts.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target							43	43	Percent
	Actual									
	Additional Information: FY 2010 baseline: 36 percent.									
	Strategic Measure: By 2015, increase the percentage of criminal cases with charges filed to 45 percent. (FY 2006-2010 baseline: 36 percent)									
	(PM 420) Percentage of criminal cases with charges filed.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target							40	40	Percent
	Actual									

Program Area	Performance Measures and Data

Additional Information: FY 2006-2010 baseline: 36 percent.

Strategic Measure: By 2015, maintain an 85 percent conviction rate for criminal defendants. (FY 2006-2010 baseline: 85 percent)

(PM 419) Percentage of criminal cases with individual defendants.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							75	75	Percent
Actual									

Additional Information: FY 2006-2008 baseline: 78 percent.

(PM 421) Percentage of conviction rate for criminal defendants.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							85	85	Percent
Actual									

Additional Information: FY 2006-2010 baseline: 87 percent.

(2) Support Taking Action on Climate Change and Improving Air Quality

Strategic Measure: By 2015, reduce, treat, or eliminate 2,400 million estimated pounds of air pollutants as a result of concluded enforcement actions (5-year cumulative). (FY 2005-2008 baseline: 480 million pounds, annual average over the period)

(PM 400) Millions of pounds of air pollutants reduced, treated, or eliminated through concluded enforcement actions.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					480	480	480	480	Million Pounds
Actual					410	1,100			

Explanation of Results: Each year a small number of big cases provide the majority of pollutant reductions, which makes setting targets for pollutant reduction measures highly uncertain. This year 1 case provided 64% of the total air pollutant reductions.

Additional Information: FY 2005-2008 Average Baseline: 480 million pounds, annual average over the period.

(3) Support Protecting America's

Strategic Measure: By 2015, reduce, treat, or eliminate 1,600 million estimated pounds of water pollutants as a result of concluded enforcement actions (5-year cumulative). (FY 2005-2008 baseline: 320 million pounds, annual average over the period)

Program Area	Performance Measures and Data									
Waters	**(PM 402) Millions of pounds of water pollutants reduced, treated, or eliminated through concluded enforcement actions.**									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target					320	320	320	320	Million Pounds
	Actual					1,000	740			
	Explanation of Results: Each year a small number of big cases provide the majority of pollutant reductions, which makes setting targets for pollutant reduction measures highly uncertain. This year 2 water cases account for over half of the total of water pollutant reductions. ***Additional Information:*** FY 2005-2008 Average Baseline: 320 million pounds, annual average over the period. For FY 2010, two stormwater home builder actions contributed to more than half of the one billion pound pollutant reduction result.									
(4) Support Cleaning Up Communities and Advancing Sustainable Development	**Strategic Measure:** By 2015, reduce, treat, or eliminate 32,000 million estimated pounds of hazardous waste as a result of concluded enforcement actions (5-year cumulative). (FY 2008 baseline: 6,500 million pounds)									
	(PM 405) Millions of pounds of hazardous waste reduced, treated, or eliminated through concluded enforcement actions.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target					6,500	6,500	6,500	6,500	Million Pounds
	Actual					11,800	3,600			
	Explanation of Results: The hazardous waste metric is generally dominated by results from one or two very big cases. This results in substantial variability in this measure from year to year. ***Additional Information:*** FY 2008 Baseline: 6,500 million pounds. The results for this measure are driven by a small number of very large cases and do not necessarily represent typical annual results. For example, in FY 2010 over 99% of the total 11.75 billion pounds of hazardous waste reduced, treated, or eliminated came from two cases - CF Industries Inc. (9.87 billion pounds) and Exxon Mobil Oil Corporation (1.86 billion pounds).									
	Strategic Measure: By 2015, obtain commitments to clean up 1,500 million cubic yards of contaminated soil and groundwater media1 as a result of concluded CERCLA and RCRA corrective action enforcement actions (5-year cumulative). (FY 2007-2009 baseline: 300 million cubic yards of contaminated soil and groundwater media, annual average over the period)									
	(PM 078) Percentage of all Superfund statute of limitations cases addressed at sites with unaddressed total past costs equal to or greater than $200,000.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target		100	100	100	100	100	100	100	Percent
	Actual		98	100	100	100	100			
	Additional Information: In FY 2009, the Agency will have addressed 100 percent of Cost Recovery at all NPL and non-NPL sites with total past costs equal to or greater than $200,000.									

Program Area	Performance Measures and Data

(PM 285) Percentage of Superfund sites having viable, liable responsible parties other than the federal government where EPA reaches a settlement or takes an enforcement action before starting a remedial action.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	90	95	95	95	95	95	99	99	Percent
Actual	100	98	95	100	98	100			

Additional Information: In FY 1998 approximately 70 percent of new remedial work at NPL sites (excluding Federal facilities) was initiated by private parties. In FY 2003, a settlement was reached or an enforcement action was taken with non-Federal PRPs before the start of the remedial action at approximately 90 percent of Superfund sites.

(PM 417) Millions of cubic yards of contaminated soil and groundwater media EPA has obtained commitments to clean up as a result of concluded CERCLA and RCRA corrective action enforcement actions.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							300	300	Million Cubic Yards
Actual									

Additional Information: FY 2007-2009 baseline: 300 million cubic yards of contaminated soil and groundwater media, annual average over the period.

(5) Support Ensuring the Safety of Chemicals and Preventing Pollution

Strategic Measure: By 2015, reduce, treat, or eliminate 19.0 million estimated pounds of toxic and pesticide pollutants as a result of concluded enforcement actions (5-year cumulative). (FY 2005-2008 baseline: 3.8 million pounds, annual average over the period)

(PM 404) Millions of pounds of toxic and pesticide pollutants reduced, treated, or eliminated through concluded enforcement actions.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					3.8	3.8	3.8	3.8	Million Pounds
Actual					8.3	6.1			

Explanation of Results: Each year a small number of big cases provide the majority of pollutant reductions, which makes setting targets for pollutant reduction measures highly uncertain.

Additional Information: FY 2005-2008 Average Baseline: The program used existing data to estimate results for FY 2005-2008, which yielded an approximate average baseline of 3.8 million pounds. FY 2010 results were driven by a small number of enforcement cases, which yielded the majority of the 8.3 million pounds addressed.

(6) Enhance Strategic

Strategic Measure: By 2015, increase the percentage of criminal cases having the most significant health, environmental, and deterrence impacts to 50 percent. (FY 2010 baseline: 36 percent)

Program Area	Performance Measures and Data									
Deterrence through Criminal Enforcement	(PM 408) Percent of closed cases with criminal enforcement consequences (indictment, conviction, fine, or penalty).									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target					33	33			Percent
	Actual					35	37			
	Additional Information: FY 2006-2008 Average Baseline: 33%.									

PERFORMANCE: RESEARCH EIGHT-YEAR ARRAY

(Boxes shaded gray indicate that a measure has been terminated for FY 2012 and beyond, therefore, data are no longer collected.)

The following measures are associated with EPA's research programs. In 2012, EPA reorganized its research programs to focus on sustainability and to better address Agency priorities and stakeholders' needs. Correspondingly, EPA developed new measures associated with these "sustainable research" programs. While there are fewer measures in 2012 than previously, the new measures comprehensively assess EPA's research. For example, EPA used to measure the completion of research by "long term goal." Moving forward, EPA will report the completion of research by "program." The new measures utilize a similar but more aggregated approach to allow for more meaningful and concise data collection. The table below reflects past and existing measures.

NPM: AA RESEARCH AND DEVELOPMENT

Performance Measures and Data

(PM AC1) Percentage of products completed on time by Air, Climate, and Energy research program.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent
Actual									

Additional Information: A research product is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use." This secondary performance measure tracks the timely completion of research products. Working with its partners, each program develops a list of planned research products and their associated outputs. The list reflects all products the program plans to complete by the end of each fiscal year. The estimated completion date is based on when the output is needed for partner use and when the research products are needed to be transformed into the output. The actual product completion date is self-reported. The program strives to complete 100% of its planned products each year so that it can best meet EPA and other partners' needs.

(PM AC2) Percentage of planned research outputs delivered to clients for use in taking action on climate change or improving air quality.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent
Actual									

Additional Information: Research outputs result from the translation or synthesis of one or more research products into the format compatible with the partner's decision needs. "Delivery of a research output" means that the output is transferred to ORD's research partner ready for the intended partner use. EPA identifies and describes the planned outputs in the program's Research Program Strategic Plan. At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs. The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility.

Performance Measures and Data

(PM CS1) Percentage of planned research products completed on time by the Chemical Safety for Sustainability research program.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent
Actual									

Additional Information: A research product is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use." This secondary performance measure tracks the timely completion of research products. Working with its partners, each program develops a list of planned research products and their associated outputs. The list reflects all products the program plans to complete by the end of each fiscal year. The estimated completion date is based on when the output is needed for partner use and when the research products are needed to be transformed into the output. The actual product completion date is self-reported. The program strives to complete 100% of its planned products each year so that it can best meet EPA and other partners' needs.

(PM CS2) Percentage of planned research outputs delivered to clients and partners to improve their capability to advance the environmentally sustainable development, use, and assessment of chemicals.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent
Actual									

Additional Information: Research outputs result from the translation or synthesis of one or more research products into the format compatible with the partner's decision needs. "Delivery of a research output" means that the output is transferred to ORD's research partner ready for the intended partner use. EPA identifies and describes the planned outputs in the program's Research Program Strategic Plan. At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs. The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility.

(PM HC1) Percentage of planned research products completed on time by the Sustainable and Healthy Communities research program.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent
Actual									

Additional Information: A research product is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use." This secondary performance measure tracks the timely completion of research products. Working with its partners, each program develops a list of planned research products and their associated outputs. The list reflects all products the program plans to complete by the end of each fiscal year. The estimated completion date is based on when the output is needed for partner use and when the research products are needed to be transformed into the output. The actual product completion date is self-reported. The program strives to complete 100% of its planned products each year so that it can best meet EPA and other partners' needs.

(PM HC2) Percentage of planned research outputs delivered to clients, partners, and stakeholders for use in pursuing their sustainability goals.

Performance Measures and Data									
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent
Actual									

Additional Information: Research outputs result from the translation or synthesis of one or more research products into the format compatible with the partner's decision needs. "Delivery of a research output" means that the output is transferred to ORD's research partner ready for the intended partner use. EPA identifies and describes the planned outputs in the program's Research Program Strategic Plan. At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs. The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility.

(PM HS1) Percentage of planned research products completed on time by the Homeland Security research program.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent
Actual									

Additional Information: A research product is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use." This secondary performance measure tracks the timely completion of research products. Working with its partners, each program develops a list of planned research products and their associated outputs. The list reflects all products the program plans to complete by the end of each fiscal year. The estimated completion date is based on when the output is needed for partner use and when the research products are needed to be transformed into the output. The actual product completion date is self-reported. The program strives to complete 100% of its planned products each year so that it can best meet EPA and other partners' needs.

(PM HS2) Percentage of planned research outputs delivered to clients and partners to improve their capabilities to respond to contamination resulting from homeland security events and related disasters.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent
Actual									

Additional Information: Research outputs result from the translation or synthesis of one or more research products into the format compatible with the partner's decision needs. "Delivery of a research output" means that the output is transferred to ORD's research partner ready for the intended partner use. EPA identifies and describes the planned outputs in the program's Research Program Strategic Plan. At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs. The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility.

(PM RA1) Percentage of planned research products completed on time by the Human Health Risk Assessment research program.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit

Performance Measures and Data									
Target							100	100	Percent
Actual									

Additional Information: A research product is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use." This secondary performance measure tracks the timely completion of research products. Working with its partners, each program develops a list of planned research products and their associated outputs. The list reflects all products the program plans to complete by the end of each fiscal year. The estimated completion date is based on when the output is needed for partner use and when the research products are needed to be transformed into the output. The actual product completion date is self-reported. The program strives to complete 100% of its planned products each year so that it can best meet EPA and other partners' needs.

(PM RA2) Percentage of planned research outputs delivered to clients and partners for use in informing human health decisions.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent
Actual									

Additional Information: Research outputs result from the translation or synthesis of one or more research products into the format compatible with the partner's decision needs. "Delivery of a research output" means that the output is transferred to ORD's research partner ready for the intended partner use. EPA identifies and describes the planned outputs in the program's Research Program Strategic Plan. At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs. The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility.

(PM RA6) Number of regulatory decisions in which decision-makers used HHRA peer-reviewed assessments (IRIS, PPRTVs, exposure assessments and other assessments)

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							no target established	20	Number
Actual									

Additional Information: The measure calculates the percent of Agency regulatory decisions for which clients use HHRA peer-reviewed health assessments. The measure is calculated by reviewing regulatory decisions and Records of Decision (ROD) made by EPA program offices in recent years, determining how many quantitative health assessment values were used in these EPA program decisions, and what percentage of these values had been developed by the HHRA Program.

(PM RA7) Annual milestone progress score for completing draft IRIS health assessments.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							50	50	Score
Actual									

Performance Measures and Data

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that includes such factors as client interest, complexity of science, and level of effort required. Points are scored by multiplying the weight of each assessment by the number of milestones completed in the assessment process. The program plans to target an average score of 50 points each year beginning in 2009, representing a steady and timely completion of draft assessments throughout each fiscal year. Near-term targets are based on the large volume of ongoing assessments that have not been released in draft due to the change in the process for external review. This measure will be assessed as a rolling average with potential annual excess rolled over to the next target year so as to provide incentives for completion of more milestones.

(PM RA8) Annual progress score for finalizing IRIS health assessments.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							20	20	Score
Actual									

Additional Information: This measure tracks the program's ability to make progress in finalizing and releasing IRIS assessments under LTG1. The annual score, tracked cumulatively throughout the year, is based on the relative weighting of each chemical. Chemicals are weighted using a 3-tier system that includes client interest, complexity of science, and level of effort required. Points are scored by multiplying the weight of each assessment by the number of milestones completed in the assessment process. The program plans to target an average score of 20 points each year beginning in 2009, representing a steady and timely completion of final assessments throughout each fiscal year. Near-term targets are based on the large volume of ongoing assessments that have not been finalized due to the change in the process for external review and completion. This measure will be assessed as rolling average.

(PM SW1) Percentage of planned research products completed on time by the Safe and Sustainable Water Resources research program.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent
Actual									

Additional Information: A research product is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use." This secondary performance measure tracks the timely completion of research products. Working with its partners, each program develops a list of planned research products and their associated outputs. The list reflects all products the program plans to complete by the end of each fiscal year. The estimated completion date is based on when the output is needed for partner use and when the research products are needed to be transformed into the output. The actual product completion date is self-reported. The program strives to complete 100% of its planned products each year so that it can best meet EPA and other partners' needs.

(PM SW2) Percentage of planned research outputs delivered to clients and partners to improve the Agency's capability to ensure clean and adequate supplies of water that support human well-being and resilient aquatic ecosystems.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target							100	100	Percent
Actual									

Additional Information: Research outputs result from the translation or synthesis of one or more research products into the format compatible with the partner's decision needs. "Delivery of a research output" means that the output is transferred to ORD's research partner ready for the intended partner use. EPA identifies and describes the planned outputs in the program's Research

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Program Strategic Plan. At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs. The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility.

(PM H29) Percentage of planned outputs delivered in support of public health outcomes long-term goal.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	100	100	100	100	100	100			

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM H30) Percentage of planned outputs delivered in support of mechanistic data long-term goal.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	92	100	100	100	100	75			

Explanation of Results: Delay in report of publications describing the potential usefulness of in vitro liver models for screening and mode of action prediction. This report was completed in December 2011.

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM H31) Percentage of planned outputs delivered in support of aggregate and cumulative risk long-term goal.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	100	100	100	100	100	87.5			

Explanation of Results: A no-cost extension was granted on a report on interpreting biomarkers using physiologically-based pharmacokinetic modeling. The no-cost extension was necessary to provide the extramural researchers with the time necessary to successfully complete their project and to thereafter submit the final report. Two unanticipated developments necessitated the extension. First, an instrument malfunction required the replenishment of additional cell cultures. Second, newly acquired data have led the researchers to revise the assumptions underlying their model.

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Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM H32) Percentage of planned outputs delivered in support of the susceptible subpopulations long-term goal.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	100	100	100	100	64	100			

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM H35) Percentage of planned actions accomplished toward the long-term goal of reducing uncertainty in the science that supports standard setting and air quality management decisions. (Research)

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100		100	100	100	100			Percent
Actual	94		100	100	80	100			

Additional Information: Beginning in FY 2008, this measure will track the program's success in completing its planned outputs on time. Prior to FY 2008, the measure tracked success in completing both planned outputs and planned actions in response to independent review recommendations.

(PM H66) Percentage of planned outputs (in support of WQRP long-term goal #1) delivered

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	100	100	100	100	92	90			

Explanation of Results: Resources and research on a review of published vertebrate gene expression in fathead minnow were redirected to more effectively focus on higher priority efforts related to sustainability, partners' needs, and Administrator's priorities.

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are

Performance Measures and Data

appropriate and ambitious.

(PM H68) Percentage of planned outputs (in support of WQRP long-term goal #2) delivered

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	100	100	100	86	100	85.7			

Explanation of Results: A draft assessment report on flowing waters was delayed due to our partners' delay in forming data analysis teams. The report is expected to be completed in December 2012.

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM H70) Percentage of planned outputs (in support of WQRP long-term goal #3) delivered

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	92	100	100	100	100	66.7			

Explanation of Results: A report on the effects of CAFOs on ground water quality was delayed to support the development of the Safe and Sustainable Water Resources program and higher priority efforts related to sustainability, partners' needs, and Administrator's priorities. This CAFO study involves comprehensive data from different analytical labs for seven study sites. The study includes antibiotic data from USGS. An instrument failure prevented analysis completion for one of the sites. ORD decided to delay this report to allow these data to be included and to better tailor this report to the Safe and Sustainable Water Resources framework (established during 2011). EPA's wastewater decision makers are aware of this delay. EPA's report has been peer-reviewed and recommended for publication with revisions, which are now in progress. Completion is expected in the second quarter of FY12.

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM H72) Percentage of planned outputs delivered in support of efficient and effective clean-ups and safe disposal of contamination wastes.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	80			Percent
Actual	100	100	92	85	100	100			

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Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM H73) Percentage of planned outputs delivered in support of water security initiatives.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	80			Percent
Actual	100	100	83	100	100	100			

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM H76) Percentage of Global publications rated as highly cited publications.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		22	No Target Established	23	No Target Established	24			Percent
Actual		25	Biennial	25	Biennial	Data Not Collected			

Explanation of Results: Due to program restructuring and discontinuation of programmatic BOSC reviews, funds for bibliometric analyses were redirected to an interagency initiative supporting the development of a data infrastructure that will aid in more effective assessment of the long term impacts of research. Since bibliometric analyses were not conducted in FY 2011, no data were collected for this measure and therefore will not be available to report.

Additional Information: The criteria and the "highly cited" rankings will be provided using "Thomson's Essential Science Indicator (ESI)

(PM H77) Percentage of Global publications in high impact journals.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target		23.6	No Target Established	24.6	No Target Established	25.6			Percent
Actual		24.1	Biennial	24.1	Biennial	Data Not Collected			

Explanation of Results: Due to program restructuring and discontinuation of programmatic BOSC reviews, funds for bibliometric analyses were redirected to an interagency initiative supporting the

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development of a data infrastructure that will aid in more effective assessment of the long term impacts of research. Since bibliometric analyses were not conducted in FY 2011, no data were collected for this measure and therefore will not be available to report.

Additional Information: The criteria and the "impact factor" rankings will be provided using "Thomson's Journal Citation Reports (JCR)

(PM H79) Percentage of planned outputs delivered under the Global Change research program.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	100	100	100	100	100	100			

Additional Information: Annual research outputs will be outlined in the program's revised Multi-Year Plan. This measure will track progress toward completing those milestones across the program.

(PM H83) Percentage of planned outputs delivered in support of HHRA Technical Support Documents.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	No Target Established	90	90	90	90	90			Percent
Actual	81	81	89	100	100	100			

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM H89) Percentage of planned outputs delivered in support of the manage material streams, conserve resources and appropriately manage waste long-term goal.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	100	100	100	100	100	83.3			

Explanation of Results: A delay in research on the use of organic- based permeable reactive barrier (PRB) systems for the treatment of heavy metals and arsenic occurred so that researchers could focus on higher priority Hydraulic Fracturing work. Research is expected to be completed in FY 2012.

Additional Information: Annual research outputs are included in the program's Multi-Year Plan (MYP). Outputs in support of this long-term goal include reports on technologies, methods, and models to manage material streams and reduce uncertainty in assessments. Additional details are described in the MYP.

(PM H90) Percentage of planned outputs delivered in support of the mitigation, management and long-term stewardship of contaminated

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sites long-term goal.									
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
Target	100	100	100	100	100	100			Percent
Actual	96	100	100	100	100	66.67			
Explanation of Results: A report on dispersant effectiveness was delayed so that researchers could attend to higher priority efforts. ***Additional Information:*** Annual research outputs are included in the program's Multi-Year Plan (MYP). Outputs in support of this long-term goal include reports, technologies, methods, and models related to the characterization and remediation of contaminated sites. Additional details are described in the MYP.									
(PM H91) Peer-reviewed publications over FTE.									
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
Target	.79	.80	.81	.82	.83	.84			Publications
Actual	Data Not Collected	Data Not Collected	0.73	Data Not Collected	Data Not Collected	Data Not Collected			
Explanation of Results: Due to program restructuring and discontinuation of programmatic BOSC reviews, funds for bibliometric analyses were redirected to an interagency initiative supporting the development of a data infrastructure that will aid in more effective assessment of the long term impacts of research. Since bibliometric analyses were not conducted in FY 2011, no data were collected for this measure and therefore will not be available to report. ***Additional Information:*** The universe of peer-reviewed publications includes 1) journal articles, 2) books and book chapters, and 3) EPA reports, where at least one EPA author is listed or where the publication is the result of an EPA grant. If a publication includes more than one EPA author, that publication is counted only once. Materials submitted for publication but not yet published are not included. FTE are actual program full time equivalents. The program is also submitting data on extramural vs. intramural costs to support the measure. Data and targets are based on a three year moving average.									
(PM I06) Percentage of planned outputs delivered in support of the SP2 program's long-term goal one.									
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
Target	100	100	100	100	100	100			Percent
Actual	80	86	100	100	88	100			
Additional Information: Annual research outputs are included in the program's Multi-Year Plan. At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs. The program strives to complete 100% of its planned outputs each year.									
(PM I08) Percentage of planned outputs delivered in support of the SP2 program's long-term goal two.									
	FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
Target	100	100	100	100	100	100			Percent

Performance Measures and Data									
Actual	100	100	100	100	100	100			

Additional Information: Annual research outputs are included in the program's Multi-Year Plan. At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs. The program strives to complete 100% of its planned outputs each year.

(PM I10) Percentage of planned outputs delivered in support of the SP2 program's long-term goal three.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	100	80	100	100	100	100			

Additional Information: Annual research outputs are included in the program's Multi-Year Plan. At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs. The program strives to complete 100% of its planned outputs each year.

(PM I19) Percentage of Ecological Research publications rated as highly-cited publications.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	No Target Established	20.4	No Target Established	21.4	No Target Established	22.4			Percent
Actual	Biennial	21.10	Biennial	Data Avail 11/2012	Biennial	Data Not Collected			

Explanation of Results: Due to program restructuring and discontinuation of programmatic BOSC reviews, funds for bibliometric analyses were redirected to an interagency initiative supporting the development of a data infrastructure that will aid in more effective assessment of the long term impacts of research. Since bibliometric analyses were not conducted in FY 2011, no data were collected for this measure and therefore will not be available to report.

Additional Information: This metric provides a systematic way of quantifying research performance and impact by counting the number of times an article is cited within other publications. The "highly cited" data are based on the percentage of all program publications that are cited in the top 10% of their field, as determined by "Thomson's Essential Science Indicator" (ESI). Each analysis evaluates the publications from the last ten year period, and is timed to match the cycle for independent expert program reviews by the Board of Scientific Counselors (BOSC). This "highly cited" metric provides information on the quality of the program's research, as well as the degree to which that research is impacting the science community. As such, it is an instructive tool both for the program and for independent panels such as the BOSC in their program reviews.

(PM I20) Percentage of Ecological research publications in "high-impact" journals.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	No Target Established	20.3	No Target Established	21.3	No Target Established	22.3			Percent
Actual	Biennial	20.80	Biennial	Data Avail 11/2012	Biennial	Data Not Collected			

Explanation of Results: Due to program restructuring and discontinuation of programmatic BOSC reviews, funds for bibliometric analyses were redirected to an interagency initiative supporting the

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development of a data infrastructure that will aid in more effective assessment of the long term impacts of research. Since bibliometric analyses were not conducted in FY 2011, no data were collected for this measure and therefore will not be available to report.

Additional Information: This measure provides a systematic way of quantifying research quality and impact by counting those articles that are published in prestigious journals. The "high impact" data are based on the percentage of all program articles that are published in prestigious journals, as determined by "Thomson's Journal Citation Reports" (JCR). Each analysis evaluates the publications from the last ten year period, and is timed to match the cycle for independent expert program reviews by the Board of Scientific Counselors (BOSC). This "high impact" metric provides information on the quality of the program's research, as well as the degree to which that research is impacting the science community. As such, it is an instructive tool both for the program and for independent panels such as the BOSC in their program reviews.

(PM I21) Percentage of planned outputs delivered in support of State, tribe, and EPA office needs for causal diagnosis tools and methods to determine causes of ecological degradation.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	86	100	100	100	88	100			

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM I22) Percentage of planned outputs delivered in support of State, tribe, and EPA office needs for environmental forecasting tools and methods to forecast the ecological impacts of various actions.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	100	100	100	100	100	100			Percent
Actual	100	100	83	93	100	62.5			

Explanation of Results: A delay in research on Lyme disease projections and scenarios was delayed due to a landcover classification incompatibility in scenarios delivered by USGS. The incompatibility is now being addressed and research can continue once resolved.

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM I23) Percentage of planned outputs delivered in support of State, tribe, and EPA office needs for environmental restoration and services tools and methods to protect and restore ecological condition and services.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit

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Target	100	100	100	100	100	100			Percent
Actual	100	100	100	93	100	75			

Explanation of Results: Research on limitations of curve number relationship between rainfall and runoff was delayed due to weather-related limitations. The research output is expected to be delivered by April 2012.

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM I28) Percentage of planned outputs delivered in support of STS's goal that decision makers adopt ORD-identified and developed metrics to quantitatively assess environmental systems for sustainability.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			100	100	100	100			Percent
Actual			100	100	100	66.67			

Explanation of Results: Research on the impact of current biofuels policies has been delayed in order to address critical needs of the ACE program. The research output is expected to be complete by March 2012.

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM I29) Percentage of planned outputs delivered in support of STS's goal that decision makers adopt ORD-developed decision support tools and methodologies.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			100	100	100	100			Percent
Actual			100	100	100	87.5			

Explanation of Results: Research on a decision support tool integrating life cycle assessment methods with material flow approaches was slightly delayed in order to address critical needs of the ACE program. This research is expected to be complete in February 2012.

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the

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ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM I30) Percentage of planned outputs delivered in support of STS's goal that decision makers adopt innovative technologies developed or verified by ORD.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			100	100	100	100			Percent
Actual			100	100	100	100			

Additional Information: At the end of the fiscal year, the program reports on its success in meeting its planned annual outputs (detailed in the program's Multi-Year Plan). The program strives to complete 100% of its planned outputs each year so that it can best meet EPA and other partners' needs. To ensure the ambitiousness of its annual output measures, ORD has better formalized the process for developing and modifying program outputs, including requiring that ORD programs engage partners when making modifications. Involving partners in this process helps to ensure the ambitiousness of outputs on the basis of partner utility. In addition, EPA's Board of Scientific Counselors (BOSC) periodically reviews programs' goals and outputs and determines whether they are appropriate and ambitious.

(PM I34) Percentage of planned risk management research products delivered to support EPA's Office of Water, Regions, water utilities, and other key stakeholders to manage public health risk.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			100	100	100	100			Percent
Actual			100	93	100	100			

Additional Information: The outputs tracked by this measure demonstrate progress towards completing DWRP's long term goal 1, which supports the Office of Water (OW) in rule implementation, simultaneous compliance, and evaluating the effectiveness of risk management decisions. ORD's work under this goal also supports OW, regions, states, utilities, and key stakeholders in protecting sources of drinking water, managing water availability, improving water infrastructure sustainability, increasing water and energy use efficiency, and responding to short and long-term water resource impacts of environmental stressors such as climate change, population growth and land use changes.

(PM I35) Percentage of planned methodologies, data, and tools delivered in support of EPA's Office of Water and other key stakeholders' needs for developing health risk assessments under the SDWA.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target			100	100	100	100			Percent
Actual			100	100	86	90			

Explanation of Results: Research on leak, purge and gas permeability testing methods was slightly delayed in order to attend to more critical needs of the SSWR program, and to more effectively focus on efforts related to sustainability, partners' needs, and Administrator's priorities. Research is expected to be completed in FY 2012.

Additional Information: The outputs tracked by this measure demonstrate progress towards completing DWRP's long term goal 1, which primarily supports the Office of Water in decisions relating to: Unregulated Contaminant Monitoring Rule (UCMR), regulating/not regulating contaminants on the Contaminant Candidate List (CCL), the six year review, and the Underground Injection

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Control (UIC) program. ORD's work under this goal also supports regions and key stakeholders in meeting simultaneous compliance requirements while also aiding risk assessors in developing risk assessments that inform regulatory decisions.

PERFORMANCE: ENABLING AND SUPPORT PROGRAMS EIGHT-YEAR ARRAY

(Boxes shaded gray indicate that a measure has been terminated for FY 2012 and beyond, therefore, data are no longer collected.)

NPM: OFFICE OF ADMINISTRATION AND RESOURCES MANAGEMENT

	Performance Measures and Data									
	(PM 007) Percent of GS employees (DEU) hired within 80 calendar days.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target						15	20	20	Percent
	Actual						18			
	Additional Information: In FY 2009, 10.7% of GS employees Designated Employee Unit (DEU) were hired on average in 189.2 days.									
	(PM 008) Percent of GS employees (all hires) hired within 80 calendar days									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target						23	25	25	Percent
	Actual						21			
	Explanation of Results: Metric was not met due to external factors that lengthen the hiring process such as the number of days a vacancy must be announced per the Collective Bargaining Unit; a new hire's availability to report within the established time frame; and the selecting office's review time (e.g., receipt of incomplete vacancy packages, Subject Matter Expert review of certificates, and final selection by management). ***Additional Information:*** In FY 2009, 14.6% of GS employees (other than DEU) were hired on average in 163 days.									
	(PM 009) Increase in number and percentage of certified acquisition staff (1102)									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target							335 / 80	335 / 80	Number/ Percent
	Actual									
	Additional Information: There were 304 GS-1102 Staff on board as of July 26, 2010. There were 240 GS-1102 Staff, 78.9%, certified as of September 2, 2010.I									

	Performance Measures and Data

(PM 010) Cumulative percentage reduction in Greenhouse Gas (GHG) Scopes 1 & 2 emissions.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target					1.0	0.4	6.4	11.9	Percent
Actual					79.5	59			

Additional Information: On October 8, 2009, the President signed Executive Order 13514, "Federal Leadership in Environmental, Energy, and Economic Performance," requiring all Federal Agencies to reduce their Green House Gas Scope 1 and 2 emissions (EPA committed to a 25% reduction by FY 2020 from a FY 2008 baseline). EPA's FY 2008 GHG Scope 1 and 2 emissions were 140,720 mTCO2e's. The Energy Policy Act of 2005 requires each federal agency to reduce energy use intensity by 3% annually through FY 2015. For the Agency's 29 reporting facilities, the FY 2003 energy consumption of British Thermal Units (BTUs) per square foot is 346,518 BTUs per square foot. EPA reset its annual/intermediate Scope 1 and 2 GHG reduction goals in its June 2011 Strategic Sustainability Performance Plan (S2P2).

(PM 098) Cumulative percentage reduction in energy consumption.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	2	6	9	12	15	18	21	24	Percent
Actual	3	9	13	18	18.3	18.1			

Additional Information: On January 24, 2007, the President signed Executive Order 13423, "Strengthening Federal Environment, Energy, and Transportation Management," requiring all Federal Agencies to reduce their Green House Gas intensity and energy use by 3% annually through FY 2015. For the Agency's 29 reporting facilities, the FY 2003 energy consumption of British Thermal Units (BTUs) per square foot is 346,518 BTUs per square foot.

NPM: OFFICE OF ENVIRONMENTAL INFORMATION

	Performance Measures and Data									
	(PM 052) Number of major EPA environmental systems that use the CDX electronic requirements enabling faster receipt, processing, and quality checking of data.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	29	36	45	50	60	60	67	72	Systems
	Actual	32	37	48	55	60	64			
	Additional Information: The Central Data Exchange program began in FY 2001 to enable States, Tribes and others to send environmental data to EPA through a centralized electronic process.									
	(PM 053) States, tribes and territories will be able to exchange data with CDX through nodes in real time, using standards and automated data-quality checking.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	50	55	55	60	65	65	80	85	Users
	Actual	42	57	59	59	69	72			
	Additional Information: The Central Data Exchange program began in FY 2001 to enable States, Tribes and others to send environmental data to EPA through a centralized electronic process.									
	(PM 998) EPA's TRI program will work with partners to conduct data quality checks to enhance accuracy and reliability of environmental data.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target								500	Quality Checks
	Actual									
	Additional Information: This metric will allow EPA to for the first time report on performance of the Toxics Release Inventory (TRI) program. Data checks will improve the accuracy and reliability of environmental data.									
	(PM 999) Total number of active unique users from states, tribes, laboratories, regulated facilities and other entities that electronically report environmental data to EPA through CDX.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target						Baseline Year	58,000	60,000	Users

	Performance Measures and Data									
	Actual						56,200			
	Additional Information: This metric replaces PM 054, which is being discontinued. PM 999 measures the total number of active individual CDX users. This new metric only includes users who have logged in within the previous two years (active users). Each distinct user is counted only once, regardless of the number of different accounts, roles, or locations. This new metric will provide a more accurate portrayal of current CDX usage by focusing programmatic assessment on active unique users, screening out dormant accounts, test accounts, and multiple accounts registered to the same user.									
	(PM 054) Number of users from states, tribes, laboratories, and others that choose CDX to report environmental data electronically to EPA.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	47,000	55,000	100,000	130,000	210,000	210,000			Users
	Actual	62,000	88,516	127,575	184,109	231,700	Data Not Reported			
	Explanation of Results: This metric is being discontinued. PM 999 will now more accurately measure CDX usage by screening out inactive users and multiple accounts from the same user. ***Additional Information:*** Zero. The Central Data Exchange program began in FY 2001. Prior to that there were no users.									
	(PM 408) Percent of Federal Information Security Management Act reportable systems that are certified and accredited.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	100	100	100	100	100	100	100		Percent
	Actual	100	100	100	100	100	100			
	Additional Information: FISMA assigns specific responsibilities to Federal agencies and National Institute of Standards and Technology (NIST) to strengthen information system security. The continued goal, as required by FISMA, is for the Agency to achieve a continuous 100% compliance status with Certification and Accreditation (C&A) of all reportable systems.									

NPM: INSPECTOR GENERAL

	Performance Measures and Data									
	(PM 35A) Environmental and business actions taken for improved performance or risk reduction.									
		FY 2006	**FY 2007**	**FY 2008**	**FY 2009**	**FY 2010**	**FY 2011**	**FY 2012**	**FY 2013**	**Unit**
	Target	303	318	334	318	334	334	334	375	Actions

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	Actual	407	464	463	272	391	315			

Explanation of Results: While the OIG achieved over 94% of this target in FY 2011, this measure represents subsequent intermediate outcome actions taken by the Agency on OIG recommendations as well as any long- term outcome improvements achieved as a result of those actions. Actions taken on OIG recommendations are dependent upon the complexity of the recommendation and how quickly the Agency acts to implement them, which is out of the OIG's control. Generally there is a 2 to3 year time lag to implement OIG recommendation, but the Agency often seeks and has extended the completion dates beyond the normal lag time making the predictability of results difficult. More complex OIG recommendations from a fewer number of OIG reports in previous years have made achievement of this target more difficult.

Additional Information: The baseline is a moving average for the three most recent years. For the period concluding with fiscal year 2010, the baseline is 375 actions.

(PM 35B) Environmental and business recommendations or risks identified for corrective action.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	925	925	971	903	903	903	903	950	Recommendations
Actual	1,024	949	624	983	945	2011			

Explanation of Results: The number of OIG results in terms of recommendations and risk identified has generally reflected the staffing levels of the OIG and the types of audits and evaluations performed. More complex evaluations and audits have fewer total but more complex recommendations and risks identified. The type of work changes as the OIG identifies different areas of risks requiring reviews. The number of recommendations dramatically increased in FY 2011 as the OIG included 1137 findings from Single Audit review of ARRA grant recipients. The non-ARRA portion of recommendations identified was 874.

Additional Information: In FY 2009 the OIG established a revised baseline of 865 environmental and business recommendations or risks identified for corrective actions. The baseline was adjusted to reflect an average of the actual reported results for the period FY 2006-2008. The baseline has generally decreased to reflect the transfer of DCAA audit oversight from the OIG directly to the EPA, and a significant gap between the OIG ceiling and actual staffing levels.

(PM 35C) Return on the annual dollar investment, as a percentage of the OIG budget, from audits and investigations.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
Target	150	150	150	120	120	120	110	120	Percent
Actual	1610	189	186	150	36	151			

Explanation of Results: The OIG has been fairly consistent in the dollar level of questioned costs, cost efficiencies identified from audits and evaluation, and fines, penalties and settlements from investigations. Some years may have vast differences from the normal level, often dependent upon an extraordinary recovery from a criminal case settlement of great magnitude as in FY 2006, or a significant decrease in FY 2010, as we focused resources on fewer quantitative monetary reviews in preference to more qualitative reviews such as internal controls. During FY 2011, the OIG refocused its efforts on areas of monetary benefit resulting in both a significant increase over the results of FY 2010, but also significantly exceeding the target for FY 2011.

Additional Information: The baseline reflects potential dollar return on investment as a percentage of OIG budget from identified opportunities for savings, questioned costs, fines, recoveries and settlements. The baseline is a moving average for the three most recent years. For the period concluding with fiscal year 2010, the baseline is 112%.

(PM 35D) Criminal, civil, administrative, and fraud prevention actions.

	Performance Measures and Data									
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Unit
	Target	80	80	80	80	75	80	85	85	Actions
	Actual	121	103	84	95	115	160			

Explanation of Results: Results from Investigative work is extremely unpredictable since the nature of the work itself is response oriented (to indicators of fraud, wrong doing, or allegations received) and dependent upon the subsequent actions of the Department of Justice. However, OIG investigative results have generally correlated to the levels of investigative staffing and have increased steadily since FY 2008 - a trend we anticipate to continue as the OIG continues to reach its authorized staff level. Our Office of Investigations exceeded its target by 100% as a result of 1) its ability to increase its staffing level closer to its authorized level; 2) extraordinary number of administrative actions in the form of debarments and suspensions and disciplinary actions resulting from investigative cases; and, 3) an increased number of proactive fraud prevention outreach briefings with other federal, state and local organizations.

Additional Information: In FY 2009 the OIG established a revised baseline of 80 criminal, civil and administrative actions, which has remained constant over time.

VERIFICATION/VALIDATION OF PERFORMANCE DATA

Beginning with the EPA's FY 2013 budget, the Agency has developed Data Quality Records (DQRs) to present validation/verification information for selected performance measures, consistent with guidance from the Office of Management and Budget. A DQR documents the management controls, responsibilities, quality procedures, and other metadata associated with the data lifecycle for an individual performance measure, and is intended to enhance the transparency, objectivity, and usefulness of the performance result. To access a pdf file containing all current Data Quality Records, please go to http://www.epa.gov/planandbudget/annualplan/fy2013.html.

Table of Contents – Appendix A

COORDINATION WITH OTHER FEDERAL AGENCIES

Environmental Programs

Goal 1- Taking Action on Climate Change and Improving Air Quality

Objective: Address Climate Change

Voluntary climate protection programs government-wide stimulate the development and use of renewable energy technologies and energy efficient products that will help reduce greenhouse gas emissions. The effort is led by EPA and DOE with significant involvement from USDA, HUD, and the National Institute of Standards and Technology (NIST).

Agencies throughout the government make significant contributions to the climate protection programs. For example, DOE pursues actions such as promoting the research, development, and deployment of advanced technologies (for example, renewable energy sources). The Treasury Department administers proposed tax incentives for specific investments that will reduce emissions. EPA is responding to the President's directive to work with NHTSA to develop a coordinated national program that will set further standards to improve fuel efficiency and reduce GHG emissions for light-duty vehicles for model years 2017 and later. EPA is broadening its public information transportation choices campaign as a joint effort with DOT. EPA coordinates with each of the above-mentioned agencies to ensure that our programs are complementary and in no way duplicative.

The 2009 Memorandum of Understanding (MOU) on ENERGY STAR, signed by EPA and DOE, defines clear lines of responsibility between the Agencies that build upon and leverage their respective areas of expertise and outlines a number of program enhancements that will drive greater efficiency for American consumers and greater efficiency in homes and buildings. As part of the MOU, EPA and DOE developed an annual work plan detailing key work across the two Agencies and highlighting their cooperative work on energy efficiency in commercial and residential buildings and the products and equipment that go into these buildings. For example, in 2011, EPA and DOE will be expanding the program for ENERGY STAR products to include verification testing run by certification bodies (CBs) as well as DOE's parallel, targeted verification testing.

EPA works primarily with the Department of State, USAID, and DOE as well as with regional organizations in implementing climate-related programs and projects. In addition, EPA partners with others worldwide, including international organizations such as the United Nations Environment Programme, the United Nations Development Programme, the United Nations Economic Commission for Europe, the International Energy Agency, the OECD, the World Bank, the Asian Development Bank, and our colleagues in Canada, Mexico, Europe, and Japan.

An example of EPA's coordination with other federal agencies, as well as international partners, is the Global Methane Initiative (formerly known as the Methane to Markets Partnership). GMI is an international public-private initiative that advances cost-effective, near-term methane recovery and use as a clean energy source in four sectors: agriculture, coal mines, landfills, and oil and gas systems. These projects reduce greenhouse gas emissions in the near term and

provide a number of important environmental and economic co-benefits. There are 40 partner countries and over 1,000 members of the Project Network, including private sector, NGO, and multilateral organizations such as the World Bank, the Asian Development Bank, and the Inter-American Development Bank. EPA is the lead agency from the USG and coordinates with Department of State, DOE, USDA, USAID, and the US Trade and Development Agency.

The Agency coordinates its global change research with other federal agencies through the U.S. Global Change Research Program (USGCRP).[1] EPA's global change research efforts focus on understanding the impacts of climate change to air quality, water quality, and aquatic ecosystems, and include efforts to improve models that address air and water pollution formation and transport in the context of a changing climate. These modeling efforts require close coordination with other agencies to use the results of global-scale models as input to more detailed regional models that describe pollutant formation and transport at levels needed by local and state resource managers. This work includes research to better understand the emissions, transport, and impacts to health and climate of black carbon. Additional coordination of global change research occurs through the National Science and Technology Council's (NSTC's) CENRS Subcommittee on Water Availability and Quality.

Objective: Improve Air Quality

The EPA cooperates with other federal, state, Tribal, and local agencies to achieve goals related to ground level ozone and particulate matter (PM) and to ensure the actions of other agencies do not interfere with state plans for attaining and maintaining the National Ambient Air Quality Standards. EPA continues to work closely with the Department of Agriculture (USDA), the Department of Interior (DOI), and the Department of Defense (DOD) in developing a policy that addresses prescribed burning at silviculture and agricultural operations. EPA, the Department of Transportation (DOT), and the Army Corps of Engineers (COE) work with state and local agencies to integrate transportation and air quality plans, reduce traffic congestion, and promote livable communities. EPA continues to work with the Department of the Interior (DOI), National Park Service (NPS), and U.S. Forest Service in implementing its regional haze program and operating the Interagency Monitoring of Protected Visual Environments (IMPROVE) visibility monitoring network. The operation and analysis of data produced by this air monitoring system is an example of the close coordination of efforts between the EPA and state and Tribal governments.

For pollution assessments and transport, EPA is working with the National Aeronautics and Space Administration (NASA) on technology transfer using satellite imagery. EPA will work to further distribute NASA satellite products and National Oceanic and Atmospheric Administration (NOAA) air quality forecast products to Regions, states, local agencies, and Tribes to provide a better understanding of air quality on a day-to-day basis and to assist with air quality forecasting. EPA works with NASA to develop a better understanding of PM formation using satellite data. EPA works with the Department of the Army on advancing emission measurement technology and with NOAA for meteorological support for our modeling and monitoring efforts. EPA collects real-time ozone and PM measurements from State and local

[1] For more information, see <http://www. globalchange.gov/>.

agencies, which are used by both NOAA and EPA to improve and verify Air Quality Forecast models.

EPA's AIRNow program (the national real-time AQI reporting and forecasting system) works with the National Weather Service (NWS) to coordinate NOAA air quality forecast guidance with state and local agencies for air quality forecasting efforts and to render the NOAA model output in the EPA Air Quality Index (AQI), which helps people determine appropriate air quality-protective behaviors. The AIRNow program also collaborates with the U.S. National Park Service and the U.S. Forestry Service in receiving air quality monitoring observations, in addition to observations from over 130 state, local, and Tribal air agencies. AIRNow also collaborates with NASA in a project to incorporate satellite data with air quality observations.

To better understand the magnitude, sources, and causes of mobile source pollution, EPA works with the Department of Energy (DOE) and DOT to fund research projects. A program to characterize exhaust emissions from light-duty gasoline vehicles is co-funded by DOE and DOT. Other DOT mobile source projects include TRANSIMS (TRansportation ANalysis and SIMulation System) and other transportation modeling projects; DOE is funding these projects through the National Renewable Energy Laboratory. EPA also works closely with DOE on refinery cost modeling analyses and the development of clean fuel programs. For mobile sources program outreach, the Agency is participating in a collaborative effort with DOT's Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) to educate the public about the impacts of transportation choices on traffic congestion, air quality, and human health. This community-based public education initiative also includes the Centers for Disease Control (CDC). In addition, EPA is working with DOE to identify opportunities in the Clean Cities program. EPA also works with other federal agencies, such as the U.S. Coast Guard (USCG), on air emission issues, and other programs targeted to reduce air toxics from mobile sources are coordinated with DOT. These partnerships can involve policy assessments and toxic emission reduction strategies in different regions of the country. EPA continues to work with DOE, DOT, and other agencies as needed on the requirements of the Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007.

To develop air pollutant emission factors and emission estimation algorithms for aircraft, ground equipment, and military vehicles, EPA partners with the Department of Defense. This partnership will provide for the joint undertaking of air-monitoring/emission factor research and regulatory implementation.

To reduce air toxics emissions that may inadvertently increase worker exposure, EPA is continuing to work closely with the Department of Labor's Occupational Safety and Health Administration (OSHA) to coordinate the development of EPA and OSHA standards. EPA also works closely with other health agencies such as the CDC, the National Institute of Environmental Health Sciences (NIEHS), and the National Institute for Occupational Safety and Health on health risk characterization for both toxic and criteria air pollutants.
EPA is also contributing air quality data to the CDC's Environmental Public Health Tracking Program, which is made publicly available and used by state and local public health agencies. To assess atmospheric deposition and characterize ecological effects, EPA works with NOAA, the

U.S. Fish and Wildlife Service (USFWS), the National Park Service (NPS), the U.S. Geological Survey (USGS), the USDA, and the U.S. Forest Service (USFS).

EPA has worked extensively with the Department of Health and Human Services (HHS) on the National Health and Nutritional Evaluation Study to identify mercury accumulations in humans. EPA also has worked with DOE on the Fate of Mercury study to characterize mercury transport and traceability in Lake Superior. EPA is a partner with the Centers for Disease Control and Prevention in the development of the National Environmental Public Health Tracking Network, providing air quality indicators as well as air pollution health effects expertise.

To improve our understanding of environmental issues related to the agricultural sector, EPA is working closely with the USDA and others to reduce emissions and improve air quality while supporting a sustainable agricultural sector. Our approach to the agriculture sector includes scientific assessment, outreach and education, and implementation/compliance. The scientific assessment will ensure that we are all guided by sound science. Because we do not have adequate emissions estimates for this sector, we need to develop an understanding of emissions profiles and establish monitoring and measurement protocols, technology transfer, and a research agenda. Through outreach and education, we will instill a long-term commitment to working with the agricultural community**;** build respect and trust; and identify, promote, and quantify new/existing control technologies. We also will encourage partnerships between EPA, USDA, and their established partners and utilize existing USDA infrastructure (e.g., Extension Service, NRCS, land grant colleges and universities, and Farm Bill programs). Additionally, we will engage in active dialogue with agriculture community. Our implementation/compliance approach will fully institute policies and practices to ensure that farming and land management communities continue to consider air quality as an integral part of their resource management. An appropriate mix of voluntary and regulatory programs will be implemented and we will utilize USDA infrastructure to implement air quality programs and compliance assistance where practical.

In developing regional and international air quality programs and projects, and in working on regional agreements, EPA works with NOAA, NASA, DOE, USDA, USAID, and OMB, as well as with regional organizations. EPA's international air quality management program complements EPA's programs on children's health, Trade and the Environment, climate change, and trans-boundary air pollution. In addition, EPA partners with other organizations worldwide, including the United Nations Environment Programme, the European Union, the Organization for Economic Development and Cooperation, the United Nations Economic Commission for Europe, the North American Commission for Environmental Cooperation, the World Bank, the Asian Development Bank, the Clean Air Initiative for Asian Cities, the Global Air Pollution Forum, and our air quality colleagues in several countries, including Canada, Mexico, Europe, China, and Japan.

EPA works closely, through a variety of mechanisms, with a broad range of federal, state, Tribal, and local government agencies, industry, non-profit organizations, and individuals, as well as other nations, to promote more effective approaches to identifying and solving indoor air quality (IAQ) problems. At the federal level, EPA works closely with several departments or agencies on healthy homes, healthy schools, healthy buildings, and international issues. Examples include:

Healthy Homes

- Department of Health and Human Services (HHS) to reduce the burden of asthma -- by coordinating research, building community capacity, raising public awareness, and promoting the adoption of reimbursement for asthma care services, with a special emphasis on controlling indoor environmental exposures -- and to track progress on this objective;
- Department of Housing and Urban Development (HUD) to improve IAQ in homes;
- Consumer Product Safety Commission (CPSC) to identify and mitigate the health hazards of consumer products designed for indoor use;
- Department of Energy (DOE) to address IAQ in home weatherization programs; and
- Department of Agriculture (USDA) to encourage USDA extension agents to conduct local projects designed to improve indoor air quality.
- EPA plays a leadership role on the President's Task Force on Environmental Health Risks and Safety Risks to Children, particularly with respect to asthma and school environmental health issues.
- EPA is a member of the National Asthma Education and Prevention Program Coordinating Committee and the Federal Liaison Group on Asthma—the overarching coordination groups that focus on national asthma control efforts.

Healthy Schools

- Department of Education (DoEd) on a wide range of school related indoor environmental quality initiatives, including development of voluntary guidelines mandated under the Energy Independence and Security Act of 2007 for siting of school facilities and state school environmental health programs, as well as the establishment of a DoEd-led Green Ribbon Schools initiative; and
- Department of Health and Human Services, Centers for Disease Control and Prevention to promote healthy, asthma-friendly schools, and track progress on this objective.

Other Healthy Buildings

- As a co-chair of the Federal Interagency Committee on Indoor Air Quality (CIAQ), EPA coordinates the exchange of information on IAQ-related research and activities. The co-chair agencies include the CPSC, DOE, NIOSH and OSHA, and another 20 Federal departments and agencies participate as members.

International

- U.S. Government-wide Cookstoves Interagency Working Group, whose members include the Department of State, Environmental Protection Agency, Agency for International Development, Department of Energy, and Department of Health and Human Services, to improve health, livelihood, and quality of life in developing countries by reducing exposure to indoor air pollution from household energy use through public-private partnership initiatives such as the Partnership for Clean Indoor Air and the Global Alliance for Clean Cookstoves.

EPA coordinates its air quality research with other federal agencies through the Subcommittee on Air Quality Research[2] of the NSTC Committee on Environment and Natural Resources and Sustainability (CENRS). The Agency and NIEHS co-chaired the subcommittee's Particulate Matter Research Coordination Working Group, which produced a strategic plan[3] for federal research on the health and environmental effects, exposures, atmospheric processes, source characterization and control of fine airborne particulate matter. EPA coordinates specific research projects with other federal agencies, where appropriate, and supports air-related research at universities and nonprofit organizations through its Science to Achieve Results (STAR) research grants program.

EPA works with other federal agencies to coordinate U.S. participation in the Arctic Mercury Project, a partnership established in 2001 by the eight member states of the Arctic Council—Canada, Denmark, Finland, Iceland, Norway, Russia, Sweden, and the U.S.

EPA will partner with the Army, as part of the Army's Net Zero Initiative, to develop and demonstrate innovative energy technologies to accomplish the Army's goal of net zero energy, water and waste by 2020.

Objective: Restore the Ozone Layer

EPA works very closely with the Department of State and other federal agencies in international negotiations among Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer and in developing the implementing regulations. While the environmental goal of the Montreal Protocol is to protect the ozone layer, the ozone depleting substances it controls also are significant greenhouse gases. Therefore, this work also protects the Earth's climate system. According to a 2007 study published in the *Proceedings of the National Academy of Sciences,*[4] chemical controls implemented under the Montreal Protocol will – by 2010 - have delayed the onset of serious climate effects by a decade. EPA works on several multinational environmental agreements to simultaneously protect the ozone layer and climate system, including working closely with the Department of State and other Federal agencies, including OMB, OSTP, CEQ, USDA, FDA, Commerce, NOAA, and NASA.

EPA works with other agencies, including the Office of the United States Trade Representative and Department of Commerce, to analyze potential trade implications in stratospheric protection regulations that affect imports and exports. EPA leads a task force with the Department of Justice (DOJ), Department of Homeland Security (DHS), Department of Treasury, and other agencies to curb the illegal importation of ozone-depleting substances (ODS). Illegal import of ODS has the potential to prevent the United States from meeting the goals of the Montreal Protocol to restore the ozone layer.

EPA has continued discussions with DOD to assist in the effective transition from ODS and high-GWP substitutes to a suite of substitutes with lower global warming potential (GWPs).

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[2] For more information, see <http://www.al.noaa.gov/AQRS/>.
[3] For more information, see <http://www.al.noaa.gov/AQRS/reports/srppm.html>.
[4] Guus J. M. Velders, Stephen O. Andersen, John S. Daniel, David W. Fahey, and Mack McFarland; *The Importance of the Montreal Protocol in Protecting Climate;* PNAS 2007 104:4814-4819; published online before print March 8, 2007; doi:10.1073/pnas.0610328104.

EPA works with USDA and the Department of State to facilitate research, development, and adoption of alternatives to methyl bromide. EPA collaborates with these agencies to prepare U.S. requests for critical use exemptions of methyl bromide. EPA is providing input to USDA on rulemakings for methyl bromide-related programs. EPA also consults with USDA on domestic methyl bromide needs.

EPA coordinates closely with Department of State and FDA to ensure that sufficient supplies of chlorofluorocarbons (CFCs) are available for the production of life-saving metered-dose inhalers for the treatment of asthma and other lung diseases. This partnership between EPA and FDA combines the critical goals of protecting public health and limiting damage to the stratospheric ozone layer.

EPA's SunWise program works with the National Weather Service (NWS) to coordinate the UV Index, a forecast of the next day's ultraviolet radiation levels, which helps people determine appropriate sun-protective behaviors. The SunWise program also collaborates with the CDC when developing new sun safety and skin cancer prevention resources, including a shade planning guide, state-specific skin cancer fact sheets, and other school- and community-based resources. SunWise collaborates with state and local governments through the SunWise Communities program. SunWise is a successful environmental and health education program that teaches children and their caregivers how to protect themselves from overexposure to the sun through the use of classroom, school, and community-based components. More than 22,000 schools have received SunWise teaching materials—reaching more than one million students over the life of the program. The most recent study of the program, conducted in 2006–2007, found that for every dollar invested in SunWise, between approximately $2 and $4 in medical care costs and productivity losses are saved, and concluded that from a cost/benefit and cost-effectiveness perspective, it is worthwhile to educate children about sun safety.[5]

EPA coordinates with NASA and NOAA to monitor the state of the stratospheric ozone layer and to collect and analyze UV data, including science assessments that help the public understand what the world may have looked like without the Montreal Protocol and its amendments.[6] EPA works with NASA on assessing essential uses and other exemptions for critical shuttle and rocket needs, as well as effects of direct emissions of high-speed aircraft flying in the stratosphere.

EPA works with DOE on GreenChill[7] and Responsible Appliance Disposal (RAD)[8] efforts. The GreenChill Advanced Refrigeration Partnership is an EPA cooperative alliance with the supermarket industry and other stakeholders to promote advanced technologies, strategies, and practices that reduce refrigerant charges and emissions of ozone-depleting substances and greenhouse gases. EPA's RAD Program is a partnership program that protects the ozone layer

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[5] Jessica W. Kyle, James K. Hammitt, Henry W. Lim, Alan C. Geller, Luke H. Hall-Jordan, Edward W. Maibach, Edward C. De Fabo, Mark C. Wagner; "Economic Evaluation of the U.S. Environmental Protection Agency's SunWise Program: Sun Protection Education for Young Children." Pediatrics, Vol. 121 No. 5 May 2008, pp. e1074-e1084

[6] *The Ozone Layer: Ozone Depletion, Recovery in a Changing Climate, and the "World Avoided;"* Findings and Summary of the U.S. Climate Change Science Program Synthesis and Assessment Product 2.4; November 2008.

[7] For more information, see: www.epa.gov/greenchill

[8] For more information, see: www.epa.gov/ozone/partnerships/rad

and reduces emissions of greenhouse gases through the recovery of ozone-depleting chemicals from old refrigerators, freezers, air conditioners, and dehumidifiers.

EPA coordinates with the Small Business Administration (SBA) to ensure that proposed rules are developed in accordance with the Small Business Regulatory Flexibility Act.

Objective: Reduce Unnecessary Exposure to Radiation

EPA works primarily with the Nuclear Regulatory Commission (NRC), Department of Energy (DOE), and Department of Homeland Security (DHS) on multiple radiation protection issues. EPA has ongoing planning and guidance discussions with DHS on Protective Action Guidance and general emergency response activities, including exercises responding to nuclear related incidents. As the regulator of DOE's Waste Isolation Pilot Plant (WIPP) facility, EPA has to continually coordinate oversight activities with DOE to keep the facility operating in compliance with its regulations. EPA also works with tribes to address public health and environmental issues with uranium mining. EPA is a member of the interagency Radiation Source Protection and Security Task Force, established in the Energy Policy Act to improve the security of domestic radioactive sources. EPA also is a working member of the interagency Nuclear Government Coordinating Council (NGCC), which coordinates across government and the private sector on issues related to security, communications, and emergency management within the nuclear sector.

For emergency preparedness purposes, EPA coordinates closely with other federal agencies through the Federal Radiological Preparedness Coordinating Committee and other coordinating bodies. EPA participates in planning and implementing table-top and field exercises including radiological anti-terrorism activities, with the NRC, DOE, Department of Defense (DOD), Department of Health and Human Services (DHHS), and DHS.

EPA works closely with other federal agencies when developing radiation policy guidance under its Federal Guidance authority. This authority was transferred to EPA from the Federal Radiation Council in 1970 and tasks the Administrator with making radiation protection recommendations to the President. When signed by the President, Federal Guidance recommendations are addressed to all federal agencies and are published in the *Federal Register*. Risk managers at all levels of government use this information to assess health risks from radiation exposure and to determine appropriate levels for clean-up of radioactively contaminated sites. EPA's radiation science is widely relied on and is the objective foundation for EPA, other federal agencies, and states to develop radiation risk management policy, standards, and guidance.

EPA is a charter member and co-chairs the Interagency Steering Committee on Radiation Standards (ISCORS). ISCORS was created at the direction of Congress. Through quarterly meetings and the activities of its six subcommittees, member agencies are kept informed of cross-cutting issues related to radiation protection, radioactive waste management, and emergency preparedness and response. ISCORS also helps coordinate U.S. responses to radiation-related issues internationally.

Promoting international assistance, EPA serves as an expert member of the International Atomic Energy Agency's (IAEA) Environmental Modeling for Radiation Safety, Naturally-Occurring

Radioactive Materials Working Group. Additionally, EPA remains an active contributor to the Organization for Economic Cooperation and Development's (OECD) Nuclear Energy Agency (NEA). EPA serves on both the NEA Radioactive Waste Management Committee (RWMC) and the Committee on Radiation Protection and Public Health (CRPPH). Through the RWMC, EPA is able to exchange information with other NEA member countries on the management and disposal of high-level and transuranic waste. Through participation on the CRPPH and its working groups, EPA has been successful in bringing a U.S. perspective to international radiation protection policy.

Goal 2- Protecting America's Waters

Objective: Protect Human Health

Collaboration with Public and Private Partners on Critical Water Infrastructure Protection

The EPA coordinates with other federal agencies, primarily Department of Homeland Security, Centers for Disease Control, Food and Drug Administration, and Department of Defense, on biological, chemical, and radiological contaminants of high concern, and how to detect and respond to their presence in drinking water and wastewater systems. A close linkage with the FBI and the Intelligence Analysis Directorate in Department of Homeland Security, particularly with respect to ensuring the timely dissemination of threat information through existing communication networks, will be continued. The Agency is strengthening its working relationships with the Water Research Foundation, the Water Environment Research Foundation, and other research institutions to increase our knowledge on technologies to detect contaminants, monitoring protocols and techniques, and treatment effectiveness.

EPA will continue to work with the US Army Corps of Engineers to refine coordination processes among federal partners engaged in providing emergency response support to the water sector. These efforts will include refining existing standard operating procedures, participating in cross-agency training opportunities, and planning multi-stakeholder water sector emergency response exercises. EPA will be determining how US Army Corps of Engineers and the EPA are to clarify their roles and responsibilities under the new National Disaster Recovery Framework.

Geologic Sequestration

The EPA coordinates with federal agencies to plan and obtain research-related data, to coordinate regulatory programs, and to coordinate implementation of regulations to protect underground sources of drinking water during geologic sequestration activities. The EPA works with the Department of Energy to plan research on monitoring, modeling, verification, public participation, and other topics related to Department of Energy -sponsored geologic sequestration partnership programs. The EPA also coordinates with U.S. Geological Survey, Internal Revenue Service, Department of Interior, and Department of Transportation to ensure that Safe Drinking Water Act regulations for geologic sequestration sites are appropriately coordinated with efforts to deploy projects, map geologic sequestration capacity, provide tax incentives for CO_2 sequestration, and manage the movement of CO_2 from capture facilities to geologic sequestration sites.

Collaboration with U.S. Geological Survey

The EPA and U.S. Geological Survey have established an Interagency Agreement to coordinate activities and information exchange in the areas of unregulated contaminants occurrence, the environmental relationships affecting contaminant occurrence, protection area delineation methodology, and analytical methods. This collaborative effort has improved the quality of information to support risk management decision-making at all levels of government, generated valuable new data, and eliminated potential redundancies.

Sustainable Rural Drinking and Wastewater Systems

In 2011, the EPA and U.S. Department of Agriculture-RD-RUS signed a new memorandum of agreement - *Promoting Sustainable Rural Water and Wastewater Systems.* The EPA and U.S. Department of Agriculture have agreed to work together to increase the sustainability of rural drinking water and wastewater systems to ensure the protection of public health, water quality, and sustainable communities. The MOA addresses the following four areas: 1) Sustainability of Rural Communities - promote asset management planning, water and energy efficiency practices, and other sustainable utility management practices; 2) System Partnerships – educate communities and utilities on the types of partnership opportunities that can lead to increased compliance and reduced costs, and encourage struggling systems to explore these options; 3) Water Sector Workforce - work together to promote careers in the water sector to attract a new generation of water professionals to rural systems; and 4) Compliance of Small Rural Public Water and Wastewater Systems with Drinking Water and Clean Water Regulations - partner and provide timely regulation training to water and wastewater systems in rural areas. In addition, the two agencies will work to address funding for infrastructure projects that aid in the compliance of national drinking water and clean water regulations.

Tribal Access Coordination

In 2003, the EPA and its federal partners in the Department of Agriculture, Department of Housing and Urban Development, Department of Health and Human Services, and Department of Interior set a very ambitious goal to reduce the number of homes without access to safe drinking water. This goal remains ambitious due to the logistical challenges, capital and operation, and maintenance costs involved in providing access. The EPA is working with its federal partners to coordinate spending and address some of the challenges to access on Tribal lands, and expects to make measureable progress on the access issue.

Source Water Protection

The EPA is coordinating with U.S. Department of Agriculture and U.S. Geological Survey as part of a 3-organization collaborative to support state and local implementation of source water protection actions. In addition, the EPA works with U.S. Geological Survey on coordinating mapping of source water areas on a national scale with the National Hydrography Database, as well as working with the U.S. Department of Agriculture and the Department of Education.

Data Availability, Outreach and Technical Assistance

The EPA coordinates with U.S. Geological Survey, U.S. Department of Agriculture (Forest Service, Natural Resources Conservation Service, Cooperative State Research, Education, and Extension Service, Rural Utilities Service, Centers for Disease Control, Department of Transportation, Department of Defense, Department of Energy, Department of the Interior (National Park Service and Bureau of Indian Affairs, Land Management, and Reclamation), Department of Health and Human Services (Indian Health Service) and the Tennessee Valley Authority.

Research

While EPA is the federal agency mandated to ensure safe drinking water, other federal and non-federal entities are conducting research that complements EPA's research priority contaminants in drinking water. For example, the CDC and NIEHS conduct health effects and exposure research. FDA also performs research on children's risks.

Many of these research activities are being conducted in collaboration with EPA scientists. The private sector, particularly the water treatment industry, is conducting research in such areas as analytical methods, treatment technologies, and the development and maintenance of water resources. Cooperative research efforts have been ongoing with the American Water Works Association, Water Research Foundation and other stakeholders to coordinate drinking water research. EPA also is working with USGS to evaluate performance of newly developed methods for measuring microbes in potential drinking water sources.

EPA has developed joint research initiatives with NOAA and USGS for linking monitoring data and field study information with available toxicity data and assessment models for developing sediment criteria.

In addition, EPA is coordinating research with DOE and USGS to understand and address the potential human health and environmental impacts of hydraulic fracturing.

Objective: Protect and Restore Watersheds and Aquatic Ecosystems

Watersheds

Protecting and restoring watersheds will depend largely on the direct involvement of many federal agencies and state, Tribal, and local governments who manage the multitude of programs necessary to address water quality on a watershed basis. Federal agency involvement will include U.S. Department of Agriculture (Natural Resources Conservation Service, Forest Service Agency, and Agriculture Research Service), Department of the Interior (Bureau of Land Management, Office of Surface Mining, U.S. Geological Survey, U.S. Fish and Wildlife Service, and the Bureau of Indian Affairs), National Oceanic and Atmospheric Administration, Department of Transportation, and Department of Defense (Navy and US Army Corps of Engineers). At the state level, agencies involved in watershed management typically include departments of natural resources or the environment, public health agencies, and forestry and recreation agencies. Locally, numerous agencies are involved, including regional planning

entities such as councils of governments, as well as local departments of environment, health, and recreation who frequently have strong interests in watershed projects.

National Pollutant Discharge Elimination System Program

Since inception of the NPDES program under Section 402 of the Clean Water Act, the EPA and the authorized states have developed expanded relationships with various federal agencies to implement pollution controls for point sources. The EPA works closely with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service on consultation for protection of endangered species through a Memorandum of Agreement. The EPA works with the Advisory Council on Historic Preservation on National Historic Preservation Act implementation. The EPA and the states rely on monitoring data from U.S. Geological Survey to help confirm pollution control decisions. The Agency also works closely with the Small Business Administration and the Office of Management and Budget to ensure that regulatory programs are fair and reasonable. The Agency coordinates with NOAA on efforts to ensure that NPDES programs support coastal and national estuary efforts and with the Department of the Interior on mining issues.

Joint Strategy for Animal Feeding Operations

The Agency is working closely with the U.S. Department of Agriculture to implement the Unified National Strategy for Animal Feeding Operations (AFO Strategy) finalized on March 9, 1999. The Strategy sets forth a framework of actions that U.S. Department of Agriculture and the EPA will take to minimize water quality and public health impacts from improperly managed animal wastes in a manner designed to preserve and enhance the long-term sustainability of livestock production. The EPA's recent revisions to the Concentrated Animal Feeding Operations Regulations (effluent guidelines and NPDES permit regulations) will be a key element of the EPA and U.S. Department of Agriculture's plan to address water pollution from CAFOs. The EPA and U.S. Department of Agriculture senior management meet routinely to ensure effective coordination across the two agencies.

Clean Water State Revolving Fund

The EPA’s State Revolving Fund program, Department of Housing and Urban Development’s Community Development Block Grant program, and the U.S. Department of Agriculture’s Rural Development foster collaboration on jointly funded infrastructure projects through: (1) coordination of the funding cycles of the three federal agencies; (2) consolidation of plans of action (operating plans, intended use plans, strategic plans, etc.); and (3) preparation of one environmental review document, when possible, to satisfy the requirements of all participating federal agencies. A coordination group at the federal level has been formed to further these efforts and maintain lines of communication. In many states, coordination committees have been established with representatives from the three programs.

In implementation of the Indian set-aside grant program under Title VI of the Clean Water Act, the EPA works closely with the Indian Health Service to administer grant funds to the various Indian tribes, including determination of the priority ranking system for the various wastewater

needs in Indian Country. The EPA and U.S. Department of Agriculture Rural Development partner to provide coordinated financial and technical assistance to tribes.

Federal Agency Partnerships on Impaired Waters Restoration Planning

The federal government owns about 30 percent of the land in the United States and administers over 90 percent of these public lands through four agencies: Forest Service, Fish and Wildlife Service, National Park Service, and Bureau of Land Management. In managing these extensive public lands, federal agencies have a substantial influence on the protection and restoration of many waters of the United States. Land management agencies' focus on water issues has increased significantly, with the Forest Service, Fish and Wildlife Service, and Bureau of Land Management all initiating new water quality and watershed protection efforts. The EPA has been conducting joint national assessments with these agencies to enhance watershed protection and quantify restoration needs on federal lands. EPA's joint national assessments of Fish and Wildlife Service and Forest Service properties have already documented the extent and type of impaired waters within and near these agencies' lands, developed GIS databases, reported national summary statistics, and developed interactive reference products (on any scale, local to national), accessible to staff throughout the agencies. Similar joint assessments are planned with the other major federal land management agencies. These assessments have already influenced the agencies in positive ways. The Forest Service and the Fish and Wildlife Service have performance measures that involve impaired waters. The Forest Service used their national assessment data to institute improvements in a national monitoring and Best Management Practices training program as well as develop a watershed condition framework for proactively implementing restoration on priority National Forest and Grassland watersheds. Also, under a Memorandum of Agreement between the EPA and Forest Service, numerous aquatic restoration projects have been jointly funded and carried out. The Fish and Wildlife Service is using their national assessment data to inform agency planning on water conservation, quality, and quantity monitoring and management in the National Wildlife Refuge System, and also is using the assessment in National Fish Hatcheries System planning. Further and their Contaminants Program, the EPA assessments and datasets are making significant contributions to the government-wide National Fish Habitat Action Partnership 2010 national assessment of fish habitat condition and the restoration and protection efforts of 17 regional Fish Habitat Partnerships. Also, EPA has provided geospatial analysis from the agencies atmospheric mercury deposition modeling to the National Park Service for each of the properties they manage. This analysis shows not only the amount of mercury falling onto a particular watershed but also allocates the deposition among major contributing U.S. and global sources.

Monitoring and Assessment of Nation's Waters

The EPA works with federal, state, and Tribal partners to strengthen water monitoring programs to support a range of management needs and to develop tools to improve how we manage and share water data and report environmental results. The EPA's Monitoring and Assessment Partnership is a forum for the EPA, states, tribes and interstate organizations to collaborate on key program directions for assessing the condition of the nation's waters in a nationally consistent and representative manner. The EPA is co-chair, along with U.S. Geological Survey, of the National Water Quality Monitoring Council, a national forum for scientific discussion of strategies and technologies to improve water quality monitoring and data sharing. The council

membership includes other federal agencies, state and Tribal agencies, non-governmental organizations, academic institutions, and the private sector.

Nonpoint Sources Pollution Controls

The EPA will continue to work closely with its federal partners to achieve our goals for reducing pollutant discharges from nonpoint sources, including reduction targets for sediments, nitrogen, and phosphorous. Most significantly, the EPA will continue to work with the U.S. Department of Agriculture, which has a key role in reducing sediment loadings through its continued implementation of the Environmental Quality Incentives Program, Conservation Reserve Program, and other conservation programs. U.S. Department of Agriculture also plays a major role in reducing nutrient discharges. The EPA also will continue to work closely with the Forest Service and Bureau of Land Management especially on the vast public lands that comprise 30 percent of all land in the United States. The EPA will work with these agencies, U.S. Geological Survey, and the states to document improvements in land management and water quality.

The EPA also will work with other federal agencies to advance a watershed approach to federal land and resource management to help ensure that federal land management agencies serve as a model for water quality stewardship in the prevention of water pollution and the restoration of degraded water resources. Implementation of a watershed approach will require coordination among federal agencies at a watershed scale and collaboration with states, tribes, and other interested stakeholders.

Marine Pollution Prevention

The EPA works closely with a number of federal agencies including the U.S. Coast Guard, U.S. Army Corps of Engineers, Department of State, National Oceanic and Atmospheric Administration, and others to prevent pollution from both land-based and ocean-based sources from entering the marine environment.

Specifically, the EPA will continue to work closely with U.S. Army Corps of Engineers on standards for permit review, as well as site selection/designation and monitoring related to dredged material management. The EPA will continue to work with the U.S. Coast Guard in the development of best management practices and discharge standards under the Clean Boating Act. The EPA also works closely with the U.S. Coast Guard on addressing ballast water discharges.

In addition, the EPA works closely with a number of other federal agencies to prepare reports to Congress as well as review reports from other agencies. For example, the EPA works with a number of federal agencies on the Interagency Marine Debris Coordinating Committee, which prepares periodic reports to Congress on the progress of marine debris prevention efforts per the Marine Debris Research, Prevention, and Reduction Act of 2006.

The EPA also participates with other federal agencies (including: U.S. Coast Guard, U.S. Army Corps of Engineers, Department of State, U.S. Department of the Interior, National Oceanic and Atmospheric Administration, and U.S. Navy) on a number of international forums on marine

protection programs, to develop international standards that address vessel-related transport of aquatic invasive species, harmful antifoulants, operational discharges from vessels, dumping of wastes and other matter at sea, and marine debris. The EPA is Head of the U.S. Delegation for the London Convention / London Protocol (LC / LP) Scientific Group, Alternate Head of the U.S. Delegation for the LC / LP Consultative Meeting of the Parties, and a member of the U.S. Delegation to the Marine Environmental Protection Committee.

The EPA works closely with the U.S. Coast Guard on addressing ballast water discharges.

National Estuary Program

The National Estuary Program is comprises 28 community-based organizations that protect and restore estuarine and coastal watershed a long-term Comprehensive Conservation Management Plan that focuses on the unique challenges of to their estuarine watershed. Each Comprehensive Conservation Management Plan includes priority actions that NEP will take to address the estuary's problems and identifies the role each partner will play in implementing the actions. Effective implementation of the Comprehensive Conservation Management Plan depends to a great extent on the long-term commitment, collaboration, and involvement of federal and state agency partners. Federal partners that are typically engaged in implementing the management plan include the EPA's Water Programs; the National Oceanic and Atmospheric Administration's National Estuarine Research Reserves, Sea Grant, and Habitat Protection and Restoration Programs; the U.S. Fish and Wildlife Service's Coastal Program; and the U.S. Department of Agriculture's Natural Resource Conservation Service and Forest Service. Other NEP partners include state natural resource agencies; municipal government planning agencies and water utilities; regional planning agencies; universities; industry; non-governmental organizations, and community members.

The EPA and National Oceanic and Atmospheric Administration have signed a Memorandum of Agreement to facilitate collaboration between the two agencies and to enhance the capacity of coastal managers in helping communities to adapt to climate change and to become more resilient. Collaborative efforts include designing and presenting workshops on how to develop local climate adaptation strategies; providing information to coastal managers such as the National Estuary Program Directors and local planners on incorporating climate change into local decision making about ecosystem restoration; identifying climate change indicators in order to monitor and assess trends in local water quality and living resource conditions; and enhancing the capacity of local land trusts with integrating climate adaptation strategies into their land conservation planning.

National Ocean Policy

The EPA will support implementation of the Executive Order that establishes the Nation's first comprehensive national policy for stewardship of the ocean, U.S. coasts and the Great Lakes. The Executive Order strengthens ocean governance and coordination, establishes guiding principles for ocean management, and adopts a flexible framework for effective coastal and marine spatial planning.

Wetlands

The EPA, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, National Oceanic and Atmospheric, Administration, U.S. Geological Survey, U.S. Department of Agriculture (and Federal Highway Administration) currently coordinate on a range of wetlands activities. These activities include: studying and reporting on wetlands trends in the United States, diagnosing causes of coastal wetland loss, updating and standardizing the digital map of the nation's wetlands, statistically surveying the condition of the nation's wetlands, and developing methods for better protecting wetland function. Coastal wetlands remain a focus area of current interagency wetlands collaboration. The agencies meet monthly and are conducting a series of coastal wetlands reviews to identify causes and prospective tools and approaches to address the 84,100acreloss over five years in marine and estuarine wetlands that U.S. Fish and Wildlife Service documented in the 2011 "Status and Trends of Wetlands in the Conterminous United States: 2004 to 2009" report. Additionally, the EPA and the U.S. Army Corps of Engineers work very closely together in implementing the wetlands regulatory program under Clean Water Act Section 404. Under the regulatory program, the agencies coordinate closely on overall implementation of the permitting decisions made annually under Section 404 of the Clean Water Act, through the headquarters offices as well as the ten EPA Regional Offices and 38 U.S. Army Corps of Engineers District Offices. The agencies also coordinate closely on policy development and litigation. The EPA and U.S. Army Corps of Engineers are committed to achieving the goal of no net loss of wetlands under the Clean Water Act Section 404 program.

Great Lakes

The Interagency Task Force,[9] created by EO 13340, is charged with increasing and improving collaboration and integration among federal agencies involved in Great Lakes environmental activities. The Task Force provides overall guidance regarding the Initiative and coordinates restoration of the Great Lakes, focusing on outcomes such as, *e.g.*, cleaner water and sustainable fisheries. The EPA is leading the Interagency Task Force to implement the Great Lakes Restoration Initiative.

Following announcement of the Initiative in 2009, the EPA led development of a FY 2010 – FY 2014 Great Lakes Restoration Initiative Action Plan (Action Plan) which targets the most significant environmental problems of the Great Lakes ecosystem. Members of the Interagency Task Force enter into interagency agreements to fund activities intended to achieve the goals, objectives, and targets in the Action Plan. This effort builds upon previous coordination and collaboration by the Great Lakes National Program Office pursuant to the mandate in Section 118 of the Clean Water Act to "coordinate action of the Agency with the actions of other federal agencies and state and local authorities..." The Great Lakes National Program Office supports the Great Lakes Restoration Initiative, the Great Lakes Water Quality Agreement, and other efforts to improve the Great Lakes and, under the direction of the EPA's Great Lakes National Program Manager, is leading the implementation of Great Lakes restoration activities by the federal agencies and their partners. Coordinated activities to implement the Initiative include:

[9] The Interagency Task Force includes eleven agency and cabinet organizations: EPA; Department of State, DOI, USDA, Department of Commerce, Department of Housing and Urban Development, Department of Transportation, DHS, Army, Council on Environmental Quality, and Department of Health and Human Services.

- jointly establishing funding priorities for ecosystem restoration;
- protecting the Great Lakes from invasive species, including Asian carp;
- coordinating habitat protection and restoration with states, tribes, USFWS, and NRCS;
- coordinating development and implementation of Lakewide Management Plans for each of the Great Lakes and for Remedial Action Plans for the 30 remaining U.S./binational Areas of Concern;
- coordinating programs and funding efforts to accelerate progress in delisting Areas of Concern and to reduce phosphorus runoff and effects in a targeted group of watersheds;
- coordinating state, federal, and provincial partners, both to implement monitoring programs and to utilize the results from that monitoring activity to manage environmental programs; and
- working with Great Lakes states, U.S. Geological Survey, and the U.S. Army Corps of Engineers on dredging issues.

Chesapeake Bay

The Chesapeake Bay Program is a partnership of several federal agencies, states, local governments, nongovernmental organizations, academic institutions, and other interested stakeholders. Only through the coordinated efforts of all of these entities will the preservation and restoration of the Chesapeake Bay be achieved. Recognizing this need for coordination, office directors from the federal agencies that form the Chesapeake Bay Program meet on a regular basis. This group includes representatives of:

- Environmental Protection Agency
- Department of Commerce, National Oceanic and Atmospheric Administration
- Department of the Interior, National Park Service
- Department of the Interior, U.S. Geological Survey
- Department of the Interior, U.S. Fish and Wildlife Service
- Department of Agriculture, U.S. Forest Service
- Department of Agriculture, Natural Resources Conservation Service
- Department of Agriculture, Farm Services Agency
- Department of Agriculture, Office of Environmental Markets
- Department of Defense, U.S. Navy
- Department of Defense, U.S. Army
- Department of Defense, U.S. Army Corps of Engineers
- Department of Transportation
- Department of Homeland Security, U.S. Coast Guard
- Other agencies as deemed appropriate

The EPA also is the lead agency representing the federal government on the Chesapeake Executive Council, which oversees the policy direction of the Chesapeake Bay Program. In addition to the EPA Administrator, the Chesapeake Executive Council consists of the governors of the Bay states, the mayor of the District of Columbia, the chair of the Chesapeake Bay Commission, and the Secretary of Agriculture.

President Obama's May 2009 Executive Order on Chesapeake Bay Protection and Restoration has brought the federal agencies interested in the Bay and its watershed to a new level of interagency coordination and cooperation. The Executive Order established the Federal Leadership Committee (FLC) for the Chesapeake Bay, which is chaired by the EPA and includes U.S. Department of Agriculture, Department of Commerce, Department of Defense, Department of Homeland Security, Department of the Interior, and Department of Transportation. FLC members are Secretary and Administrator level executives. FLC members are represented in more regular meetings of the Federal Leadership Committee Designees, which includes Assistant Secretary and Assistant Administrator level executives. Daily development of deliverables under the Executive Order is conducted by the Federal Office Directors' group. Working together, the FLC agencies released a coordinated implementation strategy on May 12, 2010. These agencies also coordinate on the development of an annual action plan and annual progress report required by the Executive Order.

Many of the efforts resulting from the Executive Order and described in the implementation strategy will necessitate and foster increased and improved federal coordination. Revitalized efforts to improve and account for agricultural best management practices depend upon cooperation between the EPA, U.S. Department of Agriculture, U.S. Geological Survey, and others. The EPA is participating on the interagency Environmental Markets Team that is assisting in the development of a market-based approach under the Chesapeake Bay Total Maximum Daily Load. The EPA, Department of the Interior, and NOAA will expand the understanding of the toxic contaminant problem in the Bay and its watershed and develop contaminant reduction outcomes and strategies. The EPA, Department of Transportation, and the Department of Housing and Urban Development will provide technical assistance to communities that undertake development of integrated transportation, housing, and water infrastructure plans. The Executive Order strategy includes many other examples of how federal agencies are coordinating their efforts to protect and restore the Chesapeake Bay and its watershed.

Gulf of Mexico

The President signed Executive Order 13554, establishing the Gulf Coast Ecosystem Restoration Task Force on October 5, 2010, giving the Task Force a mission to restore and protect the Gulf ecosystem for future generations. Chaired by the Environmental Protection Agency, the Task Force includes the five Gulf states and the following federal agencies:

- Council on Environmental Quality
- Department of Agriculture
- Department of Commerce
- Department of Defense
- Department of the Interior
- Department of Justice
- Department of Transportation
- Domestic Policy Council
- Office of Management and Budget
- Office of Science and Technology Policy

In unprecedented collaboration, the Task Force, charged with developing a strategy for the long-term restoration and conservation of the diverse ecosystems of the Gulf Coast that will ensure its long-term environmental, economic, and health benefits, presented the *Gulf of Mexico Regional Ecosystem Restoration Strategy* to the President on December 2, 2011. This Restoration Strategy builds upon existing research, planning and program efforts throughout the Gulf that have generated wide interest and participation by Gulf-based citizens, businesses, scientists, industries and governments. In 2013, the EPA's responsibilities entail the ongoing interagency (federal and state) and Tribal governments' coordination and technical support required to continue implementation of the Task Force's *Gulf of Mexico Regional Ecosystem Restoration Strategy*.

Research

The Committee on Environment, Natural Resources, and Sustainability (CENRS) is coordinating the research efforts among federal agencies to assess the impacts of nutrients and hypoxia in the Gulf of Mexico.

Urban wet weather flow research is being coordinated with other organizations such as the Water Environment Research Foundation's Wet Weather Advisory Panel, the ASCE Urban Water Resources Research Council, the COE, and USGS. Research on the characterization and management of pollutants from agricultural operations (e.g., CAFOs) is being coordinated with USDA through workshops and other discussions.

EPA is pursuing collaborative research projects with the USGS to utilize water quality data from urban areas obtained through the USGS National Ambient Water Quality Assessment (NAWQA) program, showing levels of pesticides that are even higher than in many agricultural area streams. These data have potential uses for identifying sources of urban pesticides and EPA will evaluate how the USGS data could be integrated into the Geographic Information System (GIS) database system.

The EPA also is working to collaborate with the American Water Works Association, the Global Water Research Coalition, the National Research Council, Institute for Research in Construction, the American Society of Civil Engineers and several university research organizations including Penn State University, the University of Houston, Louisiana Tech University, and the Polytechnic University of New York, on water infrastructure research.

The EPA will continue work under the MOA with the USCG and the State of Massachusetts on ballast water treatment technologies and mercury continuous emission monitors. The agency also coordinates technology verifications with NOAA (multiparameter water quality probes); DOE (mercury continuous emission monitors); DoD (explosives monitors, PCB detectors, dust suppressants); USDA (ambient ammonia monitors); Alaska and Pennsylvania (arsenic removal); Georgia, Kentucky, and Michigan (storm water treatment); and Colorado and New York (waste-to-energy technologies).

EPA participates in the Multi-Resolution Land Characterization (MRLC) consortium. This federal partnership for national environmental assessment produces a set of digital land-cover databases. Collaborators include NOAA, USFS, USGS, LANDFIRE, BLM, NRCS, NPS,

NASA, USFWS, and OSM.

EPA will partner with the Army, as part of the Army's Net Zero Initiative, to develop and demonstrate innovative water technologies to accomplish the Army's goal of net zero energy, water and waste by 2020.

Community Water Priorities/Urban Waters

In response to early stakeholder feedback, the EPA has been working with senior executives from eleven federal agencies to form an Urban Waters Federal Partnership, with support from the White House Domestic Policy Council. Agencies include:

- Department of the Interior
- Department of Agriculture
- Department of Commerce – National Oceanic and Atmospheric Administration (NOAA)
- Department of Commerce – Economic Development Administration
- Army Corps of Engineers
- Department of Transportation
- Department of Housing and Urban Development
- Department of Health and Human Services – Centers for Disease Control and Prevention
- Department of Health and Human Services – National Institute of Environmental Health Sciences
- Corporation for National and Community Service

This partnership seeks to help communities – especially underserved communities – transform overlooked urban waters into treasured centerpieces and drivers of urban revival. The partnerships will advance urban waters goals of: empowering and supporting communities in revitalizing their urban waters and the surrounding land; helping communities establish and maintain safe and equitable public access to their urban waterways; and linking urban water restoration to other community priorities such as employment, education, economic revitalization, housing, transportation, health, safety, and quality of life. To meet these goals, the partnership will leverage member agencies' authorities, resources, expertise, and local support. This federal partnership will advance an action agenda including the selection of Urban Waters Federal Partnership Pilots for place-based projects, the identification of policy actions needed to integrate federal support to communities and to remove barriers to local and community action, and other actions such as sharing information and providing information on urban waters to communities in the nation.

San Francisco Bay-Delta

The Interim Federal Action Plan for the California Bay-Delta, issued in December 2009, signaled the federal government's intent to protect and restore this critically important ecosystem – one that provides water to 25 million residents, sustains one of the most productive agricultural regions in the country, and until recently supported a commercial and recreational fishing industry that normally contributed hundreds of millions of dollars annually to the California economy. Improving water supply reliability and restoration of threatened and listed species

remains the priority. The federal government is participating with the state and stakeholders in the development of the Bay-Delta Conservation Plan, a long-term plan for ecosystem restoration and water management. Further, U.S. Department of the Interior, U.S. Department of Agriculture, National Oceanic and Atmospheric Administration, the EPA and the U.S. Army Corps of Engineers have undertaken a number of other activities to restore habitat, increase water efficiency, and improve water quality.

Puget Sound Program

The Puget Sound Program works to protect and restore Puget Sound, which has been designated as an estuary of national significance under the Clean Water Act National Estuary Program. In addition to working with state agencies, Puget Sound tribes, the government of Canada, local governments, and non-profit organizations, EPA Region 10 initiated and chairs the Puget Sound Federal Caucus.

The Puget Sound Federal Caucus is made up of thirteen federal agencies which have entered into a Memorandum of Understanding[10] to better integrate, organize and focus federal efforts in the Puget Sound ecosystem. Through the Caucus, EPA and other member agencies are aligning resources and strengthening federal coordination on Puget Sound protection, science, recovery, resource management and outreach efforts. By these actions, federal agencies can contribute significantly to the restoration and protection of Puget Sound. Examples of Puget Sound federal caucus work include a comprehensive cross-agency assessment of federal authorities and actions directed towards recovery of habitat for endangered salmon species. Additionally, EPA, the National Oceanic and Atmospheric Administration, and the U.S. Army Corp of Engineers all participate in the Washington Shellfish Initiative- an agreement launched in December 2011 among federal and state government, tribes, and the shellfish industry to restore and expand Washington's shellfish resources to promote clean-water commerce and create family wage jobs.

The federal agencies that participate in the Puget Sound Federal Caucus are:

- Federal Highway Administration
- Federal Transit Administration
- National Oceanic and Atmospheric Administration
- National Park Service
- National Resource Conservation Service
- Navy Region Northwest
- U.S. Army
- U.S. Army Corps of Engineers
- U.S. Coast Guard
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- U.S. Geological Survey
- U.S. Forest Service

[10] http://www.epa.gov/pugetsound/pdf/pugetsound_federalcaucus_mou_13signators.pdf

Goal 3-Cleaning Up Our Communities

Objective: Promote Sustainable and Livable Communities

Brownfields

EPA continues to lead the Brownfields Federal Partnership, which includes more than 20 federal agencies dedicated to the cleanup and redevelopment of brownfields properties. Partner agencies work together to prevent, assess, safely clean up, and redevelop brownfields. The Brownfields Federal Partnership's on-going efforts include promoting the Portfields and Mine-Scarred Lands projects and looking for additional opportunities to jointly promote community revitalization by participating in multi-agency collaborative projects, holding regular meetings with federal partners, and supporting regional efforts to coordinate federal revitalization support to state and local agencies.

Sustainable Communities

In June 2009, EPA, the U.S. Department of Transportation, and the U.S. Department of Housing and Urban Development formed the Partnership for Sustainable Communities to help protect the environment by providing communities with more options for public transportation and better access to green, affordable housing. In FY13, EPA will build on the successes of the past two years to achieve four goals:

(1) Make EPA's resources and assistance easier for communities to understand and access.
(2) Identify and remove barriers to cleaning up and redeveloping contaminated land.
(3) Provide communities with implementation strategies and assistance to address specific barriers to more efficient and more cost-effective growth and development.
(4) Promote environmental justice.

In addition, in FY13, EPA will institutionalize assistance to the Federal Emergency Management Agency by developing guidelines and procedures to help communities prepare for disasters and rebuild more sustainably after a disaster. EPA will continue to provide similar support to other federal agencies, such as the U.S. Department of Agriculture, Centers for Disease Control, and the National Oceanic and Atmospheric Administration. This assistance helps these agencies protect the environment through their community development programs, policies, regulations, and resources, while meeting their core agency objectives. EPA also co-sponsors the Governor's Institute on Community Design with HUD and DOT. The institute works with governors and their cabinets to improve environmental and public health outcomes of community development.

Environmental Justice

EPA will continue its work in partnership with other federal agencies to address the environmental and public health issues facing communities with environmental justice concerns. In 2013, the Agency will continue its efforts to work collaboratively and constructively with all levels of government, and throughout the public and private sectors. The issues range from lead exposure, asthma, safe drinking water and sanitation systems to hazardous waste clean-up,

renewable energy/wind power development, and sustainable environmentally-sound economies. EPA and its federal partners are utilizing EPA's collaborative problem-solving model, based on the experiences of federal collaborative partnerships, to improve the federal government's effectiveness in addressing the environmental and public health concerns facing communities. As the lead agency for environmental justice pursuant to Executive Order 12898, EPA shares its knowledge and experience and offers assistance to other federal agencies as they enhance their strategies to integrate environmental justice into their programs, policies, and activities.

U.S.-Mexico Border

The Governments of Mexico and the United States agreed, in November 1993, to assist communities on both sides of the border in coordinating and carrying out environmental infrastructure projects. The agreement between Mexico and the United States furthers the goals of the North American Free Trade Agreement and the North American Agreement on Environmental Cooperation. To this purpose, the governments established two international institutions, the Border Environment Cooperation Commission (BECC) and the North American Development Bank (NADBank), which manages the Border Environment Infrastructure Fund (BEIF), to support the financing and construction of much needed environmental infrastructure.

The BECC, with headquarters in Ciudad Juarez, Chihuahua, Mexico, assists local communities and other sponsors in developing and implementing environmental infrastructure projects. The BECC also certifies projects as eligible for NADBank financing. The NADBank, with headquarters in San Antonio, Texas, is capitalized in equal shares by the United States and Mexico. NADBank provides new financing to supplement existing sources of funds and foster the expanded participation of private capital.

A significant number of residents along the U.S.-Mexico border area are without basic services such as potable water and wastewater treatment and the problem has become progressively worse in the last few decades. Over the last several years, EPA has continued to work with the U.S. and Mexican Sections of the International Boundary and Water Commission and Mexico’s national water commission, Comisión Nacional del Agua (CONAGUA), to further efforts to improve drinking water and wastewater services to communities within 100 km on the U.S. and 300 km on the Mexico side of the U.S.-Mexico border. The U.S.-Mexico Border 2012 Program represents a successful joint effort between the U.S. and Mexican governments in working with the 10 Border States and local communities to improve the region’s environmental health, consistent with the principles of sustainable development. Over the last several years, EPA has continued to work with the U.S. and Mexican Sections of the International Boundary and Water Commission and Mexico’s national water commission, Comisión Nacional del Agua (CONAGUA), to further efforts to improve drinking water and wastewater services to communities within 100 km on the U.S. and 300 km on the Mexico side of the U.S.-Mexico border.

Research

Research in ecosystems protection is coordinated government-wide through the Committee on Environment, Natural Resources, and Sustainability (CENRS). EPA actively participates in the CENRS and all work is fully consistent with, and complementary to, other Committee member activities. EPA scientists staff two CENRS Subcommittees: the Subcommittee on Ecological Systems (SES) and the Subcommittee on Water Availability and Quality (SWAQ). EPA has initiated discussions within the SES on the subject of ecosystem services, and potential ERP collaborations are being explored with the U.S. Geological Service (USGS) and with USDA Forest Service. Within SWAQ, the ERP has contributed to an initiative for a comprehensive census of water availability and quality, including the use of Environmental Monitoring and Assessment Program methods and ongoing surveys as data sources. In addition, EPA has taken a lead role with USGS in preparing a SWAQ document outlining new challenges for integrated management of water resources, including strategic needs for monitoring and modeling methods, and identifying water requirements needed to support the ecological integrity of aquatic ecosystems.

Consistent with the broad scope of the EPA's ecosystem research efforts, EPA has had complementary and joint programs with FS, USGS, USDA, NOAA, BLM, USFS, NGOs, and many others specifically to minimize duplication, maximize scope, and maintain a real time information flow. For example, all of these organizations work together to produce the National Land Cover Data used by all landscape ecologists nationally. Each contributes funding, services and research to this uniquely successful effort.

EPA expends substantial effort coordinating its research with other federal agencies, including work with DoD in its Strategic Environmental Research and Development Program (SERDP) and the Environmental Security Technology Certification Program, DOE and its Office of Health and Environmental Research. EPA also conducts collaborative laboratory research with DoD, DOE, DOI (particularly the USGS), and NASA to improve characterization and risk management options for dealing with subsurface contamination.

The Agency also is working with NIEHS, which manages a large basic research program focusing on Superfund issues, to advance fundamental Superfund research. The Agency for Toxic Substances and Disease Registry (ATSDR) also provides critical health-based information to assist EPA in making effective cleanup decisions. EPA works with these agencies on collaborative projects, information exchange, and identification of research issues and has a MOU with each agency. EPA, Army Corps of Engineers, and Navy recently signed a MOU to increase collaboration and coordination in contaminated sediments research. Additionally, the Interstate Technology Regulatory Council (ITRC) has proved an effective forum for coordinating federal and state activities and for defining continuing research needs through its teams on topics including permeable reactive barriers, radionuclides, and Brownfields. EPA has developed an MOU[11] with several other agencies [DOE, DoD, NRC, USGS, NOAA, and USDA] for multimedia modeling research and development.

[11] For more information please go to: Interagency Steering Committee on Multimedia Environmental Models MOU, http://www.iscmem.org/Memorandum.htm

Other research efforts involving coordination include the unique controlled-spill field research facility designed in cooperation with the Bureau of Reclamation. Geophysical research experiments and development of software for subsurface characterization and detection of contaminants are being conducted with the USGS and DOE's Lawrence Berkeley National Laboratory.

The Agency coordinates its research fellowship programs with other federal agencies and the nonprofit sector through the National Academies' Fellowships Roundtable, which meets biannually.[12]

EPA is coordinating with DoD's Strategic Environmental Research and Development Program (SERDP) in an ongoing partnership, especially in the areas of sustainability research and of incorporating materials lifecycle analysis into the manufacturing process for weapons and military equipment. EPA's People, Prosperity, and Planet (P3) student design competition for sustainability will partner with NASA, NSF, OFEE, USAID, USDA, CEQ, and OSTP.

Several federal agencies sponsor research on variability and susceptibility in risks from exposure to environmental contaminants. EPA collaborates with a number of the Institutes within the NIH and CDC. For example, NIEHS conducts multi-disciplinary biomedical research programs, prevention and intervention efforts, and communication strategies. The NIEHS program includes an effort to study the effects of chemicals, including pesticides and other toxics, on children. EPA collaborates with NIEHS in supporting the Centers for Children's Environmental Health and Disease Prevention, which study whether and how environmental factors play a role in children's health and with the National Institute on Child Health and Human Development on the development and implementation of the National Children's Study.

Objective: Preserve Land

Pollution prevention activities entail coordination with other federal departments and agencies. For example, EPA coordinates with the General Services Administration (GSA) on the use of safer products for indoor painting and cleaning, with the Department of Defense (DoD) on the use of safer paving materials for parking lots, and with the Defense Logistics Agency on safer solvents. The program also works with the National Institute of Standards and Technology and other groups to develop standards for Environmental Management Systems.

In addition to business, industry, and other non-governmental organizations, EPA works with federal, state, Tribal, and local governments to encourage reduced generation and safe recycling of wastes. Partners in this effort include the Environmental Council of States and the Association of State and Territorial Solid Waste Management Officials.

The federal government is the single largest potential source for "green" procurement in the country, for office products as well as products for industrial use. EPA works with the Office of Federal Environmental Executive and other federal agencies and departments in advancing the purchase and use of recycled-content and other "green" products. In particular, the Agency is currently engaged with other organizations within the Executive Branch to foster compliance

[12] For more information, see <http://www7.nationalacademies.org/fellowships/roundtable.html>.

with Executive Order 13423, and in tracking and reporting purchases of products made with recycled contents, in promoting electronic stewardship, and achieving waste reduction and recycling goals.

In addition, the Agency is currently engaged with the DoD, the Department of Education, the Department of Energy (DOE), the U.S. Postal Service, and other agencies to foster proper management of surplus electronics equipment, with a preference for reuse and recycling. With these agencies, and in cooperation with the electronics industry, EPA and the Office of the Federal Environmental Executive launched the Federal Electronics Challenge which will lead to increased reuse and recycling of an array of computers and other electronics hardware used by civilian and military agencies.

Objective: Restore Land

Superfund Remedial Program

As referenced above, the Superfund Remedial program coordinates with several other federal agencies, such as ATSDR and NIEHS, in providing numerous Superfund related services in order to accomplish the program's mission.

The U.S. Army Corps of Engineers also substantially contributes to the cleanup of Superfund sites by providing technical support for the design and construction of many fund-financed remediation projects through site-specific interagency agreements. This federal partner has the technical design and construction expertise and contracting capability needed to assist EPA regions in implementing a number of Superfund remedial action projects. This agency also provides technical on-site support to Regions in the enforcement oversight of numerous construction projects performed by private Potentially Responsible Parties.

Superfund Federal Facilities Program

The Superfund Federal Facilities program coordinates with federal agencies, states, tribes, state associations, and others to implement its statutory responsibilities to ensure cleanup and property reuse. The program provides technical and regulatory oversight at federal facilities to ensure human health and the environment are protected.

EPA has entered into Interagency Agreements (IAGs) with DOD, DOE, and other federal agencies to expedite the cleanup and transfer of federal properties. A Memorandum of Understanding has been negotiated with DOD to continue the Agency's oversight support through September 30, 2011 for the acceleration of cleanup and property transfer at specific Base Realignment and Closure (BRAC) installations affected by the first four rounds of BRAC. In addition, EPA is currently in negotiations with DOD to extend BRAC oversight support through FY 2016. EPA has signed IAGs with the DOE to expedite the cleanup and to support DOE's efforts of reducing the footprint at the Savannah River Site, Oak Ridge Reservation, Hanford, and the Idaho National Laboratory sites using DOE's ARRA funding. EPA also has signed an IAG with DOE to provide funding for EPA Region 9 to conduct a radiological study to determine the radiological contamination in soil and groundwater at the Santa Susana site. EPA

will continue to provide technical input regarding innovative and flexible regulatory approaches, streamlining of documentation, integration of projects, deletion of sites from the National Priorities List, field assessments, and development of management documents and processes.

Superfund Financial Responsibility Regulations

EPA currently is developing new regulations that will require facilities in the hardrock mining and mineral processing, chemical manufacturing, petroleum refining, and electric power generation industry to provide appropriate financial responsibility demonstrations for damage to human health and the environment that may be the result of those manufacturing activities. This effort will require close coordination with the DOI (BLM) and USDA (Forest Service) related to mining/mineral processing activities on federal lands, and DoD and DOE regarding the other industrial facilities that will be potentially impacted.

Resource Conservation and Recovery Act

The RCRA Waste Management and Corrective Action programs coordinate closely with other federal agencies, primarily the DoD and DOE, which have many sites in the corrective action and permitting universe. Encouraging federal facilities to meet the RCRA Corrective Action and Waste Management permitting program's goals remains a top priority.

RCRA programs also coordinate with the Department of Commerce, the Department of Transportation, and the Department of State to ensure the safe movement of domestic and international shipments of hazardous waste.

Leaking Underground Storage Tanks

States and territories use the LUST Trust Fund in addition to other resources to administer their corrective action programs, oversee cleanups by responsible parties, undertake necessary enforcement actions, and pay for cleanups in cases where a responsible party cannot be found or is unwilling or unable to pay for a cleanup.

States are key to achieving long-term strategic goals and objectives. Except in Indian country where EPA directly funds oversight and clean-up activities, EPA relies on state agencies to implement the LUST program, including overseeing cleanups by responsible parties and responding to emergency LUST releases. LUST cooperative agreements awarded by EPA are directly given to the states to assist them in implementing their oversight and programmatic role.

Emergency Preparedness and Response

EPA plays a major role in reducing the risks that accidental and intentional releases of harmful substances and oil pose to human health and the environment. EPA implements the Emergency Preparedness program in coordination with the Department of Homeland Security (DHS) and other federal agencies to deliver federal assistance to state, local, and Tribal governments during natural disasters and other major environmental incidents. This requires continuous coordination

with many federal, state and local agencies. The Agency participates with other federal agencies to develop national planning and implementation policies at the operational level.

The National Response Framework (NRF), under the direction of the DHS, provides for the delivery of federal assistance to states to help them deal with the consequences of terrorist events as well as natural and other significant disasters. EPA maintains the lead responsibility for the NRF's Emergency Support Function covering inland hazardous materials and petroleum releases and participates in the Federal Emergency Support Function Leaders Group which addresses NRF planning and implementation at the operational level.

EPA coordinates its preparedness activities with DHS, FEMA, the Federal Bureau of Investigation, and other federal agencies, states, and local governments. EPA will continue to clarify its roles and responsibilities to ensure that Agency security programs are consistent with the national homeland security strategy.

Superfund Enforcement (see Goal 5)

Oil Spills

Under the Oil Spill Program, EPA works with other federal agencies such as U.S. Fish and Wildlife Service, the U.S. Coast Guard (USCG), NOAA, FEMA, DOI, DOT, DOE, and other federal agencies and states, as well as with local government authorities to develop Area Contingency Plans. The Department of Justice also provides assistance to agencies with judicial referrals when enforcement of violations becomes necessary. EPA will have an active interagency agreement with the USCG providing continued support for the National Response Center and oil spill response technical assistance. EPA and the USCG work in coordination with other federal authorities to implement the National Preparedness for Response Program.

Objective: Strengthen Human Health and the Environment in Indian Country

EPA works under two important Tribal infrastructure Memoranda of Understandings (MOU) amongst five federal agencies. EPA, the Department of the Interior, Department of Health and Human Services, Department of Agriculture, and the Department of Housing and Urban Development work as partners to improve infrastructure on Tribal lands and currently focus efforts on providing access to safe drinking water and basic wastewater facilities to tribes.

The first, or umbrella MOU, promotes coordination between federal Tribal infrastructure programs, including financial services, while allowing federal programs to retain their unique advantages. It is fully expected that the efficiencies and partnerships resulting from this collaboration will directly assist tribes with their infrastructure needs. Under the umbrella MOU, for the first time, five federal departments joined together and agreed to work across traditional program boundaries on Tribal infrastructure issues. The second MOU, addressing a specific infrastructure issue, was created under the umbrella authority and addresses the issue of access to safe drinking water and wastewater facilities on Tribal lands. Currently, the five federal agencies are working together to develop solutions for specific geographic areas of concern (Alaska,

Southwest), engaging in coordination of ARRA funding, and promoting cross-agency efficiency. These activities are completed in coordination with federally recognized tribes.

For more information, please see the web link: http://www.epa.gov/tribalportal/mous.htm.

Additionally, EPA is continuing to work closely with other federal agencies as well as the Domestic Policy Council to implement President Obama's directive regarding the Tribal consultation process. The President's November 5th, 2009 Memorandum directs each executive department to develop a detailed plan to implement Executive Order (EO) 13175, "Consultation and Coordination with Indian Tribal Governments," issued by President Clinton in 2000. Under EO 13175, "all departments and agencies are charged with engaging in regular and meaningful consultation and collaboration with Tribal officials in the development of federal policies that have Tribal implications, and are responsible for strengthening the government-to-government relationship between the United States and Indian tribes."

On May 4, 2011, EPA released its final policy on consultation and coordination with Indian tribes. EPA is among the first of the federal agencies to finalize its consultation policy in response to President Obama's first tribal leaders summit in November 2009, and the issuance of Executive Order 13175 to establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications.

Goal 4 – Ensuring the Safety of Chemicals and Preventing Pollution

Objective: Chemical and Pesticide Risks

Coordination with state lead agencies and with the USDA provides added impetus to the implementation of the Certification and Training program. States also provide essential activities in developing and implementing the Endangered Species and Worker Protection programs and are involved in numerous special projects and investigations, including emergency response efforts. The Regions provide technical guidance and assistance to the states and tribes in the implementation of all pesticide program activities.

EPA uses a range of outreach and coordination approaches for pesticide users, agencies implementing various pesticide programs and projects, and the general public. Outreach and coordination activities are essential to effective implementation of regulatory decisions. In addition, coordination activities protect workers and endangered species, provide training for pesticide applicators, promote integrated pest management and environmental stewardship, and support for compliance through EPA's Regional programs and those of the states and tribes.

In addition to the training that EPA provides to farm workers and restricted use pesticide applicators, EPA works with the State Cooperative Extension Services designing and providing specialized training for various groups. Such training includes instructing private applicators on the proper use of personal protective equipment and application equipment calibration, handling spill and injury situations, farm family safety, preventing pesticide spray drift, and pesticide and container disposal. Other specialized training is provided to public works employees on grounds

maintenance, to pesticide control operators on proper insect identification, and on weed control for agribusiness.

EPA coordinates with and uses information from a variety of federal, state and international organizations and agencies in our efforts to protect the safety of America's health and environment from hazardous or higher risk pesticides. In May 1991, the USDA implemented the Pesticide Data Program (PDP) to collect objective and statistically reliable data on pesticide residues on food commodities. This action was in response to public concern about the effects of pesticides on human health and environmental quality. EPA uses PDP data to improve dietary risk assessment to support the registration of pesticides for minor crop uses.

PDP is critical to implementing the Food Quality Protection Act (FQPA). The system provides improved data collection of pesticide residues, standardized analytical and reporting methods, and sampling of foods most likely consumed by infants and children. PDP sampling, residue, testing and data reporting are coordinated by the Agricultural Marketing Service using cooperative agreements with ten participating states representing all regions of the country. PDP serves as a showcase for federal-state cooperation on pesticide and food safety issues.

FQPA requires EPA to consult with other government agencies on major decisions. EPA, USDA and FDA work closely together via working committees to deal with a variety of issues that affect the involved agencies' missions. For example, agencies work together on residue testing programs and on enforcement actions that involve pesticide residues on food, and agencies coordinate review of antimicrobial pesticides. The Agency coordinates with USDA/ARS in promotion and communication of resistance management strategies. Additionally, EPA actively participates in the Federal Interagency Committee on Invasive Animals and Pathogens (ITAP) which includes members from USDA, DOL, DoD, DHS and CDC to coordinate planning and technical advice among federal entities involved in invasive species research, control and management.

While EPA is responsible for making registration and tolerance decisions, the Agency relies on others to carry out some of the enforcement activities. Registration-related requirements under FIFRA are enforced by the states. The HHS/FDA enforces tolerances for most foods and the USDA/Food Safety and Inspection Service enforces tolerances for meat, poultry and some egg products.

EPA's objective is to promote improved health and environmental protection, both domestically and worldwide. The success of this objective is dependent on successful coordination not only with other countries, but also with various international organizations such as the Intergovernmental Forum on Chemical Safety (IFCS), the North American Commission on Environmental Cooperation (CEC), OECD, the United Nations Environment Program (UNEP) and the CODEX Alimentarius Commission. NAFTA and cooperation with Canada and Mexico play an integral part in the harmonization of data requirements. These partnerships serve to coordinate policies, harmonize guidelines, share information, correct deficiencies, build other nations' capacity to reduce risk, develop strategies to deal with potentially harmful pesticides and develop greater confidence in the safety of the food supply.

The nexus of environmental protection and international trade has long been a priority for EPA engagement. EPA has played a key role in ensuring trade-related activities sustain environmental protection since the 1972 Trade Act mandated inter-agency consultation by the U.S. Trade Representative (USTR) on trade policy issues. EPA is a member of the Trade Policy Staff Committee (TPSC) and the Trade Policy Review Group (TPRG), interagency mechanisms that are organized and coordinated by USTR to provide advice, guidance and clearance to the USTR in the development of U.S. international trade and investment policy.

To effectively participate in the international agreements on Persistent Organic Pollutants (POPs), heavy metals, EPA must continue to coordinate with other federal agencies and external stakeholders, such as Congressional staff, industry, and environmental groups. Similarly, the Agency typically coordinates with FDA's National Toxicology Program, the CDC/ATSDR, NIEHS and the Consumer Product Safety Commission (CPSC) on matters relating to OECD test guideline harmonization.

EPA also works closely with the Department of State in leading the technical and policy engagement for the United States Government at international negotiations on global mercury. EPA provided the impetus for UNEP's Global Mercury Program, and the agency continues to work with developing countries and with other developed countries in the context of that program. In addition to the Department of State, EPA collaborates closely with several federal agencies including DOE and USGS; and has developed a strong network of domestic private sector and non-governmental partners interested in working on this issue.

EPA is a leader in global discussions on mercury and was instrumental in the launch of UNEP's Global Mercury Program, and the agency will continue to work with developing countries and with other developed countries in the context of that program. In addition, we have developed a strong network of domestic partners interested in working on this issue, including the DOE and the USGS.

One of the Agency's most valuable partners on pesticide issues is the Pesticide Program Dialogue Committee (PPDC), which brings together a broad cross-section of knowledgeable individuals from organizations representing divergent views to discuss pesticide regulatory, policy and implementation issues. The PPDC consists of members from industry/trade associations, pesticide user and commodity groups, consumer and environmental/public interest groups and others.

The PPDC provides a structured environment for meaningful information exchanges and consensus building discussions, keeping the public involved in decisions that affect them. Dialogue with outside groups is essential if the Agency is to remain responsive to the needs of the affected public, growers, and industry organizations.

EPA relies on data from HHS to help assess the risk of pesticides to children. Other collaborative efforts that go beyond our reliance on the data they collect include developing and validating methods to analyze domestic and imported food samples for organophosphates, carcinogens, neurotoxins and other chemicals of concern. These joint efforts protect Americans from unhealthful pesticide residue levels.

EPA's chemical testing data provides information for the OSHA worker protection programs, NIOSH for research, and the Consumer Product Safety Commission (CPSC) for informing consumers about products through labeling. EPA frequently consults with these Agencies on project design, progress and the results of chemical testing projects.

The success of EPA's lead program is due in part to effective coordination with other federal agencies, states and Indian Tribes through the President's Task Force on Environmental Health Risks and Safety Risks to Children. EPA will continue to coordinate with HUD to clarify how new rules may affect existing EPA and HUD regulatory programs, and with the FHWA and OSHA on worker protection issues. EPA will continue to work closely with state and federally recognized Tribes to ensure that authorized state and Tribal programs continue to comply with requirements established under TSCA, that the ongoing federal accreditation certification and training program for lead professionals is administered effectively, and states and tribes adopt the Renovation and Remodeling and the Buildings and Structures Rules when these rules become effective.

EPA has an Interagency Agreement with HUD on coordination of efforts on lead-based paint issues. As a result of the agreement, EPA and HUD have co-chaired the President's Task Force since 1997. There are fourteen other federal agencies including CDC and DoD on the Task Force. HUD and EPA also maintain the National Lead Information Center and share enforcement of the Disclosure Rule.
Coordination on safe PCB disposal is an area of ongoing emphasis with the DoD, and particularly with the U.S. Navy, which has special concerns regarding PCBs encountered during ship scrapping. Mercury storage and safe disposal also are important issues requiring coordination with the Department of Energy and DoD as they develop alternatives and explore better technologies for storing and disposing high risk chemicals.

Research

ToxCast™ is EPA's part of the multi-agency Tox21 collaboration that is currently screening nearly 10,000 environmental chemicals for potential toxicity in high-throughput screening assays at the NIH Chemical Genomics Center (NCGC). EPA contributes under an MOU with NIEHS' National Toxicological Program, FDA's Center for Drug Evaluation and Research, and NCGC's National Human Genome Research Institute. EPA also has an agreement to provide NCGC funding to support the effort. ToxCast is currently finishing Phase II in which 1,000 of the 10,000 chemicals are being screened in an additional ~700 assays through EPA supported contracts with a dozen laboratories around the country. The data from these innovative, rapid testing methods will be made available to risk assessors.

The Next Generation (NexGen) of Risk Assessment is a multi-agency project, chaired by EPA, that builds upon ToxCast research efforts. CDC's ATSDR and the State of California's Environmental Protection Agency participate in addition to most Tox21 collaborators. Using the wealth of data currently being generated on molecular systems biology and gene-environment interactions, NexGen will develop approaches to make these data useful for human health risk assessment. The goal is to make risk assessments faster, less expensive, and more scientifically robust. In particular, NexGen is intended to help assess the array of chemicals that are potential

environmental contaminants of concern that are too numerous to address by traditional approaches.

EPA coordinates its nanotechnology research with other federal agencies through the National Nanotechnology Initiative (NNI),[13] which is managed under the Subcommittee on Nanoscale Science, Engineering and Technology (NSET) of the NSTC Committee on Technology (CoT). The Agency's Science to Achieve Results (STAR) program, which awards research grants to universities and non-profit organizations, has issued its recent nanotechnology grants[14] jointly with NIOSH, NIEHS, and NSF.

EPA coordinates its research on endocrine disruptors with other federal agencies through the interagency working group on endocrine disruptors under the auspices of the Toxics and Risk Subcommittee of the CENR. EPA coordinates its biotechnology research through the interagency biotechnology research working group and the agricultural biotechnology risk analysis working group of the Biotechnology Subcommittee of NSTC's Committee on Science.

EPA coordinates with ATSDR through a memorandum of understanding on the development of toxicological reviews and toxicology profiles, respectively. EPA also consults with other federal agencies about the science of individual IRIS assessments as well as improvements to the IRIS Program through an interagency working group including public health agencies (e.g., CDC, ATSDR, NIOHS, and NIEHS). The Agency contracts with the National Academy of Sciences (NAS) on very difficult and complex human health risk assessments through consultation or review.

Homeland Security research is conducted in collaboration with numerous agencies, leveraging funding across multiple programs and producing synergistic results. EPA's National Homeland Security Research Center (NHSRC) works closely with the DHS to assure that EPA's efforts are directly supportive of DHS priorities. EPA also is working with DHS to provide support and guidance to DHS in the startup of their University Centers of Excellence program. Recognizing that the DoD has significant expertise and facilities related to biological and chemical warfare agents, EPA works closely with the Edgewood Chemical and Biological Center (ECBC), the Technical Support Working Group, the Army Corps of Engineers, and other Department of Defense organizations to address areas of mutual interest and concern. In conducting biological agent research, EPA also is collaborating with CDC. EPA works with DOE to access and support research conducted by DOE's National Laboratories, as well as to obtain data related to radioactive materials.

In addition to these major collaborations, the NHSRC has relationships with numerous other federal agencies, including the U.S. Air Force, U.S. Navy, FDA, USGS and NIST. Also, the NHSRC is working with state and local emergency response personnel to understand better their needs and build relationships, which will enable the quick deployment of NHSRC products. In the water infrastructure arena, the NHSRC is providing information to the Water Information Sharing Networks program. The NAS has also been engaged to provide advice on the long-term direction of the water research and technical support program.

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[13] For more information, see <http://www.nano.gov>.
[14] For an example, see <http://es.epa.gov/ncer/rfa/2005/2005_star_nano.html>.

Objective: Promote Pollution Prevention

EPA is involved in a broad range of pollution prevention (P2) activities which can yield reductions in waste generation and energy consumption in the public and private sectors. For example, the Environmental Performance through Pollution Prevention and Innovation Environmental Preferable Purchasing (EPP) initiative, which implements Executive Orders 12873 and 13101, promotes the use of cleaner products by federal agencies. This is aimed at stimulating demand for the development of such products by industry.

This effort includes a number of demonstration projects with other federal Departments and agencies, such as the National Park Service (NPS) (to use Green Purchasing as a tool to achieve the sustainability goals of the parks), the Department of Defense (DoD) (use of environmentally preferable construction materials), and Defense Logistics Agency (identification of environmental attributes for products in its purchasing system). The program also is working within EPA to "green" its own operations. The program also works with the Department of Commerce's National Institute of Science and Technology (NIST) to develop a life-cycle based decision support tool for purchasers.

Under the Suppliers' Partnership for the Environment program and its umbrella program, the Green Suppliers' Network (GSN), EPA's P2 Program is working closely with NIST and its Manufacturing Extension Partnership Program to provide technical assistance to the process of "greening" industry supply chains. The EPA also is working with the Department of Energy's (DOE) Industrial Technologies Program to provide energy audits and technical assistance to these supply chains.

The Agency is required to review environmental impact statements and other major actions impacting the environment and public health proposed by all federal agencies, and make recommendations to the proposing federal agency on how to remedy/mitigate those impacts. Although EPA is required under Section 309 of the Clean Air Act (CAA) to review and comment on proposed federal actions, neither the National Environmental Policy Act nor Section 309 CAA require a federal agency to modify its proposal to accommodate EPA's concerns. EPA does have authority under these statutes to refer major disagreements with other federal agencies to the Council on Environmental Quality. Accordingly, many of the beneficial environmental changes or mitigation that EPA recommends must be negotiated with the other federal agency. The majority of the actions EPA reviews are proposed by the Forest Service, Department of Transportation (including the Federal Highway Administration and Federal Aviation Administration), USACE, DOI (including Bureau of Land Management, Minerals Management Service and National Parks Service), Department of Energy (including the Federal Regulatory Commission), and the Department of Defense.

Goal 5- Enforcing Environmental Laws

Objective: Address pollution problems through vigorous and targeted civil and criminal enforcement. Assure compliance with environmental laws.

The Enforcement and Compliance Assurance Program coordinates closely with the Department of Justice (DOJ) on all civil and criminal environmental enforcement matters. In addition, the program coordinates with other agencies on specific environmental issues as described herein.

The Enforcement and Compliance Assurance program coordinates with the Chemical Safety and Accident Investigation Board, OSHA, and the Agency for Toxic Substances and Disease Registry in preventing and responding to accidental releases and endangerment situations, with the Bureau of Indian Affairs (BIA) on Tribal issues relative to compliance with environmental laws on Tribal lands, and with the Small Business Administration (SBA) on the implementation of the Small Business Regulatory Enforcement Fairness Act (SBREFA). The program also shares information with the Internal Revenue Service (IRS) on cases which require defendants to pay civil penalties, thereby assisting the IRS in assuring compliance with tax laws. In addition, it collaborates with the SBA to maintain current environmental compliance information at Business.gov, a website initiated as an e-government initiative in 2004 to help small businesses comply with government regulations. The program also works with a variety of federal agencies, including the Department of Labor (DOL), and the IRS to organize a Federal Compliance Assistance Roundtable to address cross-cutting compliance assistance issues. Coordination also occurs with the United States Army Corps of Engineers (USACE) on wetlands issues.

The United States Department of Agriculture/Natural Resources Conservation Service (USDA/NRCS) has a major role in determining whether areas on agricultural lands meet the definition of wetlands for purposes of the Food Security Act. Civil Enforcement coordinates with USDA/NRCS on these issues also. EPA's Enforcement and Compliance Assurance program also coordinates with USDA on the regulation of animal feeding operations and on food safety issues arising from the misuse of pesticides and shares joint jurisdiction with the Federal Trade Commission (FTC) on pesticide labeling and advertising. Coordination also occurs with Customs and Border Protection on implementing the secure International Trade Data System across all federal agencies and on pesticide imports. EPA and the Food and Drug Administration (FDA) share jurisdiction over general-purpose disinfectants used on non-critical surfaces and some dental and medical equipment surfaces (e.g., wheelchairs). The Agency has entered into an agreement with Housing and Urban Development (HUD) concerning enforcement of the Toxic Substance Control Act (TSCA) lead-based paint notification requirements.

The Criminal Enforcement program coordinates with other federal law enforcement agencies (i.e., Federal Bureau of Investigation (FBI), Customs, DOL, U.S. Treasury, United States Coast Guard (USCG), Department of the Interior (DOI) and DOJ) and with international, state and local law enforcement organizations in the investigation and prosecution of environmental crimes. EPA also actively works with DOJ to establish task forces that bring together federal, state, and local law enforcement organizations to address environmental crimes. In addition, the program has an Interagency Agreement with the Department of Homeland Security (DHS) to provide specialized criminal environmental training to federal, state, local, and Tribal law

enforcement personnel at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA.

Under Executive Order 12088, EPA is directed to provide technical assistance to other federal agencies to help ensure their compliance with all environmental laws. The Federal Facility Enforcement program coordinates with other federal agencies, states, local, and Tribal governments to ensure compliance by federal agencies with all environmental laws. In FY 2013, EPA also will continue its efforts to support the ***FedCenter***, the Federal Facilities Environmental Stewardship and Compliance Assistance Center (www.fedcenter.gov), which is now governed by a board of more than a dozen contributing federal agencies.

The Enforcement and Compliance Assurance program collaborates with the states and tribes. States perform the vast majority of inspections, direct compliance assistance, and enforcement actions. Most EPA statutes envision a partnership between EPA and the states under which EPA develops national standards and policies and the states implement the program under authority delegated by EPA. If a state does not seek approval of a program, EPA must implement that program in the state. Historically, the level of state approvals has increased as programs mature and state capacity expands, with many of the key environmental programs approaching approval in nearly all states. EPA will increase its effort to coordinate with states on training, compliance assistance, capacity building, and enforcement. EPA will continue to enhance the network of state and Tribal compliance assistance providers.

The Enforcement and Compliance Assurance program chairs the Interagency Environmental Leadership Workgroup established by Executive Order 13148. The Workgroup consists of over 100 representatives from most federal departments and agencies. Its mission is to assist all federal agencies with meeting the mandates of the Executive Order, including implementation of environmental management systems and environmental compliance auditing programs, reducing both releases and uses of toxic chemicals, and compliance with pollution prevention and pollution reporting requirements. In FY 2013, the program also will work with its Regions, states and directly with a number of other federal agencies to improve Resource Conservation and Recovery Act (RCRA), Clean Water Act (CWA), and other statutory compliance at federal facilities, which array the full range of Agency tools to promote compliance in an effective and efficient manner.

EPA works directly with Canada and Mexico bilaterally and in the Trilateral Commission for Environmental Cooperation (CEC). EPA's border activities require close coordination with the Bureau of Customs and Border Protection, the Fish and Wildlife Service, the DOJ, and the States of Arizona, California, New Mexico, and Texas. EPA is the lead agency and coordinates U.S. participation in the CEC. EPA works with the National Oceanic and Atmospheric Administration (NOAA), the Fish and Wildlife Service, and the U.S. Geological Survey on CEC projects to promote biodiversity cooperation and with the Office of the U.S. Trade Representative to reduce potential trade and environmental impacts such as invasive species.

Superfund Enforcement

As required by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Executive Order 12580, the Enforcement and Compliance Assurance program coordinates with other federal agencies in their use of CERCLA enforcement authority. This includes the coordinated use of CERCLA enforcement authority at individual hazardous waste sites that are located on both nonfederal land (EPA jurisdiction) and federal lands (other agency jurisdiction). As required by Executive Order 13016, the Agency also coordinates the use of CERCLA Section 106 administrative order authority by other departments and agencies.

EPA also coordinates with the Departments of the Interior, Agriculture, and Commerce to ensure that appropriate and timely notices, required under CERCLA, are sent to the Natural Resource Trustees to commence the Natural Resource Damage Assessment process. The Department of Justice also provides assistance to EPA with judicial referrals seeking recovery of response costs incurred by the U.S., injunctive relief to implement response actions, or enforcement of other CERCLA requirements.

Under Executive Order 12580, the Superfund Federal Facilities Enforcement program assists federal agencies in complying with CERCLA. It ensures that 1) all federal facility sites on the National Priorities List have interagency agreements, also known as Federal Facility Agreements or FFAs, which provide enforceable schedules for the progression of the entire cleanup; 2) these FFAs are monitored by EPA for compliance; 3) federal sites that are transferred to new owners are transferred in an environmentally responsible manner; and 4) assistance is available, to the extent possible, to assist federal facilities in complying with their cleanup responsibilities. It is this program's responsibility to ensure that federal agencies, by law, comply with Superfund cleanup obligations "in the same manner and to the same extent" as private entities. After years of service and operation, some federal facilities contain environmental contamination, such as hazardous wastes, unexploded ordnance, radioactive wastes, or other toxic substances. To enable the cleanup and reuse of such sites, the Federal Facilities Enforcement program coordinates creative solutions that protect both human health and the environment. These enforcement solutions help restore facilities so they can once again serve an important role in the economy and welfare of local communities and the country.

COORDINATION WITH OTHER FEDERAL AGENCIES

Enabling Support Programs

Office of the Administrator (OA)

The Office of the Administrator (OA) supports the leadership of the Environmental Protection Agency's (EPA) programs and activities to protect human health and safeguard the air, water, and land upon which life depends. Several program responsibilities include Congressional and intergovernmental relations, regulatory management and economic analysis, homeland security - including intelligence coordination, the Science Advisory Board, children's health, the small business program, and environmental training and outreach.

The Office of Congressional and Intergovernmental Relations (OCIR) is the Agency's principal point of contact for Congress, state and local governments. As liaison to the Agency's major programs, key functions include: developing EPA's legislative agenda; facilitating coordination and responses to requests from Congress, state and local governments; coordinating the appearance of witnesses and preparing them for Congressional hearings, including confirmation hearings; managing the Agency's Congressional and gubernatorial correspondence; managing/moritoring environmental issues through interaction with state and local governments (and other related entities); managing EPA's Local Government Advisory Committee and the National Environmental Performance Partnership System (NEPPS). OCIR coordinates testimony and questions for the record with the Office of Management and Budget (OMB). The office coordinates EPA's review of testimony of other agencies, and coordinates legislative proposals needing interagency review. OCIR also coordinates with other Federal agencies on issues and/or activities involving state and local governments.

EPA's Office of Policy (OP) interacts with a number of federal agencies during its rulemaking activities. Per Executive Order 12866 – Regulatory Planning and Review, OP submits "significant" regulatory actions to OMB for interagency review prior to signature and publication in the *Federal Register*. Under the Congressional Review Act (CRA), rules are submitted to each House of Congress and to the Comptroller General of the United States. Regulatory actions and other information are published through the Office of the Federal Register. For regulations that may have a significant economic impact on a substantial number of small entities, OP collaborates with the Small Business Administration (SBA) and OMB.

OP collaborates with other federal agencies in the collection of economic data used in the conduct of economic cost-benefit analyses of environmental regulations and policies; and other natural resource agencies (e.g., the United States Department of Agriculture (USDA), the Department of the Interior (DOI), and the National Oceanic Atmospheric Administration (NOAA)) to foster improved interdisciplinary research and reporting of economic information. This is achieved by supporting workshops and symposiums on environmental economics topics (e.g., economic valuation of ecosystem services, adoption of flexible regulatory mechanisms to achieve environmental goals) and measuring health and welfare benefits (e.g., represent the Agency's issues in cross-agency groups charged with informing USDA efforts to establish

markets for ecosystem services). Working with the USDA and the Department of Energy (DOE), OP continues to evaluate and improve climate change integrated assessment models and develop measures of the social damages attributable to Greenhouse Gas (GHG) emissions. This information is used to generate estimates of the social cost of carbon (SCC), which enables federal agencies to better incorporate climate impact assessments and estimates of associated economic damages into policy and regulatory analyses.

OP also works with the National Institute of Standards and Technology (NIST) and its Manufacturing Extension Partnership (MEP) program to help the MEP Centers deliver assistance on environmental and energy matters as part of their services to small and medium-sized businesses. Under the Suppliers' Partnership for the Environment program and its umbrella program, the Green Suppliers' Network (GSN), OP provides technical assistance to the process of "greening" industry supply chains. OP is working with the DOE's Industrial Technologies Program to provide energy audits and technical assistance to these supply chains. Toolkits on the integration of environmental and energy considerations into "lean manufacturing" techniques are widely used by MEP centers. OP is assisting the centers in developing their "sustainable manufacturing" tools and curriculum. OP participates in interagency activities organized by the Commerce Department's Sustainable Manufacturing Initiative. The "Lean Manufacturing" toolkits are also used by the Department of Defense (DoD) for training.

The Office of Children's Health Protection (OCHP) provides leadership for cross-Agency efforts to protect children from exposure to toxins, pollution, and other environmental health threats in their homes, schools, and communities. Children are at greater risk of harm from exposure to environmental toxins than adults because of their unique physiology and behavior patterns. The OCHP ensures that children's unique vulnerabilities are carefully considered in Agency policy and regulatory development and that children's environmental health is central in outreach and public education activities. OCHP works with other federal departments and agencies, state, Tribal, and local governments to coordinate diverse program and research efforts to help ensure that children's environmental health is protected where they live, learn, work, and play.

The EPA's Office of Homeland Security (OHS) works closely with many other federal departments and agencies to meet the goals of presidential homeland security directives and plans. These efforts include working through the Interagency Planning Committees (IPCs) and other avenues to ensure that the EPA's efforts are integrated into, and can build upon, the efforts of other federal agencies. OHS also coordinates the development of responses to inquiries from the White House, Department of Homeland Security (DHS), Congress, and others with oversight responsibilities for homeland security efforts. EPA's ability to effectively implement its broad range of homeland security responsibilities is significantly enhanced through coordination with other federal agencies. OHS also has a strong partnership with various elements of the Intelligence Community and collaborates with them on a weekly, if not daily basis, to ensure that interagency intelligence-related planning and operational requirements are met. This is achieved through coordination with the Office of the Director for National Intelligence, the Department of Homeland Security, the Central Intelligence Agency, the National Security Agency, the Federal Bureau of Investigation, the Department of Defense, and the White House National Security Staff.

The Science Advisory Board (SAB) primarily provides the Administrator with independent peer reviews and advice on the scientific and technical aspects of environmental issues to inform the Agency's environmental decision-making. Often, the Agency program office seeking the SAB's review and advice has identified the federal agencies interested in the scientific topic at issue. The SAB coordinates with those federal agencies by providing notice of its activities through the *Federal Register*, and, as appropriate, inviting federal agency experts to participate in the peer review or advisory activity. The SAB, from time to time, also convenes science workshops on emerging issues and invites federal agency participation through the greater federal scientific and research community.

The Office of Small Business Programs (OSBP) works with the Small Business Administration (SBA) and other federal agencies to increase the participation of small and disadvantaged businesses in EPA's procurements. OSBP works with the SBA to develop EPA's goals for contracting with small and disadvantaged businesses; address bonding issues that pose a roadblock for small businesses in specific industries, such as environmental clean-up and construction; and address data-collection issues that are of concern to Offices of Small and Disadvantaged Business Utilization (OSDBU) throughout the federal government. OSBP works closely with regional and headquarters program offices and the Center for Veterans Enterprise to increase the amount of EPA procurement dollars awarded to Service-Disabled Veteran-Owned Small Businesses (SDVOSB). OSBP, through its Minority Academic Institutions (MAI) Program, also works with the Department of Education and the White House Initiative on Historically Black Colleges and Universities (HBCU) to increase the institutional capacity of HBCUs and to create opportunities for them to work with federal agencies, especially in the area of scientific research and development. OSBP coordinates with the Minority Business Development Agency, the Department of Veterans Affairs, the Department of Defense, and many other federal agencies to provide outreach to small disadvantaged businesses and Minority-Serving Institutions throughout the United States and the trust territories. OSBP's Director is an active participant in the Federal OSDBU Directors' Council (www.osdbu.gov). The OSDBU Directors' Council collaborates to support major outreach efforts to small and disadvantaged businesses, SDVOSB, and minority academic institutions via conferences, business fairs, and speaking engagements. The OSBP's Asbestos and Small Business Ombudsman program partners with SBA and other federal agencies to ensure that small business concerns are considered in regulatory development and compliance efforts, and to provide networks, resources, tools, and forums for education and advocacy on behalf of small businesses across the country.

Office of the Chief Financial Officer (OCFO)

OCFO makes active contributions to standing interagency management committees, including the Chief Financial Officers Council, focusing on improving resources management and accountability throughout the federal government. OCFO actively participates on the Performance Improvement Council which coordinates and develops strategic plans, performance plans, and performance reports as required by law for the Agency. In addition, OCFO participates in numerous OMB-led E-Gov initiatives such as the Financial Management and Budget Formulation and Execution Lines of Business and has interagency agreements with the DoD for processing agency payroll. OCFO provides a Relocation Resource Center capable of

managing "one-stop shopping" domestic and international relocations. The EPA currently provides services internally to EPA, as well as externally to the Transportation Security Administration (TSA), USDA, and U.S. Department of Labor (DOL). OCFO also participates with the Department of Commerce's (DOC) Bureau of Census in maintaining the Federal Assistance Awards Data System (FAADS). OCFO also coordinates appropriately with Congress and other federal agencies, such as the Department of Treasury, the OMB, the Government Accountability Office (GAO), and the General Services Administration (GSA). In addition, throughout FY 2012 and FY 2013, the OCFO, in collaboration with EPA's Office of Administration and Resources Management and Office of Environmental Information, will be working with the Department of the Interior's National Business Center (NBC), which is an OMB-approved Human Resource Line of Business shared services center. OCFO plans to migrate the EPA's existing time and attendance IT system services to NBC, as well as move payroll services from DoD's Defense Finance and Accounting Services (DFAS) to NBC.

Office of Administration and Resources Management (OARM)

The OARM is committed to working with federal partners that focus on improving management and accountability throughout the federal government. The OARM provides leadership and expertise to government–wide activities in various areas of human resources, grants management, contracts management, and homeland security. These activities include specific collaboration efforts with federal agencies and departments through:

- Chief Human Capital Officers, a group of senior leaders that discuss human capital initiatives across the federal government;

- The Legislative and Policy Committee, a committee comprised of other federal agency representatives who assist the Office of Personnel Management in developing plans and policies for training and development across the government; and

- The Chief Acquisition Officers Council, the principal interagency forum for monitoring and improving the federal acquisition system. The Council also is focused on promoting the President's specific initiatives and policies in all aspects of the acquisition system.

The OARM is participating in government-wide efforts to improve the effectiveness and performance of federal financial assistance programs, simplify application and reporting requirements, and to improve the delivery of services to the public. This includes membership on the Grants Policy Committee, the Grants Executive Board, and the Grants.gov User's Group. The EPA also participates in the Federal Demonstration Partnership to reduce the administrative burdens associated with research grants.

In addition, throughout FY 2012 and FY 2013, the OARM, in collaboration with EPA's Office of the Chief Financial Officer and the Office of Environmental Information, will be working with the Department of the Interior's National Business Center (NBC), which is an OMB-approved Human Resource Line of Business shared services center. The OARM plans to migrate the existing EPA HR functions to NBC, which offers HR transactional processing, compensation management and payroll processing, benefits administration, time and attendance, and HR reporting.

The OARM is also working with the OMB, the GSA, the DHS, and the DOC's National Institute of Standards and Technology to implement the Smart Card program.

Office of Environmental Information (OEI)

To support the EPA's overall mission, OEI collaborates with a number of other federal agencies, states, and tribal governments on a variety of initiatives, including making government more efficient and transparent, protecting human health and the environment, and assisting in homeland security. OEI is primarily involved in the information technology (IT), information management (IM), and information security aspects of the projects it collaborates on.

The Chief Information Officer's (CIO) Council: The CIO Council is the principal interagency forum for improving practices in the design, modernization, use, sharing, and performance of federal information resources. The Council develops recommendations for IT management policies, procedures, and standards; identifies opportunities to share information resources; and assesses and addresses the needs of the federal IT workforce.

E-Rulemaking: The EPA serves as the Program Management Office (PMO) for the eRulemaking Program. The eRulemaking program's mission addresses two areas: to improve public access, participation in, and understanding of the rulemaking process and to improve the agencies' efficiency and effectiveness in promulgating regulations. The eRulemaking Program maintains a public website, www.Regulations.gov, that enables the general public to access and make comments on various documents that are published in the *Federal Register*, including proposed regulations and agency-specific notices. The Federal Docket Management System (FDMS) is the agency-side of Regulations.gov and enables the various agencies to administer public submissions regarding regulatory and other documents posted by the agencies on the Regulations.gov website. The increased public access to the agencies' regulatory process enables a more informed public to provide supporting technical/legal/economic analyses to strengthen the agencies' rulemaking vehicles. The Program Management Office (PMO) coordinates the operations of the eRulemaking Program through its 38 partner Departments and Independent agencies (comprising more than 165 agencies, boards, commissions, and offices). This coordination is realized through the administrative boards that work with the PMO on day-to-day operations, ongoing enhancements, and long-range planning for program development. These administrative boards (the Executive Committee and the Advisory Board) have representative members from each partner agency and deal with contracts, budget, website improvements, improved public access, records management, and a host of other regulatory concerns that were formally only agency-specific in nature. The coordination with the partner agencies allows for a more uniform and consistent rulemaking process across government. This coordination is further

realized by the fact that more than 90 percent of all federal rules promulgated annually are managed through the eRulemaking Program.

The National Environmental Information Exchange Network (EN): The EN is a partnership among states, tribes, and the EPA. It is revolutionizing the exchange of environmental information by allowing these partners to share data efficiently and securely over the Internet. This approach is providing real-time access to higher quality data while saving time and resources, for all of the partners. Leadership for the EN is provided by the Exchange Network Leadership Council (ENLC), which is co-chaired by OEI and a state partner. The ENLC works with representatives from the EPA, state environmental agencies, and tribal organizations to manage the Exchange Network. FY 2013 will be a critical year for the Exchange Network to complete its current strategic plan to flow data across the spectrum of the EPA's programs.

Automated Commercial Environment/International Trade Data System (**ACE/ITDS)**: ACE is the system being built by Customs and Border Protection (CBP) to ensure that its customs agents have the information they need to decide how to handle goods and merchandise being shipped into, or out of, the United States. ITDS is the organizational framework by which all government agencies with import/export responsibilities participate in the development of the ACE system. ACE will be a single, electronic point of entry for importers and exporters to report required information to the appropriate agencies. It also will be the way those agencies provide CBP with information about potential imports/exports. ACE eliminates the need, burden, and cost of paper reporting. It also allows importers and exporters to report the same information to multiple federal agencies with a single submission.

The EPA has the responsibility and legal authority to make sure pesticides, toxic chemicals, vehicles and engines, ozone-depleting substances, and other commodities entering the country meet our environmental, human health, and safety standards. The EPA's ongoing collaboration with CBP on the ACE/ITDS project will greatly improve information exchange between the EPA and CBP. As a result, Customs officers at our nation's borders will have the information they need to admit products that meet our environmental regulations, and to interdict goods or products that do not comply with the Agency's regulations.

The EPA's work on ACE/ITDS builds on the technical leadership in using Web services to exchange data developed by the Central Data Exchange and Exchange Network (CDX/EN). As a result of our advocacy and the interest of other participating federal agencies, CBP will be using Web services to exchange data with the agencies participating in ACE/ITDS. In FY 2013, the EPA expects to implement pilot data exchanges between five EPA programs and Customs and Border Protection at selected Ports of Entry so that full-scale development of the data exchanges can occur. The Agency will share the results with the other participating federal agencies participating in this project and offer the EPA's Web services model those agencies interested in using this option. The EPA has developed an installer for our data exchange software which will make it easy for other agencies to install it in their environments. Alternatively, the EPA could provide its data exchange technology to interested agencies on a fee for service basis. Sharing and reusing data exchange technology across the federal government for ACE/ITDS implementation will save money and create efficiencies by eliminating redundancies in infrastructure spending by each agency that needs to exchange data with CBP.

The EPA also will be collaborating with CBP and other interested agencies on using ACE/ITDS to automate checks of import documentation. Automating document review is absolutely critical for agencies such as the EPA that have limited staff at the ports, providing a "virtual presence" at the more than 300 ports nation-wide.

Federal Information Security Management Act (FISMA) Support: The EPA's Automated Security Self-Evaluation and Reporting Tool (ASSERT) provides federal managers with some of the information they need, from an enterprise perspective, to make timely and informed decisions regarding the level of security implemented on their information resources. It helps agencies understand and assess their security risks, monitor corrective actions, and provide standardized and automated FISMA reports. Federal agencies using the EPA's FISMA Reporting Solution, and ASSERT, include: the EPA, and Pension Benefit Guaranty Corporation (PBGC).

Geospatial Information: The EPA works extensively with DOI, NOAA U.S. Geological Survey (USGS), the National Aeronautics and Space Administration (NASA), the USDA, and the DHS on developing and implementing geospatial approaches to support various business areas. It also works with 25 additional federal agencies through the activities of the federal Geographic Data Committee (FGDC) and the OMB Geospatial Line of Business (GeoLoB) for whom OEI leads several key initiatives. The EPA is one of only two agencies (the other being the National Geospatial Intelligence Agency) that participate in the FGDC Coordinating Committee, Steering Committee, and Executive Steering Committees, as well as on the Federal Geospatial Advisory Committee, a Federal Advisory Committee (FACA) to the DOI. A key component of this work is developing and implementing the National Spatial Data Infrastructure (NSDI). The key objective for the NDSI is to make a comprehensive array of national spatial data – data that portray features associated with a location or which is tagged with geographic information and can be attached to and portrayed on maps ,- easily accessible to both governmental and public stakeholders. Use of this data, in tandem with analytical applications, supports several key EPA and government-wide business areas. These include: ensuring that human health and environmental conditions are represented in the appropriate contexts for targeting and decision making, enabling the assessment, protection, and remediation of environmental conditions, and aiding emergency first responders and other homeland security activities. Through efforts such as the, National Environmental Information Exchange Network, National Environmental Policy Act (NEPA) Assist, EPA Metadata Editor, Facilities Registry System (FRS) Web Services, and My Environment. OEI also works closely with its state, Tribal, and international partners. This collaboration enables consistent implementation of data acquisition and development, standards, and technologies supporting the efficient and cost effective sharing and use of geographically based data and services.

Global Earth Observation System of Systems (GEOSS): The OEI works with the Office of the Science Advisor (OSA) to support the EPA's involvement in the GEOSS initiative. Other partners in this initiative are: the U.S. Group on Earth Observations (USGEO), and a significant number of other federal agencies, including NASA, NOAA, USGS, HHS, the Department of Energy (DoE), DoD, USDA, the Smithsonian, the National Science Foundation (NSF), USDA, State, and the Department of Transportation (DOT). Under the ten-year strategic plan published by the Office of Science and Technology Policy (OSTP) in 2005, the OEI and the OSA are leading the EPA's development of the environmental component of the Integrated Earth

Observation System (IEOS), which will be the U.S. federal contribution to the international GEOSS effort. Earth observation data, models, and decision-support systems will play an increasingly important role in finding solutions for complex problems, including adaptation to climate change. The OEI also coordinates with the OMB and OSTP to connect the interagency GEOSS work with our Open Government and Data.gov activities.

Chesapeake Bay Program: Operating under Executive Order No. 13508, the EPA is working to help restore the Chesapeake Bay. Federal Partners in this initiative are: the NOAA; the Natural Resources Conservation Service; the U.S. Fish and Wildlife Service; the U.S. Army Corps of Engineers; the USGS; the U.S. Forest Service; the National Park Service; and the U.S. Navy (representing the Department of Defense). The States of New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, Virginia, and the District of Columbia, also are participating in the effort. Using the Exchange Network (the EPA's existing network facilitating data sharing among and with the states and tribes), the OEI will continue to facilitate data exchange for the agencies working on the Chesapeake Bay. Additionally, OEI is leading the design of a comprehensive data management system to be used by all partners in the Chesapeake Bay Program.

Office of the Inspector General (OIG)

The EPA Inspector General is a member of the Council of Inspectors General on Integrity and Efficiency (CIGIE), an organization comprised of Federal Inspectors General (IG), GAO, and the Federal Bureau of Investigation (FBI). The CIGIE coordinates and improves the way IGs conduct audits, investigations, and internal operations. The CIGIE also promotes joint projects of government-wide interest and reports annually to the President on the collective performance of the IG community. The EPA OIG coordinates criminal investigative activities with other law enforcement organizations such as the FBI, Secret Service, and Department of Justice. In addition, the OIG participates with various inter-governmental audit forums and professional associations to exchange information, share best practices, and obtain/provide training. The OIG also promotes collaboration among the EPA's partners and stakeholders in the application of technology, information, resources, and law enforcement efforts through its outreach activities. Further, the EPA OIG initiates and participates in collaborative audits, program evaluations, and investigations with OIGs of agencies with an environmental mission such as the DOI and USDA, and with other federal, state, and local law enforcement agencies as prescribed by the IG Act, as amended. The OIG, as required by the IG Act, coordinates and shares information with the GAO. Additionally, the OIG serves as the Inspector General of the U.S. Chemical Safety and Hazard Investigations Board.

MAJOR MANAGEMENT CHALLENGES

Introduction

The Reports Consolidation Act of 2000 requires the Inspector General to identify the most serious management challenges facing the EPA, briefly assess the agency's progress in addressing them, and report annually.

The EPA has established a mechanism for identifying and addressing its key management challenges. As part of its Federal Management Financial Integrity Act process, EPA senior managers meet with representatives from the EPA's Office of Inspector General, the Government Accountability Office, and the Office of Management and Budget to hear their views on the EPA's key management challenges. EPA managers also use audits, reviews, and program evaluations conducted internally and by OIG, GAO, and OMB to assess program effectiveness and identify potential management issues. The EPA recognizes that management challenges, if not addressed adequately, may prevent the agency from effectively meeting its mission. The EPA remains committed to addressing all management issues in a timely manner and will address them to the fullest extent of its authority.

The discussion that follows summarizes each of the management challenges the EPA's OIG and GAO have identified and presents the agency's response.

1. Addressing Emerging Climate Change Issues

Summary of Challenge: *GAO notes that while climate change poses management challenges for the federal government at large, for the EPA, climate-change-related challenges pertain to legal and administrative barriers. These include ongoing efforts to reduce carbon emissions; difficulties in coordinating activities involving numerous other agencies and other levels of government; and efforts to account for and manage data on greenhouse gas emissions.*

Agency Response: Over the past several years, the EPA has taken several important actions to address climate change. Currently, the EPA plays a key role in developing and implementing President Obama's ambitious climate change agenda. For instance, the agency is participating in strategic discussions and providing technical advice and analysis on the full range of domestic climate policies and technologies.

Additionally, the EPA is taking regulatory actions to address climate change. In December 2010, the EPA issued a series of rules that put the necessary regulatory framework in place to ensure that 1) industrial facilities can get Clean Air Act permits covering their greenhouse gas emissions when needed and 2) facilities emitting GHGs at levels below those established in the Tailoring Rule do not need to obtain Clean Air Act permits. The EPA continues responding to the 2007 Supreme Court decision in Massachusetts v. EPA. The EPA leads the development of multiple mobile source programs to address GHG emissions from light-duty passenger vehicles, heavy-duty vehicles, ocean-going vessels, and aircraft. In addition, the EPA has deferred permitting requirements for biogenic carbon dioxide emissions and has engaged the scientific community to

study how to treat these emissions in the context of Clean Air Act permitting. With regard to stationary sources, the EPA is proceeding with analyses of GHG emissions and potential measures to reduce them as part of its obligations to review and revise new source performance standards, consistent with the requirements of the Clean Air Act.

Recognizing that climate change cuts across many programs and offices within the agency, senior leadership is taking steps to expand and improve communication and coordination on emerging climate change issues. These processes will ensure that the agency receives information and input, draws effectively on its resources, and provides useful information to its stakeholders around the country.

Finally, the EPA continues to deliver on all commitments under its ongoing voluntary partnership programs to reduce GHGs, focused on energy efficiency, transportation, and other sectors. Experience and knowledge gained through these programs are also informing the EPA's input into the broader climate policy discussion.

2. Reducing Pollution in the Nation's Waters

Summary of Challenge: *According to GAO, among the nation's most pressing water quality problems with which EPA and other stakeholders struggle are the considerations of diffuse, or "non-point" sources of pollution and the challenges posed by deterioration in the nation's premier watersheds, such as the Chesapeake Bay and Great Lakes. GAO believes multi-billion liabilities associated with replacing and upgrading the nation's aging water infrastructure are a looming issue, that if not sufficiently addressed, will impact water quality.*

Agency Response: The EPA partners with federal, state, and local agencies and with others to reduce pollution in the nation's waters, but many pollution sources are difficult to monitor and regulate.

The National Pollutant Discharge Elimination System regulations for Concentrated Animal Feeding Operations require the EPA and authorized states to issue permits for an expanded universe of CAFOs (compared to those covered by the 1974 regulations) that discharge or propose to discharge to U.S. waters. In 2002, about 4,000 CAFOs were permitted out of a total of 12,800 CAFOs. Today, the EPA estimates that approximately 14,500 of the total 19,300 CAFOs may need permits, yet only 8,300 of these CAFOs have NPDES permits to date. In addition, inspections will require substantial effort to determine whether CAFOs will discharge and are in compliance with their new nutrient management plans.

The EPA estimated that the NPDES CAFO rule revisions in 2003 and 2008 could potentially result in an annual pollutant reduction of 56 million pounds of phosphorus, 110 million pounds of nitrogen, and 2 billion pounds of sediment. To realize these pollutant reductions, states must adopt the provisions of the new regulations and then issue permits consistent with those rules. Additional agency resources are needed to assist states in developing revised legislation, regulations, and/or permits to reflect the new regulations and to oversee state review of NMPs.

States need additional resources to revise their programs, to review NMPs for every permitted CAFO, and to increase enforcement and compliance efforts to ensure that all CAFOs that discharge seek permit coverage and carry out proper operation and maintenance.

The EPA is continuing to take the lead in working across the federal government and the water sector to close the water infrastructure gap and move the nation's water infrastructure to a more sustainable footing. In October of 2010, the EPA released its Clean Water and Drinking Water Sustainability Policy, which focuses on efforts to effect change and reduce the infrastructure gap. The Policy emphasizes: 1) the need for robust and effective planning for water infrastructure; 2) capacity development and effective utility management to enhance the sustainability of all aspects of water sector systems; and 3) integrating water infrastructure into cross-sector planning efforts to foster the sustainability of our communities. The EPA is actively pursuing a suite of programs and activities in each of these areas, including efforts to encourage and work with state SRFs as they incorporate sustainability considerations into their programs.

Through the Drinking Water and Clean Watersheds Needs Surveys, the EPA provides a systematic assessment of national water infrastructure needs. These are reported to Congress every four years and clearly show that needs are very large and increasing.

The EPA's efforts to coordinate with other federal agencies are extensive and expanding. The agency has an MOU with the Federal Highway Administration to promote asset management across the water and transportation sectors. We are actively engaged with the Departments of Housing and Urban Development and Transportation in a partnership to promote sustainable communities. Through the EPA's efforts, water infrastructure was included as an element in the $100M of HUD regional planning grants that were awarded last year - and that aspect of the program's goals will be strengthened for the $70M in grants to be awarded this year.

In concert with these regional planning grants, the EPA has worked with HUD to include water infrastructure as one of several areas for which capacity building grants will be awarded this year. The awardee in this area will be charged with assisting planning grant recipients to better integrate water infrastructure considerations into regional plans.

The EPA’s efforts to work with states on water infrastructure span numerous areas. The capacity development and operator certification programs have an active set of work groups working on enhancing efforts in targeted areas, such as system partnering and managerial capacity. Sustainability is becoming an important part of the SRF programs as more states incorporate incentives for asset management, green infrastructure, energy efficient projects and numerous other areas which will help communities recognize and address their individual infrastructure needs. Through the EPA’s leadership, aspects of infrastructure planning are being incorporated into NPDES permit programs in some states and are also receiving greater emphasis in enforcement actions.

The EPA will also shortly launch an enhanced set of web pages to support communities as they seek to close their individual infrastructure gaps. The pages will include a new area with

resources specifically for local elected officials who are often key players in making infrastructure investment decisions.

The sum of the EPA's efforts represents a strong and concerted effort to provide support and leadership that helps communities organize resources to meet their water infrastructure needs.

To restore clean water in the Chesapeake Bay, streams, creeks, and rivers, the EPA established the Chesapeake Bay Total Maximum Daily Load, a historic and comprehensive "pollution diet" with rigorous accountability measures. The TMDL is required under federal law and responds to consent decrees in Virginia and the District of Columbia dating back to the late 1990s. The TMDL—the largest ever developed by EPA—includes pollution limits to meet water quality standards in the Bay and its tidal rivers. The TMDL is designed to ensure that all pollution control measures to fully restore the Bay and its tidal rivers are in place by 2025. The EPA expects controls, practices and actions in place by 2017 that would achieve 60 percent of the necessary reduction. The TMDL is supported by rigorous accountability measures to ensure cleanup commitments are met, including short-and long-term benchmarks, a tracking and accounting system for jurisdiction activities, and federal contingency actions that can be employed if necessary to spur progress. The Chesapeake Bay Program Office is playing a significant role through outreach activities that will help the overall restoration effort. Chesapeake Bay jurisdictions are currently developing Phase II Watershed Implementation Plans; final versions, which should detail how jurisdictions will meet TMDL expectations and set forth local implementation strategies, are due in FY 2012. The TMDL directly addresses the management challenges identified by OIG.

The EPA is leading implementation of the Great Lakes Restoration Initiative to restore the Great Lakes ecosystem through a coordinated interagency process. Activities include implementing practices to reduce the export of nutrients and soils to near-shore waters and establishing and implementing TMDLs and Watershed Action Plans for phosphorus and other non-toxic pollutants. The agencies will focus primarily on three geographic watersheds highlighted in the Great Lakes Restoration Initiative Action Plan: Maumee River, Lower Fox River/Green Bay, and Saginaw River.

3. Safe Reuse of Contaminated Sites

Summary of Challenge: *The EPA places increasing emphasis on the reuse of contaminated or once-contaminated properties and has a performance measure to define a population of contaminated sites that are ready for reuse. OIG acknowledges the improvements and efforts the EPA has made in ensuring the long-term safety of contaminated sites. However, OIG believes that the EPA needs improved oversight and management for long-term stewardship of contaminated sites, and new strategies that take the agency beyond merely encouraging non-EPA parties to ensure long-term safety and reused sites.*

Agency Response: Cleaning up contaminated sites and ensuring their safe reuse over the long term is an agency priority and central to the EPA's mission. The EPA and state and tribal response programs continue our progress in cleaning sites to protect public health and the

environment and support the safe use of cleaned and stabilized properties. The agency believes that it is communicating site risks and remedies and information needed to ensure protectiveness.

Whenever waste is left in place at sites on the National Priorities List, the Comprehensive Environmental Response, Compensation and Liability Act requires that the remedy at the site be reviewed at least once every five years to ensure its continued protectiveness. The EPA's national Superfund Program reviews Five-Year Reports at all sites and tracks any recommendations for needed further action to ensure implementation.

The EPA and our state and tribal co-implementers may select institutional controls to control land and resource use where residual contamination remains in place. Institutional controls help minimize the potential for exposure to contamination and/or protect the integrity of engineered components. As remedial actions, ICs are subject to five-year reviews as well as other periodic monitoring. The agency has developed cross-program guidance, *Institutional Controls: A Guide to Planning, Implementing, Maintaining and Enforcing Institutional Controls at Contaminated Waste Sites,* which stresses the need for EPA site managers and attorneys to coordinate with tribes, state and local governments, communities, and other stakeholders to ensure that ICs are properly implemented, maintained and enforced over their lifetime. The agency will continue to encourage State and Tribal Response Program funding of tracking and management systems for land use and institutional controls.

The EPA will also continue to develop and maintain information systems like "Cleanups in My Community," (http://www.epa.gov/cimc), to educate and inform the public regarding federally funded contaminated site assessment and cleanup activities. Promoting reuse involves communities in cleanup and reuse discussions. The EPA will continue to explore new tools to ensure appropriate reuse and enhance long-term protectiveness, including:

- *Ready for Reuse Determinations* - environmental status reports on site reuse.
- *Comfort and Status Letters* - convey status of the site remediation and liability issues.
- *EPA Funded Reuse Planning*
- *Site Reuse Fact Sheets* - highlight critical remedial components in place, long-term maintenance activities, and institutional controls.

4. Pace of Cleanup at Superfund and other Hazardous Waste Sites

Summary of Challenge**:** *According to GAO, the EPA continues to make progress in identifying hazardous waste sites requiring cleanup. However, recent GAO reports indicate that not only will cleanup costs be substantial, but problems with the accuracy and completeness of data prevent the agency from estimating future cleanup costs. GAO recommends that the agency assess the comprehensiveness and reliability of the data the agency collects and, if necessary, improve the data to provide aggregated information.*

Agency Response: Since the Superfund Program's inception, the EPA has provided a mix of site-specific and aggregate data to Congress through the annual budget process and other avenues to facilitate annual Superfund appropriation decisions. The aggregate information that GAO recommended the EPA provide to Congress is only one among a myriad of data points that

Congress considers to make informed decisions. As a result, these data alone are not determinative in congressional decision-making.

In its response to GAO's draft report, *Litigation Has Decreased and EPA Needs Better Information on Site Cleanup and Cost Issues to Estimate Future Program Funding Requirement*s (GAO-09-656), the EPA recognized the importance of informing and educating partners and stakeholders about the EPA's commitment to and progress toward environmental cleanup. The EPA noted, as did the GAO report, that there are challenges in concisely describing the multiple facets of the Superfund Program to assist decision makers. In a subsequent investigation on remaining construction funding needs, (*EPA's Estimated Costs to Remediate Existing Sites Exceed Current Funding Levels, and More Sites Are Expected to Be Added to the National Priorities List* (GAO-10-380**),** GAO discovered that many sites face significant uncertainty regarding future site cleanup requirements. Numerous factors contribute to this uncertainty, including the type and extent of contamination at the site, questions about the effectiveness of remedial technologies, shifting cleanup standards, the viability and cooperativeness of responsible parties, states' ability to provide statutorily required cost share assurances, and community acceptance of proposed remedies.

Multiplying the risks posed by these uncertainties by the more than 500 NPL sites which have not yet achieved construction completion yields a very large range of possible outcomes. As a result, aggregate estimates of future costs and performance, especially on an annual basis, are bounded by large ranges. This limits the precision with which this information can be used to contribute to annual appropriation decisions.

The agency will continue to explore options for sharing with Congress and the public information about cleanup progress and plans for future work at sites. In this regard, through the Integrated Cleanup Initiative which began in 2010, the EPA committed to identify and develop measures to depict the broader scope of activities that take place throughout the Superfund cleanup pipeline. Under the ICI, the Superfund Remedial Program introduced a new remedial action project completion measure that directly responds to GAO's recommendation to provide more data on Superfund site progress. This measure provides greater program transparency by describing construction progress at a project level, which conforms more closely to field activities that can resonate better with a community's understanding of our cleanup efforts. In addition, the program is exploring the possibility of establishing formal project baselines to better understand and track site progress.

* ***EPA's Estimated Costs to Remediate Existing Sites Exceed Current Funding Levels, and More Sites Are Expected to Be Added to the National Priorities List*** **(GAO-10-380)**

5. <u>EPA's Framework for Assessing and Managing Chemical Risks / Transforming EPA's Processes for Assessing and Controlling Toxic Chemicals</u>

Summary of Challenge**:** *OIG and GAO believe that the EPA's effectiveness in assessing and managing chemical risks is hampered in part by limitations on the agency's authority to regulate chemicals under the Toxic Substances Control Act (TSCA) and other statutes. GAO notes that*

EPA's Integrated Risk Information System (IRIS) viability is at risk because the agency had been unable to complete timely and credible chemical assessments. OIG states that as the agency implements steps to improve its management of chemical risks, it must have a clear strategy that formalizes intra-agency coordination and priority.

Agency Response: GAO continues to identify "Transforming EPA's Processes for Assessing and Controlling Chemicals" as a high-risk area, and OIG continues to identify "EPA's Framework for Assessing and Managing Chemical Risks" as a management challenge. In October 2009, the EPA acknowledged "Streamlining Chemical Assessments Under IRIS" as an agency-level weakness under the Federal Financial Managers' Integrity Act and has made progress in addressing concerns raised by both oversight organizations.

Improving IRIS. In May 2009, the agency released a new IRIS process for completing health assessments. The goals of the new process are to strengthen program management, increase transparency and expedite the timeliness of health assessments. Since then, the agency's National Center for Environmental Assessment has completed over 20 assessments, more than the number of assessments completed in the previous five years. Key major assessments recently posted include trichloroethylene and dichloromethane.

Additionally, the agency is making significant progress on health hazard assessments of numerous high priority chemicals (e.g., formaldehyde, perchloroethylene, methanol, benzo[a]pyrene and Libby asbestos), including finalizing and completing milestones for interagency science consultation, or external review for the others. Progress on these and other IRIS assessments is available at http://www.epa.gov/IRIS/. EPA is also developing assessments of health effects for chemicals found in environmental mixtures, including PAHs, dioxins, phthalates and PCBs. These cumulative assessments will increase the number of chemicals that are addressed by the IRIS Program and are based upon the expressed needs of the agency. The EPA's Human Health Risk Assessment Program will continue to lead innovation in risk assessment science based on expanding scientific knowledge.

The EPA recently unveiled a new database that facilitates public access to the scientific studies that underpin key agency decisions. The Health and Environmental Research Online database contains the key studies that the EPA uses to develop environmental risk assessments and makes them available to the public. It includes references and data supporting the IRIS Program, which supports critical agency policymaking. The HERO database is publicly accessible so anyone can review the scientific literature behind the EPA's science assessments. The HERO database strengthens the transparency of the science supporting agency decisions.

In July 2011, the EPA announced additional measures to strengthen the scientific quality of IRIS assessments based on comments from the National Academy of Sciences.[1] The EPA agrees with the NAS recommendations for developing draft IRIS assessments and is fully implementing them consistent with the NAS' "Roadmap for Revision," which viewed the full implementation of their recommendations as a multiyear process. Initiatives that are underway include a new document structure, establishment of a dedicated Chemical Assessment Advisory Committee, early peer consultation, and an improved weight of evidence framework.

Assessing and Managing Chemical Risks. The EPA has announced its principles to strengthen US chemical management laws, initiated a comprehensive effort to enhance the agency's current chemicals management program within the limits of existing authorities, and is proposing expansions of that effort in the FY 2013 President's Budget. (A listing of the principles are available at http://www.epa.gov/oppt/existingchemicals/pubs/principles.html). This new approach was introduced in the *EPA's FY 2011 – 2015 Strategic Plan* and further developed and implemented during FY 2010 and FY 2011. FY 2013 represents a crucial stage in furthering implementation of EPA's strengthened approach. The agency's President's Budget request will allow EPA to sustain its success in managing the potential risks of new chemicals entering commerce and to continue making substantial progress in assessing and ensuring the safety of existing chemicals.

Existing Chemicals Program Activities: EPA is requesting resources in FY 2013 to continue long-overdue progress in ensuring the safety of existing chemicals by supporting three key activity areas:

> Obtaining, Managing, and Making Public Chemical Information: Continue developing a sustainable chemical safety information pipeline to support future assessments and risk management actions.
>
> Screening and Assessing Chemical Risks: Continue assessing the risks of existing chemicals to inform and support development and implementation of risk management actions, as appropriate.
>
> Reducing Chemical Risks: Advance consideration and implementation of risk management actions initiated in FY 2011 and continued through FY 2012 and consider initiating new risk management actions in FY 2013

New Chemicals Program: In FY 2013, the EPA will continue preventing the entry into the U.S. market of chemicals that pose unreasonable risks to human health or the environment. Each year, the EPA's New Chemicals Program reviews and manages the potential risks from approximately 1,000 new chemicals, products of biotechnology, and new chemical nanoscale materials prior to their entry into the marketplace.

Management of Endocrine Disrupting Chemicals: The complexity of the scientific and regulatory process associated with the full implementation of the EDSP warrant the designation of the program as a management challenge. However, the EDSP continues to progress towards full implementation with the on-going evaluation of chemicals, prioritization of the universe of chemicals and issuance of test orders. An important step was the September 30, 2011 EDSP 21 work plan http://www.epa.gov/endo/pubs/edsp21_work_plan_summary%20_overview_final.pdf, which outlined the steps necessary to move the screening program from its current state into a new form that is less reliant on whole animal based assays and uses computational models and higher throughput/shorter time in vitro methods to screen for the potential for endocrine

disruption. This work plan is an important first step in the development of a Comprehensive EDSP Management Plan to be completed in 2012.

6. Ensuring Consistent Environmental Enforcement Compliance

***Summary of Challenge**: GAO reports that while the EPA has improved its oversight of state enforcement programs by implementing the State Review Framework (SRF), the agency still needs to address significant non-compliance and unacceptable low levels of enforcement activities.*

Agency Response: The EPA is responsible for establishing performance expectations and conducting oversight of federal environmental programs that have been authorized or delegated to states. The EPA has utilized a number of different management controls designed to ensure appropriate program implementation, which vary across regions and states. The SRF is one of those management controls. While the SRF is an important and regular systematic look at performance, the EPA's oversight of state enforcement programs is built on four components, each playing an important part in building strong performance:

- Clear expectations set in foundational program documents, policy and guidance:
  - Memoranda of Agreement, delegation agreements, state implementation plans, enforcement agreements, regulations, policy and guidance can all set standards for state performance.
- Annual regional/state integrated planning that includes both permitting and enforcement and results in clear, agreed-upon commitments based on foundational documents:
  - Work plans and grant commitments can be used to ensure that limited resources are used to address the most important sources, noncompliance and performance issues.
- Regular and periodic review of performance that identifies corrective actions to fix problems and ensures program improvements:
  - The SRF looks at inspection coverage, identification of violations, timely and appropriate enforcement, penalties and accurate and complete reported data. It results in recommendations to address deficiencies and tracks their implementation. The agency is developing an escalation policy to help regions address long-standing performance issues, including EPA action when states do not actively enforce all or portions of their authorized or delegated programs.
- Transparent display of performance data to the public that allows comparison of performance across states:
  - The EPA has publicly released the SRF metrics and reports, as well as dashboards and maps, which have provided the public with the ability to compare across states and apply pressure to states to improve both their data and their performance.

These components form the basis for the continuous improvement of state performance and consistency across states. For example, one regional office has taken action to address both permitting and enforcement issues in the State of Illinois that go well beyond the analyses and recommendations under SRF. These actions have already yielded significant results and

meaningful improvements to Illinois' program and are a direct result of the region's active engagement with the state.

In the future, the EPA will be taking a more holistic approach to oversight under the SRF with the inclusion of Clean Water Act Memoranda of Agreement reviews and permits as an integral part of the review process. Commensurate with commitments established in the Clean Water Act Action Plan, the EPA is integrating the evaluation of permitting and enforcement to identify how well permits and enforcement support improving water quality and public health.

7. Oversight of Delegation to States

Summary of Challenge*: OIG believes the effectiveness of the EPA's oversight of programs delegated to states has a number of limitations, mostly due to inadequate oversight and differences between state and federal policies, interpretations, strategies, and priorities. While the EPA has improved its oversight, particularly in priority setting and enforcement planning with states, the agency must address the limitations in the availability, quality, and robustness of program implementation across environmental statues. Additionally, GAO notes concerns about the EPA's oversight of state programs and the implications if states are unable to fulfill core program requirements given budgetary issues.*

Agency Response: The EPA acknowledges that state oversight is a very complex and fluid arena. Through federal statutes, implementing regulations, and program design, states are allowed flexibility in how they manage and implement environmental programs. Within the EPA, national program managers are directly responsible for state oversight of individual programs. The agency has committees, workgroups, special projects and initiatives to continuously improve agency programs delegated to states. Below are a few examples of these programs and the efforts made to enhance oversight or correct issues with state delegation.

Improving Oversight through Better Data Quality. As OIG and GAO have noted, having adequate data is important to the EPA's ability to understand and oversee state programs. The agency and its state partners continually look for ways to improve public health protection and data management and quality. EPA is reviewing the State Drinking Water Information System/FED and State Drinking Water Information System/State to develop the next generation of SDWIS, which is a key management tool for the drinking water program. In addition, the EPA is working with state representatives to develop standard definitions for source type utilization-codes in SDWIS, update standard operating procedures, and improve oversight of emergency wells through enhanced monitoring of emergency sources.

Strengthening State-EPA Implementation of Water Programs. EPA and the states work together through the Partnership Council of the Office of Water and States to engage states in planning, budgeting, and implementation activities for the national water program. Since its creation in 2008, the PCOWS has engaged regularly to discuss strategic priorities—to ensure that core and key program activities are given appropriate priority in budget decisions—and to identify opportunities to maximize resources and reduce barriers in support of key joint priorities. For example, in response to the President's February 2011 Memorandum on Administrative

Flexibility, the PCOWS recently identified opportunities to streamline and reduce administrative burden. In FY 2012, the PCOWS moved to quarterly meetings, thereby increasing the frequency of EPA collaboration with states.

NPDES Program Withdrawal Requests. The EPA currently has 21 pending National Pollutant Discharge Elimination System authority withdrawal petitions in 16 different states, 3 of which have been filed since January 1, 2011. The petitions can be broad reaching or focused on narrow issues. Eight regions have at least one petition filed within their respective states. Resolution of the last petition occurred in July 2009. Recently, the EPA has redoubled efforts at the national level to address the concerns cited in withdrawal petitions, increasing withdrawal petition specific discussions with regions, corresponding states, and other EPA offices and senior managers. The EPA is confident that these recent efforts will increase resolution of petitions.

Improving State Oversight Data Limitations in Our Cleanup Programs. In response to the OIG's findings that the Commonwealth of Pennsylvania did not collect ground water monitoring data at the Bruin Lagoon site as required by the terms of the Superfund State Contract, EPA Region 3 developed new documentation procedures to address any future instances of noncompliance. The procedures, as documented in an October 2010 memorandum from the Director of the Office of Superfund Site Remediation, include consulting with Regional Counsel and documenting the noncompliance in a letter to the state. In instances of continued noncompliance, the issue will be elevated within the EPA and the state, and counsel will determine necessary actions to ensure a state carries out its obligations.

The Resource Conservation and Recovery Act Program provides adequate oversight of state programs through several means. For instance, the EPA sets national baselines and state commitments for grant funding and monitors progress toward these goals under the Government Performance and Results Act and through our Annual Commitment System, discussions with regions (which meet directly with states to assess progress), and frequent interaction with Association of State and Territorial Solid Waste Management Officials. The RCRA program works closely with ASTSWMO at the board-level as well as in subgroups for particular topics (e.g., corrective action and permitting). In addition, the EPA works closely with states to issue rules and guidance to address issues of concern and provide implementation assistance for state programs.

In terms of addressing data limitations, the agency agrees with the OIG audit recommendation as far as making suggestions and recommendations to the states regarding the importance of document retention. Each state creates its own policy, and the EPA will continue to stress this during our national conferences, training sessions and outreach activity.

Improving State-EPA Collaboration through National Environmental Performance Partnership System. Through the National Environmental Performance Partnership System, the EPA and the states have developed a strategic, performance-based working relationship based on a clearer understanding of mutual issues and priorities and improved allocation of resources. Building on this successful platform, the EPA and the states are working together to share the workload more efficiently and effectively to achieve environmental and public health outcomes. In FY 2011, the

EPA and states collaborated to identify opportunities for enhanced worksharing and resource and workload flexibility to maintain the effectiveness of core programs, particularly in light of widespread state budget reductions due to the economic downturn. The EPA established a task force with states and identified program activities where worksharing can be more broadly applied and areas where statutes or regulations prohibit worksharing. In FY 2012, the task force will identify and promote worksharing best practices, investigate ways to make the EPA's expertise more available to states through IPAs and digital/electronic resources, and target opportunities to expand mutually beneficial joint training opportunities. Also in FY 2012, EPA will establish a workgroup of national program managers, regions, and key support offices to collect the information needed to define, describe, and assess the EPA's processes, practices, and tools for overseeing state delegations. The workgroup will report its findings to the EPA's Deputy Administrator and propose options for next steps as needed to ensure the agency is carrying out its oversight responsibilities in a coordinated, transparent, and accountable manner.

8. Need for a Greater Coordination of Environmental Efforts/Coordinating with Other Agencies to More Effectively Leverage Limited Resources

Summary of Challenge*: According to OIG and GAO, the EPA needs to improve its coordination with federal and state partners. Specifically, OIG states that a national environmental policy is needed to help the EPA improve coordination with other federal agencies and ensure a comprehensive approach to addressing environmental problems (OIG cites climate change, water infrastructure, Chesapeake Bay, and Mexico Border as some specific examples of programs which would benefit from a coordinated federal approach.) GAO notes that the agency needs to improve coordination with its federal and state partners to reduce administrative burdens, redundant activities, and inefficient uses of federal resources.*

Agency Response: The EPA maintains the position it stated originally in its April 20, 2010 response to the *Draft Special Report: National Environmental Policy and Quadrennial Review Needed,* that a national environmental policy exists in the form of authorizing statutory goals and mandates in the National Environmental Policy Act. Further, the EPA and other federal agencies are already coordinating on high priority, complex issues.

For example, the agency routinely coordinates with federal, state and local funding partners to facilitate the delivery of often first time drinking water and wastewater services to small communities, while minimizing administrative burden. Coordination, collaboration and leveraging resources in concert with program partners are key aspects of all phases of US-Mexico Border Water Infrastructure Program implementation. In coordination with its partners, the agency uses a risk-based prioritization process to identify and fund border water infrastructure projects that will have the greatest public health and environmental benefits. Also, the EPA ensures that its resources are used efficiently through a program policy which stipulates EPA construction grants be used only as a last resort after all other possible funding sources have been explored, and EPA funding is deemed essential to make affordable high priority projects which otherwise could not be implemented in communities with limited institutional capacity. In doing so, the EPA ensures that project funding is necessary, directed toward the neediest communities, coordinated across agencies, and not duplicative. The EPA will continue to

partner, coordinate, and leverage resources as it implements the US-Mexico Border Water Infrastructure Program to address the significant public health and environmental needs along the border.

Additionally, the EPA continues to take the lead in working across the federal government and water sector to close the water infrastructure gap and move the nation's water infrastructure to a more sustainable footing. In October 2010, the EPA released its Clean Water and Drinking Water Sustainability Policy. The policy represents the agency's efforts to bring to define the focal points for affecting change to reduce the infrastructure gap. The policy emphasizes: 1) the need for robust and effective planning for water infrastructure; 2) capacity development and effective utility management to enhance the sustainability of all aspects of water sector systems; and 3) integrating water infrastructure into cross-sector planning efforts to foster the sustainability of our communities. The EPA is actively pursuing a suite of programs and activities in each of these areas, including efforts to encourage and work with state SRFs as they incorporate sustainability considerations into their programs.

The Chesapeake Bay Program is a partnership of federal agencies, states, local governments, nongovernmental organizations, academic institutions, and other interested stakeholders.
President Obama's May 2009 Executive Order on Chesapeake Bay Protection and Restoration has brought the federal agencies interested in the Bay and its watershed to a new level of interagency coordination and cooperation. The Executive Order established the Federal Leadership Committee for the Chesapeake Bay, which is chaired by the EPA and includes Secretary- and Administrator-level executives of the U.S. Departments of Agriculture, Commerce, Defense, Homeland Security, Interior, and Transportation. FLC members are represented in more regular meetings of the FLC Designees, which include Assistant Secretary and Assistant Administrator-level executives. Daily development of deliverables under the Executive Order is conducted by the Federal Office Directors' group. Working together, the FLC agencies released a coordinated implementation strategy on May 12, 2010. These agencies also coordinate on the development of an annual action plan and annual progress report required by the Executive Order.

The EPA's efforts to protect and restore the Bay and its watershed are closely coordinated with those of the watershed jurisdictions through the Chesapeake Bay Program partnership. Elected officials, agency leadership, and staff members from Delaware, the District of Columbia, Maryland, New York, Pennsylvania, Virginia, and West Virginia participate in all levels of program leadership. The jurisdictions also are partners in the science and monitoring efforts that support the program. The support and partnership of the jurisdictions are essential in the success of the Chesapeake Bay Program.

The EPA will continue its efforts to coordinate environmental issues across the federal government and with state and local partners.

9. Incorporating Protection of Children's Health:

***Summary of Challenge*:** *The EPA's Strategic Plan reflects the agency's priority for children's environmental health. However, recent GAO reports find that the agency's leadership needs to look for additional opportunities to coordinate and collaborate on the priorities in a more concrete and actionable way.*

Agency Response: Recent GAO reports and testimonies indicated that the EPA needs to reinvigorate its leadership focus on children's health. The EPA currently has management controls in place to coordinate children's health across the agency. As part of its *FY 2011 – 2015 Strategic Plan*, the EPA developed an agency-wide cross-cutting fundamental strategy for children's health that includes specific actions to be taken by program and regional offices[15]. The agency's Office of Children's Health and Protection has also developed a strategic plan which increases senior management's focus on children's health protection issues.

10. Limited Capability to Respond to Cyber Security Attacks

Summary of Challenge: *OIG believes that the EPA has limited capacity to effectively respond to external network threats and that actions taken by the agency do not demonstrate a comprehensive or systematic approach to network security. The agency needs to aggressively enhance its cyber security capabilities and address security weaknesses to strengthen its ability to detect and respond to network attacks.*

Agency Response: The EPA acknowledges that advanced persistent threats pose a significant challenge for the agency, as well as for all federal agencies. The EPA continues to make significant progress in enhancing situational awareness across the agency and increasing invisibility into network activities. To address this challenge, the EPA has identified specific automated tools to address cyber security concerns that are being implemented in a secure manner. The agency has fully deployed a Security Information and Event Management Tool to facilitate greater vigilance in log reviews and activity monitoring. The agency's Computer Security Incident Response Capability office is working to build stronger relationships with external organizations, such as the Department of Homeland Security, for threat intelligence sharing.

11. Addressing Workforce Planning

Summary of Challenge: *OIG and GAO continue to raise concerns about agency efforts to address workload and workforce planning. GAO believes the EPA continues to face challenges in identifying its human resource needs, and that it has not comprehensively analyzed its workload and workforce to determine the optimal workload and staff allocation. OIG notes that the EPA does not have controls and a defined methodology for determining workforce levels based upon the workload of the agency. Without data on workload levels, it is difficult for the agency to define and justify resource levels necessary to carry out the agency's mission.*

[15] http://www.epa.gov/planandbudget/strategicplan.html

Agency Response: As part of ongoing resource management efforts, the EPA has explored and continues to review how to maximize the productivity of its limited staff and other resources. As part of its annual budget process, the EPA tracks in detail the use of resources by program (or media), by program project, by year, by appropriation, and by object class (type of spending). The EPA also tracks and reports the results of its programs by strategic plan goals and objectives. Each year, the EPA uses these data to review the relative allocation of resources and staffing and funding for all its programs as well as specific activities and initiatives.

The EPA is complementing these management and planning efforts and data by strengthening both workforce planning (the type of staff and skills needed) and workload analytics (the capabilities to calculate the level of staffing needed for particular tasks).
Workforce Planning. The agency currently acknowledges Workforce Planning as an internal control weakness under the Federal Managers' Financial Integrity Act. In conjunction with the agency's annual budget process, the EPA's Office of Administration and Resource Management is leading a collaborative workforce planning initiative to identify the critical occupations required to meet the EPA's current and future mission objectives. Program and regional offices identified current mission critical and other occupations and considered office-specific retirement eligibility data to estimate potential attrition and identify anticipated shifts in their occupational profiles over FY 2012-2015. The agency will continue annual workforce planning in conjunction with its budget cycle to achieve greater strategic visioning at the national and office levels, identify new occupations or gaps in existing occupations, focus recruitment and outreach efforts, and strengthen succession planning.

Workload Analytics. The EPA has undertaken three major initiatives to strengthen its ability to understand the level of resources needed for specific functions or tasks. These initiatives address GAO and OIG concerns about both the agency's ability to capture and evaluate workload data and to develop capabilities for using workload data to analyze specific tasks. First, with contractor support the EPA conducted a survey to capture over 1,000 frontline managers' best estimates of FTE devoted to six critical functions: scientific research, environmental monitoring, regulatory development, permitting, enforcement, and financial management. The survey also captured estimates of the workload of major tasks within each function, as well as major work drivers and work products. Second, the agency reviewed workload analytical efforts of 23 other federal agencies regarding their workload planning overall and in specific functional areas they shared with the EPA, such as science and regulatory development. Third, the EPA's regional offices piloted efforts to assess some specific regional tasks and how some major variables could affect these tasks' workload.

The EPA is examining the results of these initiatives to develop practical next steps for EPA organizations and programs to follow in collecting and analyzing workload data on key project activities. The goal is to develop analytic tools which can provide common formats to help structure and inform high-level workload estimates. The EPA will rely on subject matter experts' knowledge and experience to develop the analytical framework, plan how best to collect and verify relevant workload data in their areas of expertise, and efficiently produce analyses to inform the agency's resource decision-making processes.

EPA USER FEE PROGRAM

In FY 2013, EPA will have several user fee programs in operation. These user fee programs and proposals are as follows:

Current Fees: Pesticides

Fees authorized by the Federal Insecticide, Fungicide, and Rodenticide Act of 1988, as amended by Public Law 110-94, will expire on September 30, 2012. Legislative language will be proposed to reauthorize and increase these fees to cover a greater portion of EPA's costs of administering Pesticides registration and reregistration programs.

- **Pesticides Maintenance Fee**

The Maintenance Fee provides funding for the Reregistration and Registration Review programs and a certain percentage supports the processing of applications involving inert ingredients.

- **Enhanced Registration Services**

Entities seeking to register pesticides for use in the United States pay a fee at the time the registration action request is submitted to EPA specifically for the accelerated pesticide registration decision service. This process has introduced new pesticides to the market more quickly.

Current Fees: Other

- **Pre-Manufacturing Notification Fee**

The Pre-Manufacturing Notification (PMN) Fee is collected for the review and processing of new chemical pre-manufacturing notifications submitted to EPA by the chemical industry. These fees are paid at the time of submission of the PMN for review by EPA's Toxic Substances program. PMN fees are authorized by the Toxic Substances Control Act and contain a cap on the amount the Agency may charge for a PMN review. EPA is authorized to collect up to $1.8 million in PMN fees in FY 2013 under current law.

- **Lead Accreditation and Certification Fee**

The Toxic Substances Control Act, Title IV, Section 402(a)(3), mandates the development of a schedule of fees for persons operating lead training programs accredited under the 402/404 rule and for lead-based paint contractors certified under this rule. The training programs ensure that lead paint abatement is done safely. Fees collected for this activity are deposited in the U.S. Treasury. EPA estimates that $1 million will be deposited in FY 2013.

- **Motor Vehicle and Engine Compliance Program Fee**

This fee is authorized by the Clean Air Act of 1990 and is administered by the Air and Radiation Program. Fee collections began in August 1992. Initially, this fee was imposed on manufacturers of light-duty vehicles, light- and heavy-duty trucks, and motorcycles. The fees cover EPA's cost of certifying new engines and vehicles and monitoring compliance of in-use engines and vehicles. In 2004, EPA promulgated a rule that updated existing fees and established fees for newly-regulated vehicles and engines. The fees established for new compliance programs are also imposed on manufacturers of heavy-duty, in-use, and non-road vehicles and engines, including large diesel and gas equipment (earthmovers, tractors, forklifts, compressors, etc), handheld and non-handheld utility engines (chainsaws, weed-whackers, leaf-blowers, lawnmowers, tillers, etc.), marine (boat motors, watercraft, jet-skis), locomotive, aircraft and recreational vehicles (off-road motorcycles, all-terrain vehicles, snowmobiles). In 2009, EPA added fees for evaporative requirements for non-road engines. EPA intends to apply certification fees to additional industry sectors as new programs are developed. In FY 2013, EPA expects to collect approximately $21.4 million from this fee program.

By FY 2014, EPA plans to have updated the fees rule to collect an additional $7 million annually compared to FY 2011. This $7 million reflects new costs that EPA will incur due to vehicle and fuels data systems and lab modernization. To offset these increases, EPA will update its existing Motor Vehicle and Engine Compliance (MVEC) fee program and propose a new Fuels Fee Program that will increase Agency fee collections by approximately $7.0 million annually.[16] This includes:

- Initiating a rulemaking to establish a new Fuels Program Fee to recover eligible costs associated with the implementation of the new Renewable Fuels program and other core Fuels program activities, including the registration and reporting on fuels and fuel additives. This action is estimated to increase fee collections by about $2.0 million annually.
- Updating the existing MVEC fee to capture expanded cost-recoverable activities associated with the development, operation, and maintenance of the Agency's engine and vehicle compliance information system. This action is estimated to increase fee collections by about $2.0 million annually.
- Updating the existing MVEC Fee Rule to recover costs of the Lab Modernization Project currently being funded with Agency funds. This action is estimated to increase fee collections by about $3.0 million annually.

<u>Fee Proposals: Other</u>

- **Enhanced Registration Service Fee**

Fees are paid by industry for expedited processing of certain registration petitions and the associated establishment of tolerances for pesticides to be used in or on food and animal feed. These Pesticide Registration Service fees are authorized by Section 33 of the Federal Insecticide,

[16] Note that this estimated increased fee revenue is contingent upon the lab receiving funding identified to date.

Fungicide, and Rodenticide Act of 1988, as amended by Public Law 110-94. Accordingly, during 2013, the level of registration service fees payable under this section shall be reduced 40 percent below the level in effect on September 30, 2012. Legislative language will be proposed to reauthorize and increase these fees to cover a greater portion of EPA's program operating costs. Currently, those who directly benefit from EPA's registration services cover only a fraction of the costs to operate the program, leaving the general taxpayer to shoulder the remaining burden.

- **Pesticides Maintenance Fee**

Legislative language will be submitted to authorize the collection of fees to more closely align fee collections with program costs. Maintenance fees are paid by the industry to offset the costs of pesticide reregistration, registration review, and reassessment of tolerances for pesticides used in or on food and animal feed as required by law. This fee is authorized in Section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act of 1972, as amended by Public Law 110-94. Authorization to collect the fee will expire on September 30th, 2012. Legislative language will be proposed to reauthorize and increase these fees to cover a greater portion of program operating costs. This proposal relieves the burden on the general taxpayer and finances a portion of the costs of operating the Reregistration program from those who directly benefit from EPA's reregistration activities.

- **Pre-Manufacturing Notification Fee**

Under the current fee structure, the Agency would collect $1.8 million in FY 2013. Legislative language will be submitted to remove the statutory cap in the Toxic Substances Control Act on Pre-Manufacturing Notification Fees. Under this legislative proposal, EPA expects to collect an additional $4 million in FY 2013 by removing the statutory cap.

- **Energy Star Fees**

The President's Budget proposes to begin collecting user fees from product manufacturers who seek to label their products under EPA's Energy Star program. Since 1992, the Energy Star label has served as an indicator of energy efficiency, helping consumers and businesses select qualifying products and, increasingly, Energy Star products have qualified for special rebates, tax exemptions or credits, and procurement preferences. Fee collection would start in fiscal year 2014 after EPA undertakes a rulemaking process to determine products to be covered by fees and the level of fees, and to ensure that a fee system would not discourage manufacturers from participating in the program or result in a loss of environmental benefits. Below is a copy of the legislative proposal language for the fee, also included in the President's Budget Appendix.

Energy Star User Fees.

(a) Schedule of Energy Star User fees. The Administrator of the Environmental Protection Agency may prescribe by regulation, for application in fiscal year 2014 and in subsequent fiscal years, a schedule of Energy Star fees for manufacturers of products that display the ENERGY STAR label. The regulation will ensure that the fee imposed on each manufacturer will

approximate, as closely as possible, its proportional share of ENERGY STAR products program administration costs. The Administrator shall amend this regulation periodically so as to ensure that the schedule of fees covers such costs.

(b) Collection Procedures. The Administrator shall prescribe procedures to collect the fees.

(c) Collection, Deposit, and Use:

(1) there is hereby established in the Treasury of the United States an "Energy Star User Fee" account;

(2) fees collected under this section shall be deposited in the Energy Star User Fee account;

(3) such fees shall be collected and available for ENERGY STAR products program administration functions performed by the Agency in an amount and to the extent provided in advance in appropriations acts.

- **Hazardous Waste Electronic Manifest**

A legislative proposal will be submitted to authorize the collection of user fees to support the development of an electronic manifest system for generators and transporters of hazardous waste. The Resource Conservation and Recovery Act (RCRA) requires transporters of hazardous waste to document information on the waste's generator, destination, quantity, and route. The current tracking system relies upon paper manifests. An electronic manifest system would increase transparency and public safety, making information on hazardous waste movement more accessible to the EPA, states, and the public. As part of the Administrator's goal to reduce the burden on regulated entities, where feasible, the Agency plans to continue to work on developing an electronic hazardous waste manifest system to reduce the time and cost associated with complying with regulations governing the transportation of hazardous substances. If fully implemented, an electronic manifest system is estimated to reduce the reporting burden for firms regulated under RCRA's hazardous waste provisions by $76 to $124 million annually.[17]

[17] See EPA's "Improving Our Regulations: Final Plan for Periodic Retrospective Reviews of Existing Regulations," p.17. http://www.epa.gov/improvingregulations/documents/eparetroreviewplan-aug2011.pdf.

WORKING CAPITAL FUND

In FY 2013, the Agency begins its seventeenth year of operation of the Working Capital Fund (WCF). It is a revolving fund, authorized by law to finance a cycle of operations, where the costs of goods and services provided are charged to users on a fee-for-service basis. The funds received are available without fiscal year limitation, to continue operations and to replace capital equipment. EPA's WCF was implemented under the authority of Section 403 of the Government Management Reform Act of 1994 and EPA's FY 1997 Appropriations Act. Permanent WCF authority was contained in the Agency's FY 1998 Appropriations Act.

The Chief Financial Officer (CFO) initiated the WCF in FY 1997 as part of an effort to: (1) be accountable to Agency offices, the Office of Management and Budget, and the Congress; (2) increase the efficiency of the administrative services provided to program offices; and (3) increase customer service and responsiveness. The Agency has a WCF Board which provides policy and planning oversight and advises the CFO regarding the WCF financial position. The Board, chaired by the Associate Chief Financial Officer, is composed of twenty-three permanent members from the program and regional offices.

Six Agency activities, provided in FY 2012, will continue into FY 2013. These are the Agency's information technology and telecommunications operations, managed by the Office of Environmental Information, Agency postage costs and background investigations, managed by the Office of Administration and Resources Management, and the Agency's core accounting system, relocation services and travel services, which are both managed by the Office of the Chief Financial Officer.

The Agency's FY 2013 budget request includes resources for these six activities in each National Program Manager's submission, totaling approximately $200 million. These estimated resources may be increased to incorporate program office's additional service needs during the operating year. To the extent that these increases are subject to Congressional reprogramming notifications, the Agency will comply with all applicable requirements. In FY 2013, the Agency will continue to market its information technology and relocation services to other Federal agencies in an effort to deliver high quality services external to EPA, which will result in lower costs to EPA customers.

Environmental Protection Agency
List of Acronyms

AA	Assistant Administrator
ACE/ITDS	Automated Commercial Environment/International Trade Data System
ADR	Alternative Dispute Resolution
AGO	America's Great Outdoors
APEC	Asia-Pacific Economic Cooperation
ARA	Assistant Regional Administrator
ARRA	American Recovery and Reinvestment Act
ATSDR	Agency for Toxic Substances and Disease Registry
B&F	Buildings and Facilities
CAA	Clean Air Act
CAFO	Concentrated Animal Feeding Operations
CAIR	Clean Air Interstate Rule
CAP	Clean Air Partnership Fund
CARE	Community Action for a Renewed Environment
CASTNet	Clean Air Status and Trends Network
CBEP	Community-Based Environmental Protection
CBP	Customs and Border Protection
CCAP	Climate Change Action Plan
CCS	Carbon Capture and Storage
CCTI	Climate Change Technology Initiative
CEIS	Center for Environmental Information and Statistics
CENRS	Committee on Environment, Natural Resources, and Sustainability

CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CG	Categorical Grant
CSI	Common Sense Initiative
CSO	Combined Sewer Overflows
CWA	Clean Water Act
CWAP	Clean Water Action Plan
DBP	Disinfection Byproducts
DFAS	Defense Finance and Accounting System
DfE	Design for the Environment
EISA	Energy Independence and Security Act of 2007
EJ	Environmental Justice
ELP	Environmental Leadership Project
EN	Enacted (Budget)
EPAct	Energy Policy Act of 2005
EPCRA	Emergency Preparedness and Community Right-to-Know Act
EPM	Environmental Programs and Management
ERRS	Emergency Rapid Response Services
ESC	Executive Steering Committee
ETI	Environmental Technology Initiative
ETV	Environmental Technology Verification
EU	European Union
FAN	Fixed Account Numbers
FASAB	Federal Accounting Standards Advisory Board
FCO	Funds Certifying Officer

FIFRA	Federal Insecticide, Fungicide and Rodenticide Act
FLC	Federal Leadership Committee
FMFIA	Federal Managers' Financial Integrity Act
FQPA	Food Quality Protection Act
FRP	Facility Response Plan
FSMA	Food Safety Modernization Act
FSMP	Financial System Modernization Project
FTE	Full-Time Equivalent
FUDS	Formerly Used Defense Sites
GAPG	General Assistance Program Grants
GHG	Greenhouse Gas
GPRA	Government Performance and Results Act
HHRA	Human Health Risk Assessment
HPV	High Production Volume
HS	Homeland Security
HSWA	Hazardous and Solid Waste Amendments of 1984
HWIR	Hazardous Waste Identification Media and Process Rules
IAG	Interagency Agreements
ICR	Information Collection Rule
IFMS	Integrated Financial Management System
IPCC	Intergovernmental Panel on Climate Change
IRIS	Integrated Risk Information System
IRM	Information Resource Management
ISTEA	Intermodal Surface Transportation Efficiency Act

ITMRA	Information Technology Management Reform Act of 1995-AKA Clinger/Cohen Act
LEPC	Local Emergency Planning Committee
LUST	Leaking Underground Storage Tanks
M&O	Management and Oversight
MACT	Maximum Achievable Control Technology
MTM	Mountaintop Mining
NAAEC	North American Agreement on Environmental Cooperation
NAAQs	National Ambient Air Quality Standards
NAFTA	North American Free Trade Agreement
NAPA	National Academy of Public Administration
NAS	National Academy of Sciences
NATA	National-Scale Air Toxics Assessment
NCDC	National Clean Diesel Campaign
NCEA	National Center for Environmental Assessment
NEA	Nuclear Energy Agency
NDPD	National Data Processing Division
NEP	National Estuary Program
NEPPS	National Environmental Performance Partnership System
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NIPP	National Infrastructure Protection Plan
NOA	New Obligation Authority
NPDES	National Pollutant Discharge Elimination System
NPDWRs	National Primary Drinking Water Regulations
NPL	National Priority List

NPM	National Program Manager
NPR	National Performance Review
NPS	Nonpoint Source
NVFEL	National Vehicle and Fuel Emissions Laboratory
OA	Office of the Administrator
OAM	Office of Acquisition Management
OAR	Office of Air and Radiation
OARM	Office of Administration and Resources Management
OCFO	Office of the Chief Financial Officer
OCHP	Office of Children's Health Protection
OECA	Office of Enforcement and Compliance Assurance
OEI	Office of Environmental Information
OEM	Office of Emergency Management
OFA	Other Federal Agencies
OFPP	Office of Federal Procurement Policy
OGC	Office of General Counsel
OIG	Office of Inspector General
OMTR	Open Market Trading Rule
OPA	Oil Pollution Act of 1990
OPAA	Office of Planning, Analysis and Accountability
ORD	Office of Research and Development
OSRTI	Office of Superfund Remediation and Technology Innovation
OSWER	Office of Solid Waste and Emergency Response
OTAG	Ozone Transport Advisory Group

OW	Office of Water
PB	President's Budget
PBTs	Persistent Bioaccumulative Toxins
PCB	Polychlorinated Biphenyls
PC&B	Personnel, Compensation and Benefits
PESP	Pesticide Environmental Stewardship Program
PG	Priority Goal
PIRT	Pesticide Inspector Residential Program
P2	Pollution Prevention
PM	Particulate Matter
PNGV	Partnership for a New Generation of Vehicles
POTWs	Publicly Owned Treatment Works
PPG	Performance Partnership Grants
PRC	Program Results Code
PREP	Pesticide Regulatory Education Program
PRIA	Pesticide Registration Improvement Act
PRIRA	Pesticide Registration Improvement Renewal Act
PWSS	Public Water System Supervision
RC	Responsibility Center
RCRA	Resource Conservation and Recovery Act of 1976
RGI	Regional Geographic Initiative
RMP	Risk Management Plan
RPIO	Responsible Planning Implementation Office
RR	Reprogramming Request

RRP	Renovation, Repair and Painting
RWTA	Rural Water Technical Assistance
S&T	Science and Technology
SALC	Sub-allocation (level)
SARA	Superfund Amendments and Reauthorization Act of 1986
SBIR	Small Business Innovation Research
SBEAPs	Small Business Environmental Assistance Program
SBO	Senior Budget Officer
SBREFA	Small Business Regulatory Enforcement Fairness Act
SDWA	Safe Drinking Water Act
SDWIS	Safe Drinking Water Information System
SERC	State Emergency Response Commission
SIP	State Implementation Plan
SITE	Superfund Innovative Technology Evaluation
SLC	Senior Leadership Council
SPCC	Spill Prevention, Control and Countermeasure
SRF	State Revolving Fund
SRO	Senior Resource Official
SSWR	Safe and Sustainable Water Resources
STAG	State and Tribal Assistance Grants
STAR	Science to Achieve Results
STEM	Science, Technology, Engineering and Math
STORS	Sludge-to-Oil-Reactor
SWP	Source Water Protection

SWTR	Surface Water Treatment Rule
TMDL	Total Maximum Daily Load
TRI	Toxic Release Inventory
TSCA	Toxic Substances Control Act
UIC	Underground Injection Control
USGCRP	U.S. Global Change Research Program
UST	Underground Storage Tanks
WCF	Working Capital Fund
WIF	Water Infrastructure Funds
WIPP	Waste Isolation Pilot Project
WSI	Water Security Initiative
WTO	World Trade Organization

STAG CATEGORICAL PROGRAM GRANTS

Statutory Authority and Eligible Uses
(Dollars in Thousands)

STAG CATEGORICAL PROGRAM GRANTS

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2011 Enacted (X1000)	FY 2012 Enacted Dollars (X1000)	FY 2013 Goal/ Objective	FY 2013 President's Request Dollars (X1000)
State and Local Air Quality Management	CAA, Section 103	Air pollution control agencies as defined in section 302(b) of the CAA	S/L monitoring and data collection activities in support of the $PM_{2.5}$ monitoring network and associated program costs.	$41,875.0	$34,000.0	Goal 1, Obj. 2	$30,000.0
State and Local Air Quality Management	CAA, Section 103	Air pollution control agencies as defined in section 302(b) of the CAA	S/L monitoring and data collection activities in support of the air toxics monitoring.	$2,276.0	$2,276.0	Goal 1, Obj. 2	$9,850.0
State and Local Air Quality Management	CAA, Section 103	Air pollution control agencies as defined in section 302(b) of the CAA	S/L monitoring procurement activities in support of the NAAQS.	$5,250.0	$5,250.0	Goal 1, Obj. 2	$15,000.0

STAG CATEGORICAL PROGRAM GRANTS

Statutory Authority and Eligible Uses
(Dollars in Thousands)

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2011 Enacted (X1000)	FY 2012 Enacted Dollars (X1000)	FY 2013 Goal/ Objective	FY 2013 President's Request Dollars (X1000)
State and Local Air Quality Management	CAA, Sections 105, 106	Air pollution control agencies as defined in section 302(b) of the CAA; Multi-jurisdictional organizations (non-profit organizations whose boards of directors or membership is made up of CAA section 302(b) agency officers and whose mission is to support the continuing environmental programs of the States); Interstate air quality control region designated pursuant to section 107 of the CAA or of implementing section 176A, or section 184 NOTE: only the Ozone Transport Commission is eligible.	Carrying out the traditional prevention and control programs required by the CAA and associated program support costs, including monitoring activities (section 105); Coordinating or facilitating a multi-jurisdictional approach to carrying out the traditional prevention and control programs required by the CAA (sections 103 and 106); Supporting training for CAA section 302(b) air pollution control agency staff (sections 103 and 105); Supporting research, investigative and demonstration projects (section 103).	$186,106.0 Section 105 grants _____ $600.0 Section 106 grants **Total: $236,107.0**	$193,603.0 Section 105 grants $0.0 _____ $600.0 Section 106 grants **Total: $235,729.0**	Goal 1, Obj. 2 Goal 1, Obj. 1	$219,550.0 Section 105 grants $26, 500.0 _____ $600.0 Section 106 grants **Total: $301,500.0**

STAG CATEGORICAL PROGRAM GRANTS

Statutory Authority and Eligible Uses
(Dollars in Thousands)

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2011 Enacted (X1000)	FY 2012 Enacted Dollars (X1000)	FY 2013 Goal/ Objective	FY 2013 President's Request Dollars (X1000)
Tribal Air Quality Management	CAA, Sections 103 and 105; Tribal Cooperative Agreements (TCA) in annual Appropriations Acts.	Tribes; Intertribal Consortia; State/Tribal College or University	Conducting air quality assessment activities to determine a Tribe's need to develop a CAA program; Carrying out the traditional prevention and control programs required by the CAA and associated program costs; Supporting CAA training for Federally-recognized Tribes.	$12,873.0 Section 103 grants _____ $400.0 Section 105 grants **Total: $13,273.0**	$12,852.0 Section 103 grants _____ $400.0 Section 105 grants **Total: $13,252.0**	Goal 1, Obj. 2	$13,166.0 Section 103 grants _____ $400.0 Section 105 grants **Total: $13,566.0**
Radon	TSCA, Sections 10 and 306	State Agencies, Tribes, Intertribal Consortia	Assist in the development and implementation of programs for the assessment and mitigation of radon.	$8,058.0	$8,045.0	N/A	$0.0

STAG CATEGORICAL PROGRAM GRANTS

Statutory Authority and Eligible Uses
(Dollars in Thousands)

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2011 Enacted (X1000)	FY 2012 Enacted Dollars (X1000)	FY 2013 Goal/ Objective	FY 2013 President's Request Dollars (X1000)
Water Pollution Control (Section 106)	FWPCA, as amended, Section 106; TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia, Interstate Agencies	Develop and carry out surface and ground water pollution control programs, including NPDES permits, TMDLs, WQ standards, monitoring, and NPS control activities.	$238,786.0	$238,403.0	Goal 2, Obj. 2	$265,264.0
Nonpoint Source (NPS – Section 319)	FWPCA, as amended, Section 319(h); TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia	Implement EPA-approved State and Tribal nonpoint source management programs and fund priority projects, as selected by the State.	$175,505.0	$164,493.0	Goal 2, Obj. 2	$164,757.0
Wetlands Program Development	FWPCA, as amended, Section 104 (b)(3); TCA in annual Appropriations Acts.	States, Local Governments, Tribes, Interstate Organizations, Intertribal Consortia, Non-Profit Organizations	To develop new wetland programs or enhance existing programs for the protection, management, and restoration of wetland resources.	$16,796.0	$15,143.0	Goal 2, Obj. 2	$15,167.0
Public Water System Supervision (PWSS)	SDWA, Section 1443(a); TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia	Assistance to implement and enforce National Primary Drinking Water Regulations to ensure the safety of the Nation's drinking water resources and to protect public health.	$105,489.0	$105,320.0	Goal 2, Obj. 1	$109,700.0

STAG CATEGORICAL PROGRAM GRANTS

Statutory Authority and Eligible Uses
(Dollars in Thousands)

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2011 Enacted (X1000)	FY 2012 Enacted Dollars (X1000)	FY 2013 Goal/ Objective	FY 2013 President's Request Dollars (X1000)
Underground Injection Control (UIC)	SDWA, Section 1443(b); TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia	Implement and enforce regulations that protect underground sources of drinking water by controlling Class I-V underground injection wells.	$10,869.0	$10,852.0	Goal 2, Obj. 1	$11,109.0
Beaches Protection	BEACH Act of 2000; TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia, Local Governments	Develop and implement programs for monitoring and notification of conditions for coastal recreation waters adjacent to beaches or similar points of access that are used by the public.	$9,880.0	$9,864.0	N/A	$0.0
Hazardous Waste Financial Assistance	RCRA, Section 3011; FY 1999 Appropriations Act (PL 105-276); TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia	Development & Implementation of Hazardous Waste Programs	$103,139.0	Obj. 2 $94,102.0 _____ Obj. 3 $8,872.0 **Total** **$102,974.0**	Goal 3, Obj. 2 _____ Goal 3, Obj. 3	Obj. 2 $73,508.0 _____ Obj. 3 $29,904.0 **Total** **$103,412.0**

STAG CATEGORICAL PROGRAM GRANTS

Statutory Authority and Eligible Uses
(Dollars in Thousands)

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2011 Enacted (X1000)	FY 2012 Enacted Dollars (X1000)	FY 2013 Goal/ Objective	FY 2013 President's Request Dollars (X1000)
Brownfields	CERCLA, as amended by the Small Business Liability Relief and Brownfields Revitalization Act (P.L. 107-118); GMRA (1990); FGCAA.	States, Tribes, Intertribal Consortia	Build and support Brownfields programs which will assess contaminated properties, oversee private party cleanups, provide cleanup support through low interest loans, and provide certainty for liability related issues.	$49,396.0	$49,317.0	Goal 3, Obj. 1	$47,572.0
Underground Storage Tanks (UST)	SWDA, as amended by the Superfund Reauthorization Amendments of 1986 (Subtitle I), Section 2007(f), 42 U.S.C. 6916(f)(2); EPAct of 2005, Title XV – Ethanol and Motor Fuels, Subtitle B – Underground Storage Tank Compliance, Sections 1521-1533, P.L. 109-58, 42 U.S.C. 15801.	States	Provide funding for States' underground storage tanks and to support direct UST implementation programs.	$2,495.0	$1,548.0	Goal 3, Obj. 2	$1,490.0

STAG CATEGORICAL PROGRAM GRANTS

Statutory Authority and Eligible Uses
(Dollars in Thousands)

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2011 Enacted (X1000)	FY 2012 Enacted Dollars (X1000)	FY 2013 Goal/ Objective	FY 2013 President's Request Dollars (X1000)
Pesticides Program Implementation	FIFRA, Sections 20 and 23; the FY 1999 Appropriations Act (PL 105-276); FY 2000 Appropriations Act (P.L. 106-74); TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia	Implement the following programs through grants to States, Tribes, partners, and supporters: Certification and Training (C&T) / Worker Protection, Endangered Species Protection Program (ESPP) Field Activities, Pesticides in Water, Tribal Program, and Pesticide Environmental Stewardship Program.	$11,424.0 – States formula _____ $2,069.0 HQ Programs: - Tribal - PREP - PESP - EJ _____ **Total: $13,493.0**	$11,423.0 – States formula _____ $1,696.0 HQ Programs: - Tribal - PREP - PESP - EJ _____ **Total: $13,119.0**	Goal 4, Obj. 1	$11,423.0 – States formula _____ $1,717.0 HQ Programs: - Tribal - PREP - PESP - EJ _____ **Total: $13,140.0**

STAG CATEGORICAL PROGRAM GRANTS

Statutory Authority and Eligible Uses
(Dollars in Thousands)

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2011 Enacted (X1000)	FY 2012 Enacted Dollars (X1000)	FY 2013 Goal/ Objective	FY 2013 President's Request Dollars (X1000)
Lead	TSCA, Sections 10 and 404 (g); FY 2000 Appropriations Act (P.L. 106-74); TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia	Implement the lead-based paint activities in the Training and Certification program through EPA-authorized State, territorial and Tribal programs and, in areas without authorization, through direct implementation by the Agency. Activities conducted as part of this program include issuing grants for the training and certification of individuals and firms engaged in lead-based paint abatement and inspection activities and the accreditation of qualified training providers.	$14,535.0	$11,113.9 404(g) State/ Tribal Certification _____ $3,398.1 404(g) Direct Implementation **Total: $14,512.0**	Goal 4, Obj. 1	$11,376.6 404(g) State/ Tribal Certification _____ $3,478.4 404(g) Direct Implementation **Total: $14,855.0**
Toxic Substances Compliance	TSCA, Sections 28(a) and 404 (g); TCA in annual Appropriations Acts.	States, Territories, Federally recognized Indian Tribes, Intertribal Consortia, and Territories of the U.S.	Assist in developing, maintaining and implementing compliance monitoring programs for PCBs, asbestos, and Lead Based Paint. In addition, enforcement actions by :1) the Lead Based Paint program, and 2) States that obtained a "waiver" under the Asbestos program.	$5,089.0	$ 1,783.0 Lead _____ $ 3,298 .0 PCB/Asbestos **Total: $5,081.0**	Goal 5, Obj. 1	$1,801.0 Lead _____ $3,400.0 PCB/Asbestos **Total: $5,201.0**

STAG CATEGORICAL PROGRAM GRANTS

Statutory Authority and Eligible Uses
(Dollars in Thousands)

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2011 Enacted (X1000)	FY 2012 Enacted Dollars (X1000)	FY 2013 Goal/ Objective	FY 2013 President's Request Dollars (X1000)
Pesticide Enforcement	FIFRA § 23(a)(1); FY 2000 Appropriations Act (P.L. 106-74); TCA in annual Appropriations Acts.	States, Territories, Tribes, Intertribal Consortia	Assist in implementing cooperative pesticide enforcement programs.	$18,674.0	$18,644.0	Goal 5, Obj. 1	$19,085.0

STAG CATEGORICAL PROGRAM GRANTS

Statutory Authority and Eligible Uses
(Dollars in Thousands)

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2011 Enacted (X1000)	FY 2012 Enacted Dollars (X1000)	FY 2013 Goal/ Objective	FY 2013 President's Request Dollars (X1000)
National Environmental Information Exchange Network (NEIEN, aka "the Exchange Network")	As appropriate, CAA, Section 103; CWA, Section 104; RCRA, Section 8001; FIFRA, Section 20; TSCA, Sections 10 and 28; MPRSA, Section 203; SDWA, Section 1442; Indian Environmental General Assistance Program Act of 1992, as amended; FY 2000 Appropriations Act (P.L. 106-74); Pollution Prevention Act of 1990, Section 6605; FY 2002 Appropriations Act and FY 2003 Appropriations Acts.	States, Tribes, Interstate Agencies, Tribal Consortium, Other Agencies with Related Environmental Information Activities.	Helps States, territories, Tribes, and intertribal consortia develop the information management and technology (IM/IT) capabilities they need to participate in the Exchange Network, to continue and expand data-sharing programs, and to improve access to environmental information. These grants supplement the Exchange Network investments already being made by States and Tribes.	$9,980.0	$9,964.0	N/A	$15,200.0

STAG CATEGORICAL PROGRAM GRANTS

Statutory Authority and Eligible Uses
(Dollars in Thousands)

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2011 Enacted (X1000)	FY 2012 Enacted Dollars (X1000)	FY 2013 Goal/ Objective	FY 2013 President's Request Dollars (X1000)
Pollution Prevention	Pollution Prevention Act of 1990, Section 6605; TSCA Section 10; FY 2000 Appropriations Act (P.L. 106-74); TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia	Provides assistance to States and State entities (i.e., colleges and universities) and Federally-recognized Tribes and intertribal consortia in order to deliver pollution prevention technical assistance to small and medium-sized businesses. A goal of the program is to assist businesses and industries with identifying improved environmental strategies and solutions for reducing waste at the source.	$4,930.0	$4,922.0	Goal 4, Obj. 2	$5,039.0
Tribal General Assistance Program	Indian Environmental General Assistance Program Act (42 U.S.C. 4368b); TCA in annual Appropriations Acts.	Tribal Governments, Intertribal Consortia	Plan and develop Tribal environmental protection programs.	$67,739.0	$67,631.0	Goal 3, Obj. 4	$96,375.0

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Science & Technology				
Clean Air and Climate				
Clean Air Allowance Trading Programs	$9,934.0	$9,082.0	$9,797.0	$715.0
Climate Protection Program	$18,487.9	$16,319.0	$7,760.0	($8,559.0)
Federal Support for Air Quality Management	$11,054.0	$7,091.0	$7,622.0	$531.0
Federal Support for Air Toxics Program	$2,540.1	$0.0	$0.0	$0.0
Federal Vehicle and Fuels Standards and Certification	$100,691.6	$91,886.0	$101,929.0	$10,043.0
Subtotal, Clean Air and Climate	$142,707.6	$124,378.0	$127,108.0	$2,730.0
Indoor Air and Radiation				
Indoor Air: Radon Program	$446.1	$210.0	$0.0	($210.0)
Reduce Risks from Indoor Air	$809.8	$370.0	$379.0	$9.0
Radiation: Protection	$2,275.4	$2,094.0	$2,126.0	$32.0
Radiation: Response Preparedness	$4,181.9	$4,076.0	$4,156.0	$80.0
Subtotal, Indoor Air and Radiation	$7,713.2	$6,750.0	$6,661.0	($89.0)
Enforcement				
Forensics Support	$16,354.3	$15,269.0	$15,593.0	$324.0
Homeland Security				
Homeland Security: Critical Infrastructure Protection				
Water Security Initiative	$12,097.2	$8,606.0	$7,023.0	($1,583.0)
Homeland Security: Critical Infrastructure Protection (other activities)	$6,401.5	$2,755.0	$2,756.0	$1.0
Subtotal, Homeland Security: Critical Infrastructure Protection	$18,498.7	$11,361.0	$9,779.0	($1,582.0)
Homeland Security: Preparedness, Response, and Recovery				
Decontamination	$23,537.6	$17,356.0	$17,185.0	($171.0)
Laboratory Preparedness and Response	$100.1	$0.0	$0.0	$0.0
Safe Building	$791.5	$0.0	$0.0	$0.0
Homeland Security: Preparedness, Response, and Recovery (other activities)	$17,107.6	$12,678.0	$12,523.0	($155.0)
Subtotal, Homeland Security: Preparedness, Response, and Recovery	$41,536.8	$30,034.0	$29,708.0	($326.0)
Homeland Security: Protection of EPA Personnel and Infrastructure	$592.0	$578.0	$579.0	$1.0
Subtotal, Homeland Security	$60,627.5	$41,973.0	$40,066.0	($1,907.0)

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
IT / Data Management / Security				
IT / Data Management	$3,483.7	$3,652.0	$4,047.0	$395.0
Operations and Administration				
Facilities Infrastructure and Operations				
Rent	$30,251.9	$35,605.0	$34,899.0	($706.0)
Utilities	$20,159.3	$20,162.0	$20,202.0	$40.0
Security	$9,300.6	$10,696.0	$11,066.0	$370.0
Facilities Infrastructure and Operations (other activities)	$9,724.3	$5,556.0	$9,318.0	$3,762.0
Subtotal, Facilities Infrastructure and Operations	$69,436.1	$72,019.0	$75,485.0	$3,466.0
Subtotal, Operations and Administration	$69,436.1	$72,019.0	$75,485.0	$3,466.0
Pesticides Licensing				
Pesticides: Protect Human Health from Pesticide Risk	$4,118.8	$3,757.0	$3,919.0	$162.0
Pesticides: Protect the Environment from Pesticide Risk	$1,995.2	$2,289.0	$2,604.0	$315.0
Pesticides: Realize the Value of Pesticide Availability	$522.8	$517.0	$575.0	$58.0
Subtotal, Pesticides Licensing	$6,636.8	$6,563.0	$7,098.0	$535.0
Research: Air, Climate and Energy				
Research: Air, Climate and Energy				
Global Change	$19,416.9	$18,276.0	$20,281.0	$2,005.0
Clean Air	$91,122.7	$78,526.0	$82,853.0	$4,327.0
Research: Air, Climate and Energy (other activities)	$9,216.4	$2,043.0	$2,760.0	$717.0
Subtotal, Research: Air, Climate and Energy	$119,756.0	$98,845.0	$105,894.0	$7,049.0
Subtotal, Research: Air, Climate and Energy	$119,756.0	$98,845.0	$105,894.0	$7,049.0
Research: Safe and Sustainable Water Resources				
Research: Safe and Sustainable Water Resources				
Drinking Water	$50,885.3	$50,152.0	$51,606.0	$1,454.0
Water Quality	$66,573.0	$63,274.0	$69,532.0	$6,258.0
Research: Safe and Sustainable Water Resources (other activities)	$0.0	$50.0	$52.0	$2.0
Subtotal, Research: Safe and Sustainable Water Resources	$117,458.3	$113,476.0	$121,190.0	$7,714.0
Subtotal, Research: Safe and Sustainable Water Resources	$117,458.3	$113,476.0	$121,190.0	$7,714.0

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities				
Human Health	$52,904.5	$45,318.0	$44,500.0	($818.0)
Ecosystems	$68,740.8	$60,806.0	$60,180.0	($626.0)
Research: Sustainable and Healthy Communities (other activities)	$70,790.8	$64,617.0	$61,050.0	($3,567.0)
Subtotal, Research: Sustainable and Healthy Communities	$192,436.1	$170,741.0	$165,730.0	($5,011.0)
Subtotal, Research: Sustainable Communities	$192,436.1	$170,741.0	$165,730.0	($5,011.0)
Research: Chemical Safety and Sustainability				
Human Health Risk Assessment	$46,140.1	$39,553.0	$40,505.0	$952.0
Research: Chemical Safety and Sustainability				
Endocrine Disruptors	$10,708.8	$16,861.0	$16,253.0	($608.0)
Computational Toxicology	$22,412.4	$21,177.0	$21,267.0	$90.0
Research: Chemical Safety and Sustainability (other activities)	$52,092.4	$53,697.0	$56,721.0	$3,024.0
Subtotal, Research: Chemical Safety and Sustainability	$85,213.6	$91,735.0	$94,241.0	$2,506.0
Subtotal, Research: Chemical Safety and Sustainability	$131,353.7	$131,288.0	$134,746.0	$3,458.0
Water: Human Health Protection				
Drinking Water Programs	$3,724.2	$3,782.0	$3,639.0	($143.0)
Congressional Priorities				
Congressionally Mandated Projects	$5,582.0	$0.0	$0.0	$0.0
Water Quality Research and Support Grants	$0.0	$4,992.0	$0.0	($4,992.0)
Subtotal, Congressional Priorities	$5,582.0	$4,992.0	$0.0	($4,992.0)
Total, Science & Technology	$877,269.5	$793,728.0	$807,257.0	$13,529.0
Environmental Program & Management				
Clean Air and Climate				
Clean Air Allowance Trading Programs	$20,877.3	$20,811.0	$20,888.0	$77.0
Climate Protection Program				
Energy STAR	$52,306.0	$49,668.0	$53,872.0	$4,204.0
Methane to markets	$4,863.0	$5,013.0	$4,927.0	($86.0)

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Greenhouse Gas Reporting Registry	$18,357.6	$15,757.0	$18,694.0	$2,937.0
Climate Protection Program (other activities)	$40,808.6	$29,043.0	$30,498.0	$1,455.0
Subtotal, Climate Protection Program	$116,335.2	$99,481.0	$107,991.0	$8,510.0
Federal Stationary Source Regulations	$31,296.0	$27,298.0	$34,142.0	$6,844.0
Federal Support for Air Quality Management	$106,081.2	$123,469.0	$134,841.0	$11,372.0
Federal Support for Air Toxics Program	$24,005.5	$0.0	$0.0	$0.0
Stratospheric Ozone: Domestic Programs	$5,157.6	$5,570.0	$5,643.0	$73.0
Stratospheric Ozone: Multilateral Fund	$9,690.0	$9,479.0	$9,690.0	$211.0
Subtotal, Clean Air and Climate	$313,442.8	$286,108.0	$313,195.0	$27,087.0
Indoor Air and Radiation				
Indoor Air: Radon Program	$5,318.5	$3,895.0	$2,198.0	($1,697.0)
Reduce Risks from Indoor Air	$21,503.0	$17,168.0	$17,393.0	$225.0
Radiation: Protection	$11,156.0	$9,616.0	$9,760.0	$144.0
Radiation: Response Preparedness	$3,439.8	$3,038.0	$3,083.0	$45.0
Subtotal, Indoor Air and Radiation	$41,417.3	$33,717.0	$32,434.0	($1,283.0)
Brownfields				
Brownfields	$24,443.8	$23,642.0	$25,685.0	$2,043.0
Compliance				
Compliance Assistance and Centers	$671.8	$0.0	$0.0	$0.0
Compliance Incentives	$667.3	$0.0	$0.0	$0.0
Compliance Monitoring	$109,266.9	$106,707.0	$125,209.0	$18,502.0
Subtotal, Compliance	$110,606.0	$106,707.0	$125,209.0	$18,502.0
Enforcement				
Civil Enforcement	$179,391.2	$177,290.0	$188,957.0	$11,667.0
Criminal Enforcement	$51,623.3	$48,123.0	$51,900.0	$3,777.0
Enforcement Training	$410.3	$0.0	$0.0	$0.0
Environmental Justice	$8,407.0	$6,848.0	$7,161.0	$313.0
NEPA Implementation	$17,105.0	$17,298.0	$17,424.0	$126.0
Subtotal, Enforcement	$256,936.8	$249,559.0	$265,442.0	$15,883.0

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Geographic Programs				
Great Lakes Restoration	$329,215.5	$299,520.0	$300,000.0	$480.0
Geographic Program: Chesapeake Bay	$42,414.3	$57,299.0	$72,618.0	$15,319.0
Geographic Program: San Francisco Bay	$4,357.2	$5,838.0	$4,857.0	($981.0)
Geographic Program: Puget Sound	$38,113.8	$29,952.0	$19,289.0	($10,663.0)
Geographic Program: South Florida	$1,643.8	$2,058.0	$1,700.0	($358.0)
Geographic Program: Long Island Sound	$6,154.3	$3,956.0	$2,962.0	($994.0)
Geographic Program: Gulf of Mexico	$4,881.6	$5,455.0	$4,436.0	($1,019.0)
Geographic Program: Lake Champlain	$6,732.1	$2,395.0	$1,399.0	($996.0)
Geographic Program: Other				
Northwest Forest	$1,246.8	$1,294.0	$1,417.0	$123.0
Lake Pontchartrain	$2,598.0	$1,952.0	$955.0	($997.0)
Community Action for a Renewed Environment (CARE)	$2,697.5	$0.0	$2,069.0	$2,069.0
Geographic Program: Other (other activities)	$33,965.0	$0.0	$0.0	$0.0
Subtotal, Geographic Program: Other	$40,507.3	$3,246.0	$4,441.0	$1,195.0
Subtotal, Geographic Programs	$474,019.9	$409,719.0	$411,702.0	$1,983.0
Homeland Security				
Homeland Security: Communication and Information	$4,215.9	$4,249.0	$4,217.0	($32.0)
Homeland Security: Critical Infrastructure Protection	$2,411.5	$1,063.0	$2,087.0	$1,024.0
Homeland Security: Preparedness, Response, and Recovery				
Decontamination	$791.5	$0.0	$0.0	$0.0
Homeland Security: Preparedness, Response, and Recovery (other activities)	$481.3	$0.0	$0.0	$0.0
Subtotal, Homeland Security: Preparedness, Response, and Recovery	$1,272.8	$0.0	$0.0	$0.0
Homeland Security: Protection of EPA Personnel and Infrastructure	$6,497.0	$5,966.0	$5,999.0	$33.0
Subtotal, Homeland Security	$14,397.2	$11,278.0	$12,303.0	$1,025.0
Information Exchange / Outreach				
Children and Other Sensitive Populations: Agency Coordination	$8,790.8	$7,481.0	$10,923.0	$3,442.0
Environmental Education	$6,962.2	$9,699.0	$0.0	($9,699.0)
Congressional, Intergovernmental, External Relations	$53,544.3	$47,638.0	$52,896.0	$5,258.0

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Exchange Network	$17,816.6	$17,724.0	$23,008.0	$5,284.0
Small Business Ombudsman	$3,106.9	$2,693.0	$3,018.0	$325.0
Small Minority Business Assistance	$2,277.5	$2,079.0	$2,291.0	$212.0
State and Local Prevention and Preparedness	$13,063.2	$13,320.0	$14,852.0	$1,532.0
TRI / Right to Know	$16,634.5	$16,322.0	$17,354.0	$1,032.0
Tribal - Capacity Building	$13,892.7	$13,736.0	$15,062.0	$1,326.0
Subtotal, Information Exchange / Outreach	$136,088.7	$130,692.0	$139,404.0	$8,712.0
International Programs				
US Mexico Border	$4,872.0	$4,313.0	$4,490.0	$177.0
International Sources of Pollution	$8,731.0	$7,659.0	$8,466.0	$807.0
Trade and Governance	$6,230.1	$5,632.0	$6,178.0	$546.0
Subtotal, International Programs	$19,833.1	$17,604.0	$19,134.0	$1,530.0
IT / Data Management / Security				
Information Security	$7,831.2	$6,786.0	$6,868.0	$82.0
IT / Data Management	$96,614.1	$87,939.0	$88,893.0	$954.0
Subtotal, IT / Data Management / Security	$104,445.3	$94,725.0	$95,761.0	$1,036.0
Legal / Science / Regulatory / Economic Review				
Administrative Law	$5,260.3	$5,198.0	$5,392.0	$194.0
Alternative Dispute Resolution	$1,271.2	$1,194.0	$1,477.0	$283.0
Civil Rights / Title VI Compliance	$11,740.4	$11,618.0	$13,974.0	$2,356.0
Legal Advice: Environmental Program	$42,286.6	$40,746.0	$45,840.0	$5,094.0
Legal Advice: Support Program	$15,692.6	$14,260.0	$16,064.0	$1,804.0
Regional Science and Technology	$3,178.6	$2,591.0	$3,307.0	$716.0
Integrated Environmental Strategies	$17,908.7	$14,754.0	$16,326.0	$1,572.0
Regulatory/Economic-Management and Analysis	$20,329.8	$15,256.0	$23,345.0	$8,089.0
Science Advisory Board	$6,074.9	$5,135.0	$6,727.0	$1,592.0
Subtotal, Legal / Science / Regulatory / Economic Review	$123,743.1	$110,752.0	$132,452.0	$21,700.0
Operations and Administration				
Facilities Infrastructure and Operations				
Rent	$161,589.3	$170,529.0	$171,152.0	$623.0
Utilities	$12,566.5	$11,205.0	$10,660.0	($545.0)

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Security	$27,991.8	$29,216.0	$31,486.0	$2,270.0
Facilities Infrastructure and Operations (other activities)	$118,392.6	$108,827.0	$118,018.0	$9,191.0
Subtotal, Facilities Infrastructure and Operations	$320,540.2	$319,777.0	$331,316.0	$11,539.0
Central Planning, Budgeting, and Finance	$85,541.1	$72,290.0	$78,817.0	$6,527.0
Acquisition Management	$30,688.2	$33,175.0	$35,727.0	$2,552.0
Financial Assistance Grants / IAG Management	$26,770.6	$24,002.0	$25,910.0	$1,908.0
Human Resources Management	$46,839.9	$37,839.0	$39,428.0	$1,589.0
Subtotal, Operations and Administration	$510,380.0	$487,083.0	$511,198.0	$24,115.0
Pesticides Licensing				
Pesticides: Protect Human Health from Pesticide Risk	$61,686.0	$58,208.0	$58,971.0	$763.0
Pesticides: Protect the Environment from Pesticide Risk	$41,265.6	$37,854.0	$37,960.0	$106.0
Pesticides: Realize the Value of Pesticide Availability	$13,065.8	$12,532.0	$12,306.0	($226.0)
Science Policy and Biotechnology	$1,672.9	$1,754.0	$1,770.0	$16.0
Subtotal, Pesticides Licensing	$117,690.3	$110,348.0	$111,007.0	$659.0
Resource Conservation and Recovery Act (RCRA)				
RCRA: Waste Management				
eManifest	$0.0	$0.0	$2,000.0	$2,000.0
RCRA: Waste Management (other activities)	$67,520.1	$63,500.0	$65,385.0	$1,885.0
Subtotal, RCRA: Waste Management	$67,520.1	$63,500.0	$67,385.0	$3,885.0
RCRA: Corrective Action	$37,156.3	$39,422.0	$40,265.0	$843.0
RCRA: Waste Minimization & Recycling	$12,589.6	$9,547.0	$9,648.0	$101.0
Subtotal, Resource Conservation and Recovery Act (RCRA)	$117,266.0	$112,469.0	$117,298.0	$4,829.0
Toxics Risk Review and Prevention				
Endocrine Disruptors	$9,624.6	$8,255.0	$7,238.0	($1,017.0)
Toxic Substances: Chemical Risk Review and Reduction	$59,752.2	$56,497.0	$67,644.0	$11,147.0
Pollution Prevention Program	$15,994.6	$15,389.0	$15,888.0	$499.0
Toxic Substances: Chemical Risk Management	$6,868.6	$6,032.0	$3,739.0	($2,293.0)
Toxic Substances: Lead Risk Reduction Program	$14,140.9	$13,798.0	$14,698.0	$900.0
Subtotal, Toxics Risk Review and Prevention	$106,380.9	$99,971.0	$109,207.0	$9,236.0

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Underground Storage Tanks (LUST / UST)				
LUST / UST	$11,622.7	$12,846.0	$12,283.0	($563.0)
Water: Ecosystems				
National Estuary Program / Coastal Waterways	$31,528.9	$27,014.0	$27,304.0	$290.0
Wetlands	$28,297.6	$21,160.0	$27,685.0	$6,525.0
Subtotal, Water: Ecosystems	$59,826.5	$48,174.0	$54,989.0	$6,815.0
Water: Human Health Protection				
Beach / Fish Programs	$2,896.2	$2,552.0	$702.0	($1,850.0)
Drinking Water Programs	$104,689.8	$98,547.0	$104,613.0	$6,066.0
Subtotal, Water: Human Health Protection	$107,586.0	$101,099.0	$105,315.0	$4,216.0
Water Quality Protection				
Marine Pollution	$15,570.5	$12,898.0	$11,587.0	($1,311.0)
Surface Water Protection	$217,119.1	$203,856.0	$211,574.0	$7,718.0
Subtotal, Water Quality Protection	$232,689.6	$216,754.0	$223,161.0	$6,407.0
Congressional Priorities				
Congressionally Mandated Projects	$750.0	$0.0	$0.0	$0.0
Water Quality Research and Support Grants	$0.0	$14,975.0	$0.0	($14,975.0)
Subtotal, Congressional Priorities	$750.0	$14,975.0	$0.0	($14,975.0)
Total, Environmental Program & Management	$2,883,566.0	$2,678,222.0	$2,817,179.0	$138,957.0
Inspector General				
Audits, Evaluations, and Investigations				
Audits, Evaluations, and Investigations	$46,627.9	$41,933.0	$48,273.0	$6,340.0
Total, Inspector General	$46,627.9	$41,933.0	$48,273.0	$6,340.0
Building and Facilities				
Homeland Security				
Homeland Security: Protection of EPA Personnel and Infrastructure	$8,269.1	$7,044.0	$8,038.0	$994.0

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Operations and Administration				
Facilities Infrastructure and Operations	$30,254.7	$29,326.0	$33,931.0	$4,605.0
Total, Building and Facilities	$38,523.8	$36,370.0	$41,969.0	$5,599.0
Hazardous Substance Superfund				
Indoor Air and Radiation				
Radiation: Protection	$2,478.4	$2,468.0	$2,637.0	$169.0
Audits, Evaluations, and Investigations				
Audits, Evaluations, and Investigations	$8,943.7	$9,939.0	$10,864.0	$925.0
Compliance				
Compliance Incentives	$5.6	$0.0	$0.0	$0.0
Compliance Monitoring	$1,192.5	$1,221.0	$1,223.0	$2.0
Subtotal, Compliance	$1,198.1	$1,221.0	$1,223.0	$2.0
Enforcement				
Environmental Justice	$1,128.7	$583.0	$613.0	$30.0
Superfund: Enforcement	$179,163.7	$165,534.0	$166,309.0	$775.0
Superfund: Federal Facilities Enforcement	$9,271.8	$10,296.0	$8,592.0	($1,704.0)
Civil Enforcement	$4.4	$0.0	$0.0	$0.0
Criminal Enforcement	$7,845.9	$7,903.0	$7,680.0	($223.0)
Enforcement Training	$20.6	$0.0	$0.0	$0.0
Forensics Support	$2,456.2	$2,419.0	$1,214.0	($1,205.0)
Subtotal, Enforcement	$199,891.3	$186,735.0	$184,408.0	($2,327.0)
Homeland Security				
Homeland Security: Critical Infrastructure Protection	$9.1	$0.0	$0.0	$0.0
Homeland Security: Preparedness, Response, and Recovery				
Decontamination	$6,557.0	$5,898.0	$5,868.0	($30.0)
Laboratory Preparedness and Response	$5,710.4	$5,626.0	$5,644.0	$18.0
Homeland Security: Preparedness, Response, and Recovery (other activities)	$32,036.8	$29,075.0	$29,257.0	$182.0
Subtotal, Homeland Security: Preparedness, Response, and Recovery	$44,304.2	$40,599.0	$40,769.0	$170.0
Homeland Security: Protection of EPA Personnel and Infrastructure	$669.1	$1,170.0	$1,172.0	$2.0
Subtotal, Homeland Security	$44,982.4	$41,769.0	$41,941.0	$172.0

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Information Exchange / Outreach				
Congressional, Intergovernmental, External Relations	$2.1	$0.0	$0.0	$0.0
Exchange Network	$1,431.0	$1,431.0	$1,433.0	$2.0
Subtotal, Information Exchange / Outreach	$1,433.1	$1,431.0	$1,433.0	$2.0
IT / Data Management / Security				
Information Security	$847.2	$728.0	$728.0	$0.0
IT / Data Management	$17,640.0	$15,339.0	$14,855.0	($484.0)
Subtotal, IT / Data Management / Security	$18,487.2	$16,067.0	$15,583.0	($484.0)
Legal / Science / Regulatory / Economic Review				
Alternative Dispute Resolution	$814.9	$844.0	$877.0	$33.0
Legal Advice: Environmental Program	$711.9	$682.0	$755.0	$73.0
Subtotal, Legal / Science / Regulatory / Economic Review	$1,526.8	$1,526.0	$1,632.0	$106.0
Operations and Administration				
Facilities Infrastructure and Operations				
Rent	$43,776.9	$47,032.0	$46,005.0	($1,027.0)
Utilities	$3,320.8	$3,760.0	$3,455.0	($305.0)
Security	$7,034.5	$8,269.0	$8,594.0	$325.0
Facilities Infrastructure and Operations (other activities)	$25,924.0	$21,480.0	$21,568.0	$88.0
Subtotal, Facilities Infrastructure and Operations	$80,056.2	$80,541.0	$79,622.0	($919.0)
Financial Assistance Grants / IAG Management	$3,322.3	$3,128.0	$3,174.0	$46.0
Acquisition Management	$23,672.0	$24,111.0	$25,961.0	$1,850.0
Human Resources Management	$8,924.4	$6,346.0	$7,558.0	$1,212.0
Central Planning, Budgeting, and Finance	$30,349.3	$21,632.0	$24,066.0	$2,434.0
Subtotal, Operations and Administration	$146,324.2	$135,758.0	$140,381.0	$4,623.0
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	$21,347.9	$17,677.0	$17,798.0	$121.0
Research: Chemical Safety and Sustainability				
Human Health Risk Assessment	$3,737.6	$3,337.0	$3,316.0	($21.0)

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Superfund Cleanup				
Superfund: Emergency Response and Removal	$242,375.9	$189,590.0	$188,500.0	($1,090.0)
Superfund: EPA Emergency Preparedness	$10,473.9	$9,244.0	$8,179.0	($1,065.0)
Superfund: Federal Facilities	$32,555.5	$26,199.0	$26,765.0	$566.0
Superfund: Remedial	$707,200.8	$564,998.0	$531,771.0	($33,227.0)
Superfund: Support to Other Federal Agencies	$5,908.0	$5,849.0	$0.0	($5,849.0)
Brownfields Projects	$1,403.5	$0.0	$0.0	$0.0
Subtotal, Superfund Cleanup	$999,917.6	$795,880.0	$755,215.0	($40,665.0)
Total, Hazardous Substance Superfund	$1,450,268.3	$1,213,808.0	$1,176,431.0	($37,377.0)
Leaking Underground Storage Tanks				
Enforcement				
Civil Enforcement	$644.0	$789.0	$792.0	$3.0
Compliance				
Compliance Assistance and Centers	$32.9	$0.0	$0.0	$0.0
IT / Data Management / Security				
IT / Data Management	$47.7	$0.0	$0.0	$0.0
Operations and Administration				
Facilities Infrastructure and Operations				
Rent	$695.0	$695.0	$636.0	($59.0)
Facilities Infrastructure and Operations (other activities)	$208.0	$220.0	$207.0	($13.0)
Subtotal, Facilities Infrastructure and Operations	$903.0	$915.0	$843.0	($72.0)
Acquisition Management	$148.2	$163.0	$161.0	($2.0)
Central Planning, Budgeting, and Finance	$1,093.7	$512.0	$509.0	($3.0)
Subtotal, Operations and Administration	$2,144.9	$1,590.0	$1,513.0	($77.0)
Underground Storage Tanks (LUST / UST)				
LUST / UST	$13,926.8	$11,962.0	$11,490.0	($472.0)
LUST Cooperative Agreements	$64,459.5	$58,956.0	$57,402.0	($1,554.0)
LUST Prevention	$37,093.9	$30,449.0	$32,430.0	$1,981.0
Subtotal, Underground Storage Tanks (LUST / UST)	$115,480.2	$101,367.0	$101,322.0	($45.0)

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	$501.6	$396.0	$490.0	$94.0
Total, Leaking Underground Storage Tanks	$118,851.3	$104,142.0	$104,117.0	($25.0)
Oil Spill Response				
Compliance				
Compliance Assistance and Centers	$5.4	$0.0	$0.0	$0.0
Compliance Monitoring	$111.2	$138.0	$142.0	$4.0
Subtotal, Compliance	$116.6	$138.0	$142.0	$4.0
Enforcement				
Civil Enforcement	$2,209.6	$2,286.0	$2,968.0	$682.0
Oil				
Oil Spill: Prevention, Preparedness and Response	$15,630.7	$14,673.0	$19,290.0	$4,617.0
Operations and Administration				
Facilities Infrastructure and Operations				
Rent	$437.0	$437.0	$426.0	($11.0)
Facilities Infrastructure and Operations (other activities)	$82.5	$98.0	$87.0	($11.0)
Subtotal, Facilities Infrastructure and Operations	$519.5	$535.0	$513.0	($22.0)
Subtotal, Operations and Administration	$519.5	$535.0	$513.0	($22.0)
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	$1,204.3	$613.0	$618.0	$5.0
Total, Oil Spill Response	$19,680.7	$18,245.0	$23,531.0	$5,286.0
State and Tribal Assistance Grants				
State and Tribal Assistance Grants (STAG)				
Infrastructure Assistance: Clean Water SRF	$1,936,433.5	$1,466,456.0	$1,175,000.0	($291,456.0)
Infrastructure Assistance: Drinking Water SRF	$1,101,827.8	$917,892.0	$850,000.0	($67,892.0)
Infrastructure Assistance: Alaska Native Villages	$10,327.2	$9,984.0	$10,000.0	$16.0

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Brownfields Projects	$106,685.8	$94,848.0	$93,291.0	($1,557.0)
Clean School Bus Initiative	$35.2	$0.0	$0.0	$0.0
Diesel Emissions Reduction Grant Program	$53,586.9	$29,952.0	$15,000.0	($14,952.0)
Targeted Airshed Grants	$10,000.0	$0.0	$0.0	$0.0
Infrastructure Assistance: Mexico Border	$14,669.1	$4,992.0	$10,000.0	$5,008.0
Subtotal, State and Tribal Assistance Grants (STAG)	$3,233,565.5	$2,524,124.0	$2,153,291.0	($370,833.0)
Categorical Grants				
Categorical Grant: Beaches Protection	$11,001.3	$9,864.0	$0.0	($9,864.0)
Categorical Grant: Brownfields	$51,185.5	$49,317.0	$47,572.0	($1,745.0)
Categorical Grant: Environmental Information	$9,950.4	$9,964.0	$15,200.0	$5,236.0
Categorical Grant: Hazardous Waste Financial Assistance	$111,206.3	$102,974.0	$103,412.0	$438.0
Categorical Grant: Homeland Security	$637.1	$0.0	$0.0	$0.0
Categorical Grant: Lead	$15,599.4	$14,512.0	$14,855.0	$343.0
Categorical Grant: Local Govt Climate Change	$10,499.5	$0.0	$0.0	$0.0
Categorical Grant: Nonpoint Source (Sec. 319)	$201,615.8	$164,493.0	$164,757.0	$264.0
Categorical Grant: Pesticides Enforcement	$19,930.9	$18,644.0	$19,085.0	$441.0
Categorical Grant: Pesticides Program Implementation	$13,807.8	$13,119.0	$13,140.0	$21.0
Categorical Grant: Pollution Control (Sec. 106)				
Monitoring Grants	$15,402.5	$18,433.0	$18,500.0	$67.0
Categorical Grant: Pollution Control (Sec. 106) (other activities)	$237,114.3	$219,970.0	$246,764.0	$26,794.0
Subtotal, Categorical Grant: Pollution Control (Sec. 106)	$252,516.8	$238,403.0	$265,264.0	$26,861.0
Categorical Grant: Pollution Prevention	$5,685.0	$4,922.0	$5,039.0	$117.0
Categorical Grant: Public Water System Supervision (PWSS)	$109,387.1	$105,320.0	$109,700.0	$4,380.0
Categorical Grant: Radon	$8,720.0	$8,045.0	$0.0	($8,045.0)
Categorical Grant: State and Local Air Quality Management	$249,061.4	$235,729.0	$301,500.0	$65,771.0
Categorical Grant: Sector Program	$1,879.2	$0.0	$0.0	$0.0
Categorical Grant: Targeted Watersheds	$780.3	$0.0	$0.0	$0.0
Categorical Grant: Toxics Substances Compliance	$5,551.7	$5,081.0	$5,201.0	$120.0
Categorical Grant: Tribal Air Quality Management	$14,365.8	$13,252.0	$13,566.0	$314.0
Categorical Grant: Tribal General Assistance Program	$69,331.2	$67,631.0	$96,375.0	$28,744.0
Categorical Grant: Underground Injection Control (UIC)	$11,844.3	$10,852.0	$11,109.0	$257.0
Categorical Grant: Underground Storage Tanks	$2,759.8	$1,548.0	$1,490.0	($58.0)
Categorical Grant: Water Quality Cooperative Agreements	$1,335.5	$0.0	$0.0	$0.0
Categorical Grant: Wetlands Program Development	$26,138.1	$15,143.0	$15,167.0	$24.0
Subtotal, Categorical Grants	$1,204,790.2	$1,088,813.0	$1,202,432.0	$113,619.0

Program/Projects by Program Area

(Dollars in Thousands)

Appropriation Program Area Program/Project *Sub-Program/ Project*	FY 2011 Actuals	FY 2012 Enacted	FY 2013 President's Budget	Change FY12 Enacted to FY13 PresBud
Congressional Priorities				
Congressionally Mandated Projects	$117,641.8	$0.0	$0.0	$0.0
Total, State and Tribal Assistance Grants	$4,555,997.5	$3,612,937.0	$3,355,723.0	($257,214.0)
SUBTOTAL, EPA (Excludes Rescission or Cancellation of Prior Year Funds)	$9,990,785.0	$8,499,385.0	$8,374,480.0	($124,905.0)
Rescission of Prior Year Funds	$0.0	($50,000.0)	($30,000.0)	$20,000.0
TOTAL, EPA	$9,990,785.0	$8,449,385.0	$8,344,480.0	($104,905.0)

DISCONTINUED PROGRAMS

Clean School Bus Initiative

Program Area: State and Tribal Assistance Grants
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$35.2***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$35.2	$0.0	$0.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

This program included the development, implementation, and evaluation of a competitive grant program to equip school buses with diesel retrofit technology or to replace older school buses in order to reduce toxic air emissions. Because school buses often remain in service for 20 years or more, this program helped equip our nation's school bus fleet with low-emission technologies and practices sooner than would otherwise occur through normal turnover of the bus fleet to newer vehicles meeting more stringent emission standards.

FY 2013 Activities and Performance Plan:

The Diesel Emissions Reduction Act (DERA) Grant Program has assumed all responsibilities formerly associated with the Clean School Bus Grants Program.

Performance Targets:

There are no FY 2013 performance targets associated with this program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

Clean Air Act Amendments, Title 1 (NAAQS); Clean Air Act Amendments, Title III (Air Toxics); Clean Air Act, Sections 103, 105, and 106 (Grants).

Federal Support for Air Toxics Program
Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$24,005.5***	***$0.0***	***$0.0***	***$0.0***
Science & Technology	***$2,540.1***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$26,545.6	$0.0	$0.0	$0.0
Total Workyears	139.2	0.0	0.0	0.0

Program Project Description:

The Federal Support for Air Toxics Program was eliminated in FY 2012 as part of a conversion to a sector-based, multi-pollutant approach.

FY 2013 Activities and Performance Plan:

All activities in this program were assumed by the Federal Support for Air Quality Management Program and the Federal Vehicle and Fuels Standards and Certification Program to support the conversion to a sector-based, multi-pollutant approach to air quality management.

Performance Targets:

There are no FY 2013 performance targets associated with this program because the funds were transferred to the Federal Support for Air Quality Management Program and the Federal Vehicle and Fuels Standards and Certification Program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

CAA (42 U.S.C. 7401-7661f).

Local Government Climate Change Grants
Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Address Climate Change

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$10,499.5***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$10,499.5	$0.0	$0.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

This program was to implement a competitive grant program to assist local communities in establishing and implementing their own climate change initiatives. The goal of this program was to implement programs, projects, and approaches that demonstrated documentable reductions in greenhouse gases (GHGs) and were replicable elsewhere.

FY 2013 Activities and Performance Plan:

There is no request for this program in FY 2013.

Performance Targets:

There are no FY 2013 performance targets associated with this program because the resources are eliminated.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

CAA (42 U.S.C. 7401-7661f).

Targeted Airshed Grants
Program Area: Clean Air and Climate
Goal: Taking Action on Climate Change and Improving Air Quality
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$10,000.0***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$10,000.0	$0.0	$0.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

This was an unrequested program provided by Congress in the FY 2010 Enacted Budget.

FY 2013 Activities and Performance Plan:

There is no request for this program in FY 2013.

Performance Targets:

There are no FY 2013 performance targets associated with this program because the resources are eliminated.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

CAA (42 U.S.C. 7401-7661f).

Categorical Grant: Water Quality Cooperative Agreements

Program Area: Categorical Grants
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$1,335.5***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$1,335.5	$0.0	$0.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Under authority of Section 104(b)(3) of the Clean Water Act, the EPA made grants to a wide variety of recipients, including states, tribes, state water pollution control agencies, interstate agencies, and other nonprofit institutions, organizations, and individuals to promote the coordination of environmentally beneficial activities. This competitive funding vehicle was used by the EPA's partners to further the Agency's goals of providing clean and safe water. The program was designed to fund a broad range of projects, including: innovative water efficiency programs, research, training and education, demonstration, best management practices, stormwater management planning, and innovative permitting programs and studies related to the causes, effects, extent, and prevention of pollution.

FY 2013 Activities and Performance Plan:

There is no request for this program in FY 2013.

Performance Targets:

There are no current performance measures for this program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

CWA Section 104(b)(3).

Categorical Grant: Targeted Watersheds
Program Area: Categorical Grants
Goal: Protecting America's Waters
Objective(s): Protect and Restore Watersheds and Aquatic Ecosystems

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$780.3***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$780.3	$0.0	$0.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Targeted Watersheds Grant Program focused on community-based approaches and management techniques to protect and restore the nation's waters.

FY 2013 Activities and Performance Plan:

There is no request for this program in FY 2013.

Performance Targets:

There are no current performance measures for this program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006; Public Law 109-54.

Categorical Grant: Homeland Security
Program Area: Categorical Grants
Goal: Protecting America's Waters
Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$637.1***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$637.1	$0.0	$0.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

The Homeland Security Grant program focused on supporting states with coordination activities for critical water infrastructure security efforts, including coordinating and providing technical assistance, training, and education within the state or territory on homeland security issues.

FY 2013 Activities and Performance Plan:

There is no request for this program in FY 2013.

Performance Targets:

There are no performance measures for this program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

SDWA; CWA; Public Health Security and Bioterrorism Emergency and Response Act of 2002.

Homeland Security: Critical Infrastructure Protection

Program Area: Homeland Security
Goal: Enforcing Environmental Laws
Objective(s): Enforce Environmental Laws

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	$2,411.5	$1,063.0	$2,087.0	$1,024.0
Science & Technology	$18,498.7	$11,361.0	$9,779.0	-$1,582.0
Hazardous Substance Superfund	***$9.1***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$20,919.3	$12,424.0	$11,866.0	-$558.0
Total Workyears	28.7	24.8	24.4	-0.4

Program Project Description:

This program included Superfund activities that coordinated and supported protection of the nation's critical public infrastructure from terrorist threats. EPA provided subject matter expertise and training support for terrorism-related environmental investigations to support responses authorized under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The program coordinated the agency's law enforcement/crisis management activities and had direct responsibilities pursuant to the National Response Framework (NRF), Emergency Support Functions 10 and 13, and the Oil and Hazardous Materials Annex.

FY 2013 Activities and Performance Plan:

Consistent with the FY 2012 Enacted Budget, there is no request for this program in FY 2013 out of the Hazardous Substance Superfund appropriation.

Performance Targets:

Work under this program supports multiple strategic objectives. There are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

CERCLA, as amended; Public Health Security and Bioterrorism Emergency and Response Act of 2002.

Homeland Security: Preparedness, Response, and Recovery
Program Area: Homeland Security
Goal: Ensuring the Safety of Chemicals and Preventing Pollution
Objective(s): Ensure Chemical Safety

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$1,272.8***	***$0.0***	***$0.0***	***$0.0***
Science & Technology	$41,536.8	$30,034.0	$29,708.0	-$326.0
Hazardous Substance Superfund	$44,304.2	$40,599.0	$40,769.0	$170.0
Total Budget Authority / Obligations	$87,113.8	$70,633.0	$70,477.0	-$156.0
Total Workyears	177.8	176.4	176.8	0.4

Program Project Description:

EPA plays a lead role in protecting U.S. citizens and the environment from the effects of attacks that release chemical, biological, and radiological agents. EPA's Homeland Security Emergency Preparedness and Response program develops and maintains an Agency-wide capability to prepare for and respond to large-scale catastrophic incidents with emphasis on those that may involve chemical, biological, and radiological (CBR) agents. EPA continues to increase the state of preparedness for homeland security incidents. The response to chemical agents is different from the response to biological agents, but for both, the goals are to facilitate preparedness, guide the appropriate response by first responders, ensure safe re-occupancy of buildings or other locations, and protect the production of crops, livestock, and food in the U.S. In the case of chemical agents, EPA develops new information to assist emergency planners and first responders in assessing immediate hazards.

FY 2013 Activities and Performance Plan:

Consistent with the FY 2012 Enacted Budget, there is no request for this program in FY 2013 out of the Environmental Programs and Management appropriation.

Performance Targets:

There are no performance measures for this program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

Public Health Security and Bioterrorism Emergency and Response Act of 2002; CERCLA; SARA; TSCA; Oil Pollution Act; Pollution Prevention Act; RCRA; EPCRA; SDWA; CWA; CAA; FIFRA; FFDCA; FQPA; Ocean Dumping Act; Public Health Service Act, as amended; 42 U.S.C. 201 et seq.; Executive Order 10831 (1970); Public Law 86-373; PRIA.

Categorical Grant: Sector Program
Program Area: Categorical Grants
Goal: Compliance and Environmental Stewardship
Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Budget	FY 2013 Pres Budget v. FY 2012 Enacted
State and Tribal Assistance Grants	***$1,879.2***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$1,879.2	$0.0	$0.0	$0.0
Total Workyears	0.0	0.0	0.0	0.0

Program Project Description:

Sector program grants built environmental partnerships with states and tribes to strengthen their ability to address environmental and public health threats, including contaminated drinking water, pollution caused by wet weather events, pesticides in food, toxic substances, and air pollution. These capacity building grants supported state and Tribal agencies that are responsible for implementing authorized, delegated, or approved environmental programs.[19]

The EPA has used this grant to support states and tribes in their efforts to build, implement, or improve compliance capacity for authorized, delegated, or approved environmental programs. Specific activities have included: 1) improving compliance data collection and quality, 2) modernizing data systems, 3) improving public access to enforcement and compliance data, and, 4) providing compliance training to states and tribes to enhance their compliance monitoring capacity.

FY 2013 Activities and Performance Plan:

Program was discontinued in FY 2011. There is no request for this program in FY 2013.

Performance Targets:

Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

RLBPHRA; RCRA; CWA; SDWA; CAA; TSCA; EPCRA; FIFRA; ODA; NAAEC; LPA-US/MX-BR; NEPA; MPRSA.

[19] For more information, refer to: www.epa.gov/compliance/state/grants/stag/index.html

Compliance Assistance and Centers
Program Area: Compliance
Goal: Compliance and Environmental Stewardship
Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Bud	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$671.8***	***$0.0***	***$0.0***	***$0.0***
Leaking Underground Storage Tanks	***$32.9***	***$0.0***	***$0.0***	***$0.0***
Oil Spill Response	***$5.4***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$710.1	$0.0	$0.0	$0.0
Total Workyears	0.7	$0.0	$0.0	$0.0

Program Project Description:

The EPA's Compliance Assistance program provides information to millions of regulated entities and Federal agencies to help them understand and meet their environmental obligations. This information lets regulated entities know of their legal obligations under Federal environmental laws. Compliance assistance resources include Web sites, compliance guides, emission calculators, and training materials aimed at specific business communities or industry sectors. Additionally, onsite compliance assistance and information is sometimes provided by the EPA's inspectors during an inspection.

FY 2013 Activities and Performance Plan:

Program was discontinued in FY 2012. There is no request for this program in FY 2013.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding

Statutory Authority:

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NEPA; NAAEC; LPA-US/MX-BR.

Compliance Incentives
Program Area: Compliance
Goal: Compliance and Environmental Stewardship
Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Bud	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program & Management	***$667.3***	***$0.0***	***$0.0***	***$0.0***
Hazardous Substance Superfund	***$5.6***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$672.9	$0.0	$0.0	$0.0
Total Workyears	1.6	0.0	0.0	0.0

Program Project Description:

The EPA's Compliance Incentives program encourages regulated entities to monitor and quickly correct environmental violations, reduce pollution, and make improvements in regulated entities' environmental management practices. The EPA uses a variety of approaches to encourage entities to self-disclose environmental violations under various environmental statues.

FY 2013 Activities and Performance Plan:

Program was discontinued in FY 2012. There is no request for this program in FY 2013.

FY 2013 Change from FY 2012 President's Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NEPA; NAAEC; LPA-US/MX-BR.

Enforcement Training
Program Area: Enforcement
Goal: Compliance and Environmental Stewardship
Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2011 Actuals	FY 2012 Enacted	FY 2013 Pres Bud	FY 2013 Pres Budget v. FY 2012 Enacted
Environmental Program and Management	***$410.3***	***$0.0***	***$0.0***	***$0.0***
Hazardous Substance Superfund	***$20.6***	***$0.0***	***$0.0***	***$0.0***
Total Budget Authority / Obligations	$430.9	$0.0	$0.0	$0.0
Total Workyears	0.6	0.0	0.0	0.0

Program Project Description:

The EPA is required by the Pollution Prosecution Act of 1990 to provide environmental compliance and enforcement training nationwide through the National Enforcement Training Institute (NETI). The Enforcement Training program oversees the design and delivery of core and specialized enforcement courses, through NETI[20], that sustain a well-trained workforce to carry out the Agency's enforcement and compliance goals. Courses are provided to lawyers, inspectors, civil and criminal investigators, and technical experts at all levels of government.

FY 2013 Activities and Performance Plan:

Program was discontinued in FY 2011. There is no request for this program in FY 2013.

Performance Targets:

Currently, there are no performance measures for this specific program.

FY 2013 Change from FY 2012 Enacted Budget (Dollars in Thousands):

- No change in program funding.

Statutory Authority:

PPA; RLBPHRA; RCRA; CWA; SDWA; CAA; TSCA; EPCRA; TSCA; FIFRA; ODA; NAAEC; LPA-US/MX-BR; NEPA.

[20] For more information, refer to: http://www.epa.gov/compliance/training/neti/index.html

EXPECTED BENEFITS OF THE PRESIDENT'S E-GOVERNMENT INITIATIVES

Grants.gov

The Grants.gov initiative benefits the EPA and its grant programs by providing a single location to publish grant opportunities and application packages, and by providing a single site for the grants community to apply for grants using common forms, processes and systems. The EPA believes that the central site raises the visibility of our grants opportunities to a wider diversity of applicants. Grants.gov also has allowed the EPA to discontinue support for its own electronic grant application system, saving operational, training, and account management costs.

The grants community benefits from savings in postal costs, paper and envelopes. Applicants save time in searching for Agency grant opportunities and in learning the application systems of various agencies. At the request of the state environmental agencies, the EPA has begun to offer Grants.gov application packages for mandatory grants (i.e., Continuing Environmental Program Grants). States requested that the Agency extend usage to mandatory programs to streamline their application process.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2012	020-00-04-00-04-0160-24	$428.0
2013	020-00-04-00-04-0160-24	$380.0

Integrated Acquisition Environment

The Integrated Acquisition Environment (IAE) is currently comprised of nine government-wide automated applications and/or databases that have contributed to streamlining the acquisition business process across the government. Beginning in FY12, GSA will begin the process of consolidating the systems into one central repository called the System for Award Management (SAM). Until the consolidation is complete, the EPA continues to leverage the usefulness of some of these systems via electronic linkages between the EPA's acquisition system and the IAE shared systems. Other IAE systems are not linked directly to the EPA's acquisition system, but benefit the Agency's contracting staff and vendor community as stand-alone resources.

The EPA's acquisition system uses data provided by the Central Contractor Registry (CCR) to replace internally maintained vendor data. Contracting officers can download vendor-provided representation and certification information electronically, via the Online Representations and Certifications (ORCA) database, which allows vendors to submit this information once, rather than separately for every contract proposal. Contracting officers are able to access the Excluded Parties List System (EPLS), via links in the EPA's acquisition system, to identify vendors that are debarred from receiving contract awards.

Contracting officers also can link to the Wage Determination Online (WDOL) to obtain information required under the Service Contract Act and the Davis-Bacon Act. The EPA's acquisition system link to the Federal Procurement Data System for submission of contract actions at the time of award. FPDS provides public access to government-wide contract information. The Electronic Subcontracting Reporting System (eSRS) supports vendor submission of subcontracting data for contracts identified as requiring this information. The EPA

submits synopses of procurement opportunities over $25,000 to the Federal Business Opportunities (FBO) website, where the information is accessible to the public. Vendors use this website to identify business opportunities in federal contracting.

Fiscal Year	Account Code	EPA Service Fee (in thousands)
2012	020-00-01-16-04-0230-24	$133.0
2013	020-00-01-16-04-0230-24	$120.0

Integrated Acquisition Environment Loans and Grants

The Federal Funding Accountability and Transparency Act (FFATA) requires the agencies to unambiguously identify contract, grant, and loan recipients and determine parent/child relationship, address information, etc. The FFATA taskforce determined that using both the Dun and Bradstreet (D&B) DUNS Number (standard identifier for all business lines) and Central Contractor Registration (CCR), the single point of entry for data collection and dissemination, is the most appropriate way to accomplish this. This fee will pay for the EPA's use of this service in the course of reporting grants and/or loans. Funds may also be used to consolidate disparate systems in the new SAM consolidation of Acquisition and grants applications.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2012	020-00-01-16-02-4300-24	$90.0
2013	020-00-01-16-02-4300-24	$90.0

Enterprise Human Resource Integration

The Enterprise Human Resource Integration's (EHRI) Electronic Official Personnel Folder (eOPF) is designed to provide a consolidated repository that digitally documents the employment actions and history of individuals employed by the federal government. The EPA has completed migration to the federal eOPF system. This initiative will benefit the Agency by reducing file room maintenance costs and improve customer service for employees and productivity for HR specialists. Customer service will improve for employees since they will have 24/7 access to view and print their official personnel documents and HR specialists will no longer be required to manually file, retrieve or mail personnel actions to employees thus improving productivity.

Fiscal Year	Account Code	EPA Service Fee (in thousands)
2012	020-00-01-16-03-1219-24	$403.0
2013	020-00-01-16-03-1219-24	$407.0

Recruitment One-Stop

Recruitment One-Stop (ROS) simplifies the process of locating and applying for federal jobs. USAJOBS is a standard job announcement and resume builder website. It is the one-stop for federal job seekers to search for and apply to positions on-line. This integrated process benefits citizens by providing a more efficient process to locate and apply for jobs, and assists federal agencies in hiring top talent in a competitive marketplace. The Recruitment One-Stop initiative

has increased job seeker satisfaction with the federal job application process and is helping the Agency to locate highly-qualified candidates and improve response times to applicants.

By integrating with ROS, the Agency has eliminated the need for applicants to maintain multiple user IDs to apply for federal jobs through various systems. The vacancy announcement format has been improved for easier readability. The system can maintain up to five resumes per applicant, which allows them to create and store resumes tailored to specific skills -- this is an improvement from our previous system that only allowed one resume per applicant. In addition, ROS has a notification feature that keeps applicants updated on the current status of the application, and provides a link to the agency website for detailed information. This self-help ROS feature allows applicants to obtain up-to-date information on the status of their application upon request.

Fiscal Year	Account Code	EPA Service Fee (in thousands)
2012	020-00-01-16-04-1218-24	$111.0
2013	020-00-01-16-04-1218-24	$109.0

eTraining

This initiative encourages electronic learning to improve training, efficiency and financial performance. The EPA recently exercised its option to renew the current Interagency Agreement with OPM-GoLearn that provides licenses to online training for employees. The EPA purchased 17,000 licenses to prevent any interruption in service to current users.

Fiscal Year	Account Code	EPA Service Fee (in thousands)
2012	020-00-01-16-03-1217-24	$125.0
2013	020-00-01-16-03-1217-24	$125.0

Human Resources Line of Business

The Human Resources Line of Business (HR LoB) provides the federal government the infrastructure to support pay-for-performance systems, modernized HR systems, and the core functionality necessary for the strategic management of human capital.

The HR LoB offers common solutions that will enable federal departments and agencies to work more effectively, and it provides managers and executives across the federal government improved means to meet strategic objectives. The EPA will benefit by supporting an effective program management activity which evaluates provider performance, customer satisfaction, and compliance with program goals, on an ongoing basis.

In May 2011, the EPA signed an MOU with the DOI's National Business Center to provide integrated human resources, time and attendance and payroll services. In so doing, the EPA will provide managers and staff one efficient and cost effective system that offers additional functionalities for integrated recruitment, entry on duty, learning management, absence management, workforce tracking and position management.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2012	020-00-01-16-04-1200-24	$66.0
2013	020-00-01-16-04-1200-24	$66.0

Grants Management Line of Business

The EPA manages 106 grant programs that disburse approximately $4 billion annually. The EPA anticipates the key benefits to the Agency and its customers will include the simplification of grants business processes and more timely reporting and delivery of services. The Grants Management Line of Business automated business processes will improve consistency across EPA locations and throughout government, reducing unique local business requirements and making it easier for customers to do business across a wide range of agencies. Consortium lead agencies will spread operations and maintenance (O&M) costs, and development, modernization, and enhancement (DME) costs across agencies, decreasing the burden that any one agency must bear.

In FY 2010, the EPA completed detailed Fit/Gap analyses of HHS' Grants Solutions system and the Compusearch product Prism Grants. In addition, the Agency completed a cost benefit and alternatives analysis to determine the better Grants Management Line of Business (GM LoB) solution. Based on the size of the gaps and the projected cost of implementation, senior management decided to postpone selection of a GM LoB alternative until the Agency reexamined its grants process through business process transformation in FY2012 and until GM LoB implementation could be sequenced appropriately within the Agency administrative system overhaul including the contracts, finance, human resource and grants systems.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2012	020-00-04-00-04-1300-24	$60.0
2013	020-00-04-00-04-1300-24	$59.0

Business Gateway

By creating a single entry-point for business information, such as the e-Forms catalog, Business Gateway directly benefits the EPA's regulated communities, many of whom are subject to complex regulatory requirements across multiple agencies. This initiative also benefits the EPA by centralizing OMB reporting requirements under the Small Business Paperwork Relief Act of 2002. The EPA has over 100 initiatives, activities, and services directed at small business needs. Many of those initiatives are highlighted to small businesses through periodic features in Business.gov. This allows special focus to be brought to bear at critical times to the intended audiences for those initiatives. In addition, with the launch of the Business.gov Community, small business users are able to interact on-line where they can discuss, share and ask questions of other business owners as well as industry and government experts. Business.gov also continues to provide a one-stop compliance tool enabling small and emerging businesses access to compliance information, forms and tools across the federal government. Business Gateway supports the EPA's small business activities function by providing the following benefits:

- a single point of access for electronic regulatory forms;

- “plain English” compliance guidance, fact sheets and links to checklists for small businesses; and
- an extensive Web site with numerous links to other internal and external assistance sources.

Beginning in FY 2009, the Business Gateway program has been fully funded by the Small Business Administration (SBA), the managing partner. The EPA plans to continue its partnership with Business Gateway program, however, there is no EPA contribution required.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2012	020-00-01-16-04-0100-24	$0.0
2013	020-00-01-16-04-0100-24	$0.0

Geospatial Line of Business

The Geospatial Line of Business (Geo LoB) is an intergovernmental project to improve the ability of the public and government to use geospatial information to support the business of government and facilitate decision-making. This initiative will reduce EPA costs and improve our operations in several areas.

Currently, EPA’s Geo LoB activities include the initiation of an operational Geospatial Platform, which benefits the EPA by providing opportunities for cost savings and avoidance. By FY 2013, a Managing Partner organization will be established to support the implementation of two key components of the Geo LoB: the OMB Circular A-16 Supplemental Guidance and the Government-wide Geospatial Platform will move from the planning into the implementation stage. Both efforts will increase access to geospatial data and analytical services for Federal Agencies, their partners, and stakeholders. Over time, the EPA intends to use the Geospatial Platform for internal analytical purposes as well as to facilitate outward-facing geospatial capabilities to the public.

The EPA continues to be a leader in developing the vision and operational plans for the implementation of the A-16 Supplemental Guidance and the Geospatial Platform. Throughout FY 2012, the EPA will be working to provide technology artifacts and lessons learned from our own activities for the benefit of our partners in the Geo LoB as well as colleagues in state, local and tribal government organizations. In FY 2013, we expect to continue this effort and our leadership role in shaping the direction of these important efforts. The EPA also anticipates working through the Geo LoB to help reduce costs by providing an opportunity for the EPA and other agencies to share approaches on procurement consolidation that other agencies can follow. In early FY 2010, the first of these acquisitions became available to the federal community through the SmartBUY program managed by our Geo LoB partners at GSA.

EPA benefits from Geo LoB in FY 2013 are anticipated to be the same as in prior years.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2012	020-00-01-16-04-3100-24	$42.0
2013	020-00-01-16-04-3100-24	$42.0

eRulemaking

The eRulemaking program is designed to enhance public access and participation in the regulatory process through electronic systems; reduce the burden on citizens and businesses in finding relevant regulations and commenting on proposed rulemaking actions; consolidate redundant docket systems; and improve agency regulatory processes and the timeliness of regulatory decisions.

The eRulemaking program's Federal Docket Management System (FDMS) currently supports 174 Federal entities including all Cabinet-level Departments and independent rulemaking agencies which collectively promulgate over 90 percent of all Federal regulations each year. FDMS has simplified the public's participation in the rulemaking process and made the EPA's rulemaking business processes more accessible as well as transparent. FDMS provides the EPA's approximately 2,200 registered users with a secure, centralized electronic repository for managing the Agency's rulemaking development via distributed management of data and robust role-based user access. The EPA posts regulatory and non-regulatory documents in *Regulations.gov* for public viewing, downloading, bookmarking, email notification and commenting. In FY 2011, the EPA posted 1,112 rules and proposed rules, 896 *Federal Register* notices, and 78,657 public submissions in *Regulations.gov*. EPA also posted 18,086 documents that consisted of supporting and related materials associated with other postings. Overall, the EPA provides public access to 623,000 documents in *Regulations.gov*.

Fiscal Year	Account Code	EPA Service Fee (in thousands)
2012	020-00-01-16-01-0060-24	$1,000.0
2013	020-00-01-16-01-0060-24	$1,000.0

E-Travel

E-Travel provides the EPA with efficient and effective travel management services, with cost savings from cross-government purchasing agreements and improved functionality through streamlined travel policies and processes, strict security and privacy controls, and enhanced agency oversight and audit capabilities. EPA employees also will benefit from the integrated travel planning provided through E-Travel.

Fiscal Year	Account Code	EPA Service Fee (in thousands)
2012	020-00-01-01-03-0220-24	$1,106.0
2013	020-00-01-01-03-0220-24	$1,314.0

Financial Management Line of Business

The Financial Management Line of Business (FM LoB) is a multi-agency effort whose goals include: achieving process improvements and cost savings in the acquisition, development,

implementation, and operation of financial management systems. By incorporating the same FM LoB-standard processes as those used by central agency systems, interfaces among financial systems will be streamlined and the quality of information available for decision-making will be improved. In addition, the EPA expects to achieve operational savings in future years because of the use of the shared service provider for operations and maintenance of the new system.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2012	020-00-01-01-04-1100-24	$45.0
2013	020-00-01-01-04-1100-24	$45.0

Budget Formulation and Execution Line of Business

The Budget Formulation and Execution Lines of Business (BFE LoB) allow the EPA and other agencies to access budget-related benefits and services. The Agency has the option to implement LoB sponsored tools and services.

The EPA has benefited from the BFE LoB by sharing valuable information on what has or hasn't worked on the use of different budget systems and software. This effort has created a government only capability for electronic collaboration *(Wiki)* in which the Budget Community website allows the EPA to share budget information with OMB (and other federal agencies). The LoB is working on giving the EPA and other agencies the capability to have secure, virtual on-line meetings where participants can not only hear what's been said by conference calling into the meeting, but also view budget-related presentations directly from their workspace. The LoB has provided budget-related training to EPA budget employees on OMB's MAX budget system, and on Treasury's FACTS II statements explaining how it ties to the budget process.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2012	010-00-01-01-04-3200-24	$105.0
2013	010-00-01-01-04-3200-24	$75.0

Performance Management Line of Business

Following the passage of the Government Performance and Results Act (GPRA) in 1993, agencies developed a strategic plan, an annual performance plan, and an annual performance report. While we have improved the content of these plans, reports, and underlying performance measures over the past twenty years, they are still produced primarily as static printed documents. This traditional printed format, and even the PDF version of it, limits the usefulness of the performance information contained in the report, for people both within and outside the agency. For example, the format does not make it easy to see what other Federal agencies sharing similar objectives or working with the same community are doing, learn from each others' experience, allow for frequent updates, or support analysis of the data to find relationships and patterns.

In December 2010, Congress enacted the GPRA Modernization Act, signed into law on January 4, 2011. The GPRA Modernization Act shifts the focus of its predecessor from the production of plans and reports to the active use of goals and performance data to improve outcomes. Among

other changes, it strengthens leadership engagement in setting ambitious goals, reviewing progress, and clearly communicating results. The GPRA Modernization Act also requires greater Congressional consultation as agencies establish their goals.

One of the key changes in the law also included required modernizing the Federal government's nearly two-decade old performance reporting framework. Specifically, the Act requires the following by the end of 2012:

1. Development of a single Federal website which provides progress updates on Federal and agency Priority Goals, including quarterly measures and milestones;
2. Development of a consolidated list of Federal government programs for inclusion on the site; and
3. The consolidation of all agency strategic plans, annual performance plans, and annual performance reports on this website in a "searchable and machine readable format".

To meet these requirements, the EPA will participate in the Performance Management Line of Business (PM LoB), an interagency effort managed by GSA to develop government-wide performance management capabilities and meet the transparency requirements of the GPRA Modernization Act. Beginning in FY 2013, our performance information will be reported through a Federal website which includes advanced data display and reporting capabilities, the ability to extract raw data, and, over time, will integrate other government-wide data, such as program, human capital, and spending information. All information currently provided publicly will be updated more frequently and will be provided in user-friendly formats that the public can more easily access and analyze.

We also expect these new capabilities to improve Agency decision-making and enhance external visibility into EPA's performance and the public's understanding of what the EPA is trying to accomplish, the challenges faced, results achieved, and areas needing improvement. Just as important, pursuing this effort through an inter-agency collaboration will result in government-wide efficiencies by not requiring each agency to build this capability on its own, but instead by leveraging shared technologies and those developed on a government-wide basis.

Fiscal Year	**Account Code**	**EPA Contribution (in thousands)**
2012	New E-Gov Initiative	$0.0
2013	New E-Gov Initiative	$39.0

SUPERFUND SPECIAL ACCOUNTS[21]

Section 122(b)(3) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) authorizes the EPA to retain and use funds received pursuant to an agreement with a Potentially Responsible Party (PRP) to carry out the purpose of that agreement. The EPA retains such funds in special accounts, which are sub-accounts in the Superfund Trust Fund. Pursuant to the specific agreements, which typically take the form of an Administrative Order on Consent or Consent Decree, the EPA uses special account funds to finance site-specific CERCLA response actions at the site for which the account was established. Through the use of special accounts, the EPA pursues its "enforcement first" policy – ensuring responsible parties pay for cleanup – so that appropriated resources from the Superfund Trust Fund are conserved for sites where no viable or liable PRPs can be identified. Both special account resources and appropriated resources are critical to the Superfund program.

Special account funds are used to conduct many different site-specific CERCLA response actions, including, but not limited to, investigations to determine the extent of contamination and appropriate remedy needed, construction and implementation of the remedy, enforcement activities, and post-construction activities. The EPA also may provide special account funds to a PRP who agrees to perform work under an agreement, as an incentive (in the form of a reimbursement) to perform additional work beyond the PRP's fair share at the site, which the EPA might otherwise have to conduct using appropriated resources. Because response actions may take many years, the full use of special account funds also may take many years. Pursuant to the agreement, once site-specific work is complete and site risks are addressed, the EPA may use special account funds to reimburse the EPA for site-specific costs incurred using appropriated resources (e.g., reclassification), allowing the latter resources to be allocated to other sites. Any remaining special account funds are generally transferred to the Superfund Trust Fund, where they are available for future appropriation by Congress to further support cleanup at other sites.

Since the inception of special accounts through the end of FY 2011, the EPA has collected approximately $3.7 billion from PRPs and earned approximately $391.4 million in interest. In addition, the EPA has transferred over $19.2 million to the Superfund Trust Fund. As of the end of FY 2011, over $1.9 billion has been disbursed to finance site response actions and over $287.0 million has been obligated but not yet disbursed, which is more than 54 percent of the cumulative funds available in special accounts. In FY 2011, EPA disbursed $230.6 million from special accounts for response work at more than 550 sites, which increased disbursements by almost 24 percent ($44.6 million) from FY 2010 (excluding reclassifications). The EPA is carefully managing more than $1.8 billion that was available as of October 1, 2011 and has developed multi-year plans to use these funds as expeditiously as possible. The majority of open accounts (62 percent) have an available balance of less than $500 thousand, while 3 percent of open accounts have approximately 57 percent of the total resources available. The following table illustrates the cumulative status of open and closed accounts for FY 2010 and FY 2011 program activity as well as planned multi-year uses of the available balance.

[21] House Report 111-180 of the FY 2010 Department of the Interior, Environment and Related Agencies Appropriation Bill directs the Agency to include in its annual budget justification a plan for using special account funds expeditiously. This information is being provided in response to this request.

The Agency appreciates the Committee's understanding that special account funds are dedicated to specific sites where remediation strategies may need to be developed.[22] As of the end of FY 2011, the EPA developed multi-year plans to utilize the available balance and will continue to fully plan 100 percent of the funds received to conduct site-specific response activities, or reclassify and/or transfer excess funds to the Superfund Trust Fund for use at other Superfund sites. Current plans indicate that the Agency will utilize approximately 49 percent of the remaining available special account resources over the next five years. The time frame for use of special account funds at a specific site depends on several factors, including the specific requirements for fund use set forth in the agreement the funds were collected under, the stage of site cleanup, the viability of other responsible parties to conduct site cleanup, and the nature of the site contamination, among other things.

Through its enforcement efforts, the Agency continues to receive site-specific settlement funds that are placed in special accounts each year, so progress on actual obligation and disbursement of funds may not be apparent upon review solely of the cumulative available balance, as current special account balances are used while additional funds may be deposited. In FY 2010 and FY 2011, the EPA received over $723 million and over $352 million, respectively, for site-specific response work; however, most of these funds were for site response work to occur over multiple years. EPA will continue to monitor the use of special account funds to ensure we are conducting cleanups as quickly and efficiently as possible.

[22] House Report 2055 Conference Report of the Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2012 directs the EPA to follow the language in House Report 112-151 with respect to managing the unobligated balances in the Superfund special accounts. House Report 112-151 states "The Committee continues to have concerns about the large unobligated balances in the 939 special accounts, which hold site-specific settlement funds from responsible parties. The Committee similarly understands that funds in these accounts may be dedicated to specific sites where remediation strategies may still need to be developed. Nonetheless, the Committee expects EPA will accelerate the obligation of funds within these special accounts in 2012 to address risks posed by contamination at these sites."

Special Accounts:
FY 2011 Program Actuals and Future Multi-Year Program Resource Plan

Account Status[1]		Number of Accounts
Cumulative Open		992
Cumulative Closed		137
FY 2011 Inputs and Outputs to 2010 End Of Fiscal Year (EOFY) Available Balance		**$ in Thousands**
	2010 EOFY Available Balance	$1,795,206.4
	FY 2011 Activities	
	+ Receipts	$352,278.2
	- Transfers to Superfund Trust Fund (Receipt Adjustment)	($5,130.2)
	+ Interest Earned	$12,816.8
	- Net Change in Unliquidated Obligations	($40,496.3)
	- Disbursements - For EPA Incurred Costs	($219,403.3)
	- Disbursements - For Work Party Reimbursements under Final Settlements	($11,203.2)
	- Reclassifications	($72,539.5)
	2011 EOFY Available Balance[2]	$1,811,528.9
Multi-Year Plans for EOFY 2010 Available Balance		**$ in Thousands**
	2011 EOFY Available Balance	$1,811,528.9
	- Estimates for Future EPA Site Activities[3]	$1,708,630.2
	- Estimates for Potential Disbursement to Work Parties Identified in Final Settlements[4]	$51,243.4
	- Estimates for Reclassifications for FYs 2011-2013[5]	$41,635.2
	- Estimates for Transfers to Trust Fund for FYs 2011-2013[5]	$6,235.8
	- Available Balance To Be Assigned[6]	$3,784.2

[1] FY 2011 data is as of 10/01/2011. The 2010 End of Fiscal Year (EOFY) Available Balance is as of 10/01/2010.

[2] Numbers may not add due to rounding.

[3] "Estimates for EPA Future Site Activities" includes all response actions that EPA may conduct or oversee in the future, such as removal, remedial, enforcement, post-construction activities as well as allocation of funds to facilitate a settlement to encourage PRPs to perform the cleanup. Planning data are multi-year and cannot be used for annual comparisons.

[4] "Estimates for Potential Disbursements to Work Parties Identified in Finalized Settlements" includes those funds that have already been designated in a settlement document, such as a Consent Decree or Administrative Order on Consent, to be available to a PRP for reimbursements but that have not yet been obligated.

[5] "Reclassifications" and "Transfers to the Trust Fund" are estimated for three FYs only.

[6] Planning data were recorded in the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) as of 10/20/2011 in reference to special account available balances as of 10/01/2011. Receipts incurred in the last quarter of the fiscal year may not have been fully planned for use in CERCLIS at the time of data entry and are reflected in "Available Balance To Be Assigned."

FY 2012-2013 EPA PRIORITY GOALS

Below are EPA's FY 2012-2013 Priority Goals. Additional information on Priority Goals can be found on Performance.gov

1. **Taking Action on Climate Change and Improving Air Quality** Reduce greenhouse gas emissions from cars and trucks. Through September 30, 2013, EPA in coordination with DOT's fuel economy standards program will be implementing vehicle and truck greenhouse gas standards that are projected to reduce GHG emissions by 1.2 billion metric tons and reduce oil consumption by about 98 billion gallons over the lifetime of the affected vehicles and trucks.

2. **Protecting America's Waters** Improve public health protection for persons served by small drinking water systems by strengthening the technical, managerial, and financial capacity of those systems. By September 30, 2013, EPA will engage with twenty states to improve small drinking water system capability through two EPA programs, the Optimization Program and/or the Capacity Development Program.

3. **Protecting America's Waters** Improve, restore, or maintain water quality by enhancing nonpoint source program accountability, incentives, and effectiveness. By September 30, 2013, 50% of the states will revise their nonpoint source program according to new Section 319 grant guidelines that EPA will release in November 2012.

4. **Cleaning up Communities and Advancing Sustainable Development** Clean up contaminated sites and make them ready for use. By September 30, 2013, an additional 22,100 sites will be ready for anticipated use.

5. **Cross-Programs** Increase transparency and reduce burden through e-Reporting. By September 30, 2013, develop a plan to convert existing paper reports into electronic reporting, establish electronic reporting in at least four key programs, and adopt a policy for including electronic reporting in new rules.

American Recovery and Reinvestment Act (ARRA) Budget Status Update

As of February 5, 2012 (Dollars in Thousands)

Approp	Program Project Description	Original Appropriation	Current Budget (2)	Obligations (3)	Outlays	Percent Obligated (3)	Percent Outlayed
STAG	Clean Water SRF	$3,969,000.0	$4,003,006.1	$4,003,006.1	$3,650,555.5	100%	91%
STAG	Drinking Water SRF	$1,980,000.0	$1,945,838.8	$1,945,838.8	$1,811,323.2	100%	93%
STAG	Diesel Emissions Grants	$294,000.0	$283,479.2	$283,479.2	$250,971.2	100%	89%
STAG	Brownfields	$96,500.0	$95,271.3	$95,271.3	$63,428.2	100%	67%
Subtotal, STAG		**$6,339,500.0**	**$6,327,595.4**	**$6,327,595.4**	**$5,776,278.0**	**100%**	**91%**
EPM	Management and Oversight	$81,500.0	$66,908.3	$66,908.3	$59,359.4	100%	89%
IG	Audits, Evaluations, & Investigations	$20,000.0	$20,000.0	$13,753.2	$13,464.8	69%	67%
LUST	Leaking Underground Storage Tanks	$197,000.0	$187,651.2	$187,651.2	$177,483.6	100%	95%
SF	Superfund: Remedial	$582,000.0	$575,249.1	$575,249.1	$553,484.2	100%	96%
Agency Total		**$7,220,000.0**	**$7,177,403.9**	**$7,171,157.1**	**$6,580,070.0**	**100%**	**92%**

(1) This chart shows the financial status for all the ARRA programs appropriated to EPA.

(2) The total budgets of EPA's ARRA programs have changed since ARRA passage due to: States ability to shift funds between CW and DW SRF projects, rescissions, and de-obligations of expired funds.

(3) Only the IG may obligate additional funds - the obligation deadlines for all other EPA ARRA programs have passed. The current budgets for all other programs are equal to the funds obligated to date.

EPA Budget by National Program Manager and Major Office

Dollars in Thousands, Appropriated FTE Only

NPM	Major Office	FY 2013 President's Budget Pay ($K)	Non-Pay ($K)	FTE
OA	Immediate Office	$2,900.0	$631.0	21.8
	Office of Congressional and Intergovernmental Relations	$7,969.0	$266.0	58.8
	Office of External Affairs and Environmental Education*	$6,950.0	$5,373.0	51.2
	Office of Policy	$25,680.0	$16,296.0	164.0
	Administrative Law Judges	$2,676.0	$256.0	18.3
	Children's Health Protection	$2,902.0	$5,384.0	18.9
	Environmental Education	$0.0	$0.0	0.0
	Office of Civil Rights	$6,290.0	$3,709.0	44.5
	Office of Federal Advisory Committee Management and Outreach	$1,641.0	$547.0	12.1
	Environmental Appeals Board	$2,252.0	$208.0	15.4
	Executive Secretariat	$1,980.0	$129.0	14.6
	Executive Services	$2,985.0	$840.0	22.0
	Homeland Security	$2,146.0	$405.0	13.0
	Science Advisory Board	$4,291.0	$2,336.0	28.6
	Small and Disadvantaged Business Utilization	$2,226.0	$1,921.0	15.8
	Regional Resources	$30,229.0	$5,798.0	223.1
		$103,117.0	**$44,099.0**	**722.1**
	*OEAEE includes $5M for new streamlined Cross-NPM Environmental Outreach Program managed by the Office of the Administrator			
OAR	Immediate Office	$11,697.0	$344,952.0	76.8
	Office of Air Quality Planning and Standards	$51,558.0	$34,351.0	382.3
	Office of Atmospheric Programs	$37,592.0	$96,801.0	264.4
	Office of Transportation and Air Quality	$55,582.0	$57,683.0	402.6
	Office of Radiation and Indoor Air	$22,923.0	$18,787.0	161.8
	Regional Resources	$78,799.0	$4,434.0	608.2
		$258,151.0	**$557,008.0**	**1,896.1**
OARM	Immediate Office	$7,839.0	$15,499.0	33.0
	Office of Acquisition Management	$32,766.0	$17,088.0	261.3
	Office of Administration	$23,412.0	$362,783.0	129.8
	Office of Human Resources	$18,605.0	$12,290.0	104.4
	Office of Grants & Debarment	$11,182.0	$6,663.0	82.4
	OARM Research Triangle Park	$10,646.0	$29,639.0	95.6
	OARM Cincinnati Office	$10,564.0	$16,780.0	94.5
	Regional Resources	$52,265.0	$42,552.0	388.5
		$167,279.0	**$503,294.0**	**1,189.5**

EPA Budget by National Program Manager and Major Office

Dollars in Thousands, Appropriated FTE Only

NPM	Major Office	FY 2013 President's Budget Pay ($K)	Non-Pay ($K)	FTE
OCFO	Immediate Office	$2,603.0	$164.0	13.9
	Center for Environmental Finance	$1,023.0	$1,417.0	6.5
	Office of Budget	$7,482.0	$6,081.0	51.4
	Office of Planning, Analysis and Accountability	$5,775.0	$893.0	36.5
	Office of Financial Management	$7,267.0	$577.0	54.7
	Office of Technology Solutions	$6,781.0	$17,477.0	40.5
	Office of Financial Services	$15,923.0	$9,400.0	141.1
	Office of Resource and Information Management	$1,630.0	$1,785.0	10.6
	Regional Resources	$28,993.0	$1,847.0	235.4
		$77,477.0	**$39,641.0**	**590.6**
OCSPP	Immediate Office	$7,650.0	$1,752.0	49.6
	Office of Pesticide Programs	$80,239.0	$17,044.0	552.0
	Office of Pollution Prevention and Toxics	$47,713.0	$47,224.0	316.2
	Office of Science Coordination and Policy	$4,212.0	$5,841.0	25.5
	Regional Resources	$21,674.0	$25,684.0	166.7
		$161,488.0	**$97,545.0**	**1,110.0**
OECA	Immediate Office	$7,112.0	$2,958.0	48.1
	Office of Civil Enforcement	$25,876.0	$13,411.0	155.7
	Office of Criminal Enforcement, Forensics, and Training	$60,380.0	$12,608.0	367.3
	Office of Compliance	$23,751.0	$57,131.0	150.2
	Office of Environmental Justice	$2,654.0	$3,108.0	18.9
	Office of Federal Activities	$4,445.0	$1,449.0	31.2
	Federal Facilities Enforcement Office	$2,888.0	$550.0	16.8
	Office of Site Remediation Enforcement	$11,477.0	$30,127.0	75.8
	Regional Resources	$329,050.0	$26,909.0	2,409.6
		$467,633.0	**$148,251.0**	**3,273.6**
OEI	Immediate Office	$2,284.0	$6,216.0	15.6
	EPA Quality Management Program	$2,497.0	$953.0	16.1
	Office of Planning, Resources, and Outreach	$4,201.0	$3,386.0	28.7
	Office of Information Collection	$9,874.0	$41,866.0	66.3
	Office of Technology Operations and Planning	$12,436.0	$15,892.0	84.5
	Office of Information Analysis and Access	$12,970.0	$20,247.0	90.6
	Regional Resources	$22,298.0	$22,053.0	174.3
		$66,560.0	**$110,613.0**	**476.1**

EPA Budget by National Program Manager and Major Office

Dollars in Thousands, Appropriated FTE Only

NPM	Major Office	FY 2013 President's Budget Pay ($K)	Non-Pay ($K)	FTE
OGC	Immediate Office	$4,667.1	$4,332.3	28.5
	Air and Radiation Law Office	$7,187.4	$47.0	41.7
	Pesticides and Toxic Substances Law Office	$3,955.2	$35.0	23.0
	Solid Waste and Emergency Response Law Office	$2,615.0	$151.0	15.0
	Water Law Office	$3,798.9	$29.0	22.5
	Other Legal Support*	$12,716.4	$1,101.7	75.3
	Regional Resources	$24,246.0	$574.0	142.5
		$59,186.0	**$6,270.0**	**348.5**
	*Other Legal Support includes resources for Alternative Dispute Resolution, Civil Rights and Finance Law, Cross-Cutting Issues, and General Law support.			
OIG	Immediate Office	$2,931.0	$3,230.0	17.7
	Office of Audit	$11,797.0	$645.0	95.9
	Office of Congressional, Public Affairs and Management	$2,946.0	$173.0	19.7
	Office of Counsel	$2,440.0	$86.0	16.5
	Office of Cyber Investigations and Homeland Security	$0.0	$0.0	0.0
	Office of Investigations	$11,607.0	$2,390.0	69.7
	Office of Mission Systems	$6,988.0	$1,551.0	53.2
	Office of Program Evaluation	$11,813.0	$540.0	93.1
		$50,522.0	**$8,615.0**	**365.8**
OITA	Immediate Office	$1,062.1	$143.1	6.3
	Office of Regional and Bilateral Affairs	$3,728.8	$4,030.9	24.7
	Office of Global Affairs and Policy	$3,318.3	$473.6	20.9
	Office of Management and International Services	$2,356.0	$1,333.6	16.5
	American Indian Environmental Office	$2,646.8	$2,102.8	17.9
	Regional Resources	$10,330.0	$99,045.0	81.5
		$23,442.0	**$107,129.0**	**167.8**

EPA Budget by National Program Manager and Major Office

Dollars in Thousands, Appropriated FTE Only

NPM	Major Office	FY 2013 President's Budget Pay ($K)	Non-Pay ($K)	FTE
ORD*	Air, Climate, and Energy	$41,745.0	$64,102.0	308.4
	Sustainable and Healthy Communities	$84,629.0	$99,161.0	620.9
	Chemical Safety and Sustainability	$39,036.0	$55,248.0	293.5
	Safe and Sustainable Water Resources	$58,208.0	$63,195.0	443.5
	Homeland Security: Preparedness, Response, and Recovery	$9,504.0	$16,893.0	64.7
	Human Health Risk Assessment	$27,841.0	$16,082.0	195.9
		$260,963.0	**$314,681.0**	**1,926.9**
	* ORD does not develop the research budget based on a functional organizational split, rather ORD develops an office level allocation of resources after Congressional Action during the Operating Plan. This breakout represents a breakout of ORD program projects.			
OSWER	Immediate Office	$9,263.0	$6,282.0	59.0
	Federal Facilities Restoration and Reuse Office	$2,364.0	$951.0	15.0
	Innovation Partnership & Communication Office	$1,256.0	$1,802.0	9.2
	Office of Superfund Remediation and Technology Innovation	$25,462.0	$75,808.0	173.0
	Office of Resource Conservation and Recovery	$26,777.0	$10,972.0	175.7
	Office of Underground Storage Tanks	$4,739.0	$3,015.0	30.9
	Office of Brownfields and Land Revitalization	$2,670.0	$18,680.0	19.2
	Office of Emergency Management	$11,940.0	$34,498.0	77.8
	Regional Resources	$274,456.0	$818,455.0	2,022.7
		$358,927.0	**$970,463.0**	**2,582.5**
OW	Immediate Office	$10,158.0	$9,011.0	68.9
	Office of Ground Water and Drinking Water	$26,344.0	$36,080.0	188.1
	Office of Science and Technology	$19,660.0	$23,593.0	132.2
	Office of Wastewater Management	$14,756.0	$15,012.0	105.2
	Office of Wetlands, Oceans and Watersheds	$19,201.0	$30,188.0	126.3
	Regional Resources	$197,195.0	$3,010,928.0	1,502.0
		$287,314.0	**$3,124,812.0**	**2,122.7**
	Subtotal Agency Resources	**$2,342,059.0**	**$6,032,421.0**	**16,772.2**
	Less Rescission of Prior Year Funds		*($30,000.0)*	
	Total Agency Resources	**$2,342,059.0**	**$6,002,421.0**	**16,772.2**

Note: This table presents only EPA FTE funded through Agency appropriations. In FY 2013, EPA's total request includes 336.8 reimbursable FTE. Funding for Reimbursable FTE is provided from agreements with other Agencies.

Fiscal Year 2013: Consolidations, Realignments, or Other Transfers of Resources

This table shows consolidations, realignments or other transfers of resources and personnel from one program project to another in order to clearly illustrate a transfer of FY 2013 resources.

Program Project	Total Funding Transferred From:	Payroll Transferred From:	FTE Transferred From:	Funding Transferred To:	Payroll Transferred To:	FTE Transferred To:	Program Project Total	Purpose
EPM F8: IT/Data Management	($834.0)	($834.0)	(6.0)				$88,893.0	This change is a realignment of resources from the IT/Data Management program to the Toxics Release Inventory (TRI) program to reflect current efforts being performed for TRI.
EPM D8: TRI/Right to Know				$834.0	$834.0	6.0	$17,354.0	
EPM 50: Compliance Monitoring	($133.0)	($133.0)	(1.0)				$125,209	This change reflects a transfer from the Compliance Monitoring program to the National Environmental Policy Act Implementation program supporting reviews of energy development projects occurring in the Regional Offices.
EPM 90: NEPA Implementation				$133.0	$133.0	1.0	$17,424	
EPM 44: Civil Enforcement	($140.0)	($140.0)	(1.0)				$188,957.0	This change reflects a transfer from the civil enforcement program to the criminal enforcement program to support the current regional legal workload.
EPM 52: Criminal Enforcement				$140.0	$140.0	1.0	$51,900.0	

Physicians' Comparability Allowance (PCA) Worksheet for PY 2011

[The United States Environmental Protection Agency]
Table 1

		PY 2011 (Actual)	CY 2012 (Estimates)	BY 2013* (Estimates)
1) Number of Physicians Receiving PCAs		8	8	8
2) Number of Physicians with One-Year PCA Agreements		0	0	0
3) Number of Physicians with Multi-Year PCA Agreements		8	8	8
4) Average Annual PCA Physician Pay (without PCA payment)		$122,683	$123,123	$123,683
5) Average Annual PCA Payment		$21,540	$21,540	$21,540
6) Number of Physicians Receiving PCAs by Category (non-add)	Category I Clinical Position			
	Category II Research Position	7	7	7
	Category III Occupational Health	1	1	1
	Category IV-A Disability Evaluation			
	Category IV-B Health and Medical Admin.			

*FY 2013 data will be approved during the FY 2014 Budget cycle.

7) If applicable, list and explain the necessity of any additional physician categories designated by your agency (for categories other than I through IV-B). Provide the number of PCA agreements per additional category for the PY, CY and BY.

EPA expects no additional categories to be applicable in the foreseeable future.

8) Provide the maximum annual PCA amount paid to each category of physician in your agency and explain the reasoning for these amounts by category.

The maximum allowance being paid to a Category II Research Position is $24,382. The sum represents the allowance necessary to prevent the employee from seeking employment with the private sector, or at another Federal agency, and in accordance with the criteria contained in the EPA PCA Plan, the allowance is deemed to represent a sum commensurate with the value of the physician to the agency.

The maximum allowance being paid to a Category III Occupational Heath Position is $1,648. This is a unique position in EPA, and this modest allowance represents the sum necessary to offset a competing job offer of interest to the employee.

9) Explain the recruitment and retention problem(s) for each category of physician in your agency (this should demonstrate that a current need continues to persist).

(*Please include any staffing data to support your explanation, such as number and duration of unfilled positions and number of accessions and separations per fiscal year.)*
Historically, the small number of EPA Research Physicians experiences modest turnover. Essentially, use of the allowance by EPA is necessary to support the stability in its small Research Physician population and, therefore, it is regarded primarily as a retention tool, although we have been informed by our most recent Research Physician hires and our sole emergency response team Physician that the EPA job offer would not have been accepted without inclusion of the allowance.

10) Explain the degree to which recruitment and retention problems were alleviated in your agency through the use of PCAs in the prior fiscal year.

(*Please include any staffing data to support your explanation, such as number and duration of unfilled positions and number of accessions and separations per fiscal year.)*
Internal EPA survey consistently confirms that all of our allowance-receiving physicians are motivated to work at EPA by the mission of the agency, in preference to private practice or employment at another Federal agency. Nevertheless, we are also consistently told that our willingness to pay some level of allowance is usually the difference between the employee's willingness to remain with EPA in light of the altruism and the lure of greater remuneration in other directions.

11) Provide any additional information that may be useful in planning PCA staffing levels and amounts in your agency.

We are well aware that the Office of Personnel Management has predicated its policies in the direction of discouraging Federal agencies from using incentive authorities to compete with each other or to raid each other. We are convinced that without the availability of the PCA, despite our low turnover rate, we would have difficulty in retaining our small number of Research Physicians, not so much to the private sector, but to other Federal agencies with significantly more positions that are also paying the allowance. Simply put, we are frequently told by our Research Physicians that without the PCA, family pressure would compel transfer from EPA as long as the Physician wished to stay with Federal employment.

Guidance and Instructions for PCA Worksheet

These instructions cover all agencies using or intending to use Physicians' Comparability Allowance (PCA) payments. Eligibility for PCA is defined in 5 U.S.C. 5948 and 5 CFR part 595. All data should be submitted in the PCA Worksheet. Data for each question should be supplied for prior fiscal year (PY), current fiscal year (CY), and budget fiscal year (BY).
For more information on PCA: http://www.opm.gov/oca/pay/html/pca.asp.
Definitions-General
Government Physician: Section 5948(g)(1) of title 5, United States Code, defines "Government physician" as any individual employed as a physician or dentist who is paid under: the General Schedule; the Senior Executive Service; section 5371, relating to certain health care positions; Tennessee Valley Authority Act; Foreign Service Act; Central Intelligence Agency Act; section 1202 of the Panama Canal Act of 1979; section 2 of the National Security Act of May 29, 1959; section 5376 of title 5 relating to certain senior-level positions; section 5377 of title 5 relating to critical positions; or subchapter IX of chapter 53 of title 5 relating to special occupational pay systems.
Definitions-Worksheet Data
1) *Number of Physicians Receiving PCAs*: The total number of agency physicians receiving a PCA.
2-3) *Number of Physicians with 1-Year and Multi-Year PCA Service Agreements*: Under the PCA program, physicians may elect to sign a 1-year or multi-year PCA service agreement. Please provide the number of physicians under 1-year and multi-year agreements in rows 2 and 3.
4) *Average Annual PCA Physician Pay (without PCA payment)*: Average annual compensation per physician receiving a PCA. These amounts should exclude the PCA payment, but include base pay and all other bonuses, incentives (such as recruitment, relocation, and retention incentives) and awards.
5) *Average Annual PCA Payment*: The average annual PCA paid per physician.
6) *Category of Physicians Receiving PCAs*: The number of physicians receiving PCAs broken out by category. Detailed physician category definitions can be found here:
http://www.opm.gov/oca/pay/html/pca.asp.
7) *List Any Additional Physician Categories Designated by Your Agency*: Pursuant to 5 CFR 595.107, any additional category of physician receiving a PCA, not covered by categories I through IV-B, should be listed and accompanied by an explanation as to why these categories are necessary. In addition, the number of physician agreements under these categories, broken out by category, should be provided.

8) *Explanation of the Allowance Amount Paid to Each Category of Physician*: Provide reasoning for the amount of the allowances assigned to each physician category.

9) *Explanation of Recruitment and Retention Problem(s)*: Factors contributing to your agency's physician recruitment and retention problems should be provided. The explanation should include staffing data, such as accessions, separations and number and duration of unfilled positions, as support. Where applicable, provide information by physician category.

10) *Explanation of the Degree PCA Alleviates Recruitment and Retention Problem(s)*: Provide an explanation of the extent that providing PCAs has prevented or lessened recruitment and retention problems. The explanation should include staffing data, such as accessions, separations and number and duration of unfilled positions, as support.

11) *Additional Information*: Provide any additional, relevant information.

Proposed FY 2013 Administrative Provisions

To further clarify proposed Administrative Provisions that involve more than a simple annual extension, were not included in P.L. 112-74, or propose a modification to an existing provision, the following information is provided.

Community Action for a Renewed Environment

Under terms established by the Administrator, and in addition to funds otherwise available in other appropriation accounts for specific grant programs, the Agency may expend funds appropriated in the Environmental Program and Management account for competitive grants to communities to implement Community Action for a Renewed Environment (CARE) projects.

CARE is a competitive grant and technical assistance program that offers an innovative way for under-served and other communities to take action to reduce toxic pollution. Through CARE, communities create local collaborative partnerships that implement local solutions to minimize exposure to toxic pollutants and reduce their release. In FY 2013, EPA is requesting new grant authority to continue this program beyond the demonstration phase.

Cancellation of Unobligated Balances

From unobligated balances available to carry out projects and activities funded through the State and Tribal Assistance Grants account, $30,000,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

EPA is proposing to cancel $30 million from STAG unobligated balances provided that they were not designated as an emergency requirement.

Program Funds for Facilities Activities

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities provided that the cost does not exceed $150,000 per project.

The Building and Facilities threshold was last increased from $75 to $85 thousand in FY 2004. During the 2004 to 2011 timeframe, costs for construction, material, and labor increased ranging from 5 to 9 percent per year. EPA is proposing to reflect these cost increases by raising the per project threshold from $85 to $150 thousand.

The $150 thousand threshold will apply to the S&T, EPM, OIG, Superfund, and LUST appropriations and will allow the programs to proceed effectively and efficiently to address immediate, urgent and smaller-scale facility improvements and will enable the Agency to maintain adequate operations, further mission-critical activities and implement conservation goals.

Title 42 Hiring Authority

The fourth paragraph under the heading Administrative Provisions of title II of Public Law 109-54, as amended by the fifth paragraph under such heading of title II of division E of Public Law 111-8 and the third paragraph under such heading of the title II of Public Law 111-88, is further amended by striking "up to thirty persons at any one time" and inserting "persons".

The current proviso states that the Administrator may, after consultation with the Office of Personnel Management, employ up to thirty persons at any one time in the Office of Research and Development under the authority provided in 42 U.S.C. 209. The change proposed in FY 2013 would remove the ceiling of thirty persons at any one time.

Oil Spill Transfer Authority

Notwithstanding section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604), the Administrator may authorize the expenditure or transfer of up to $10,000,000 from any appropriation in this title, in addition to the amounts included in the "Inland Oil Spill Programs" account, for removal activities related to actual oil spills ***[****5 days after notifying the House and Senate Committees on Appropriations of the intention to expend or transfer such funds****]****: Provided, That no funds shall be expended or transferred under this authority until the Administrator determines that amounts made available for expenditure in the "Inland Oil Spill Programs" account will be exhausted within 30 days: Provided further, That such funds shall be replenished to the appropriation that was the source of the expenditure or transfer, following EPA's receipt of reimbursement from the Oil Spill Liability Trust Fund pursuant to the Oil Pollution Act of 1990.*

This provision, enacted in P.L. 112-74, allows the Administrator to quickly deploy necessary resources in response to oil spills by allowing transfers of up to $10 million from other available sources within EPA. The change to the language removes the requirement for a 5-day notification period to the House and Senate Committees on Appropriations, which is left to the Committee's discretion.

Environmental Protection Agency
2013 Annual Performance Plan and Congressional Justification

Table of Contents - Appendix B

EPA Fiscal Year 2011 Annual Performance Report:
Overview of FY 2011 Performance

EPA Fiscal Year 2011 Annual Performance Report:
Overview of FY 2011 Performance

Introduction

The EPA's *FY 2011 Annual Performance Report* presents environmental and program performance results achieved in FY 2011 under the goals established in its *FY 2011–2015 Strategic Plan* (http://www.epa.gov/ocfo/plan/plan.htm) and against the performance measures and targets established in the agency's *FY 2011 Annual Performance Plan and Budget* (http://www.epa.gov/budget/index.htm.)

This report is one of three complementary documents the EPA has produced to report its FY 2011 financial and program performance results, in compliance with the Government Performance and Results Act Modernization Act of 2010 and the Office of Management and Budget implementing guidance. In addition to the FY 2011 APR provided here as part of its *FY 2013 Congressional Budget Justification*, the EPA has also issued an *FY 2011 Agency Financial Report* and an *FY 2011 Highlights*,. The *FY 2011 Highlights* presents key financial and performance information from both the AFR and APR in a brief, nontechnical, user-friendly format. These three reports are available at http://www.epa.gov/planandbudget/results.html.

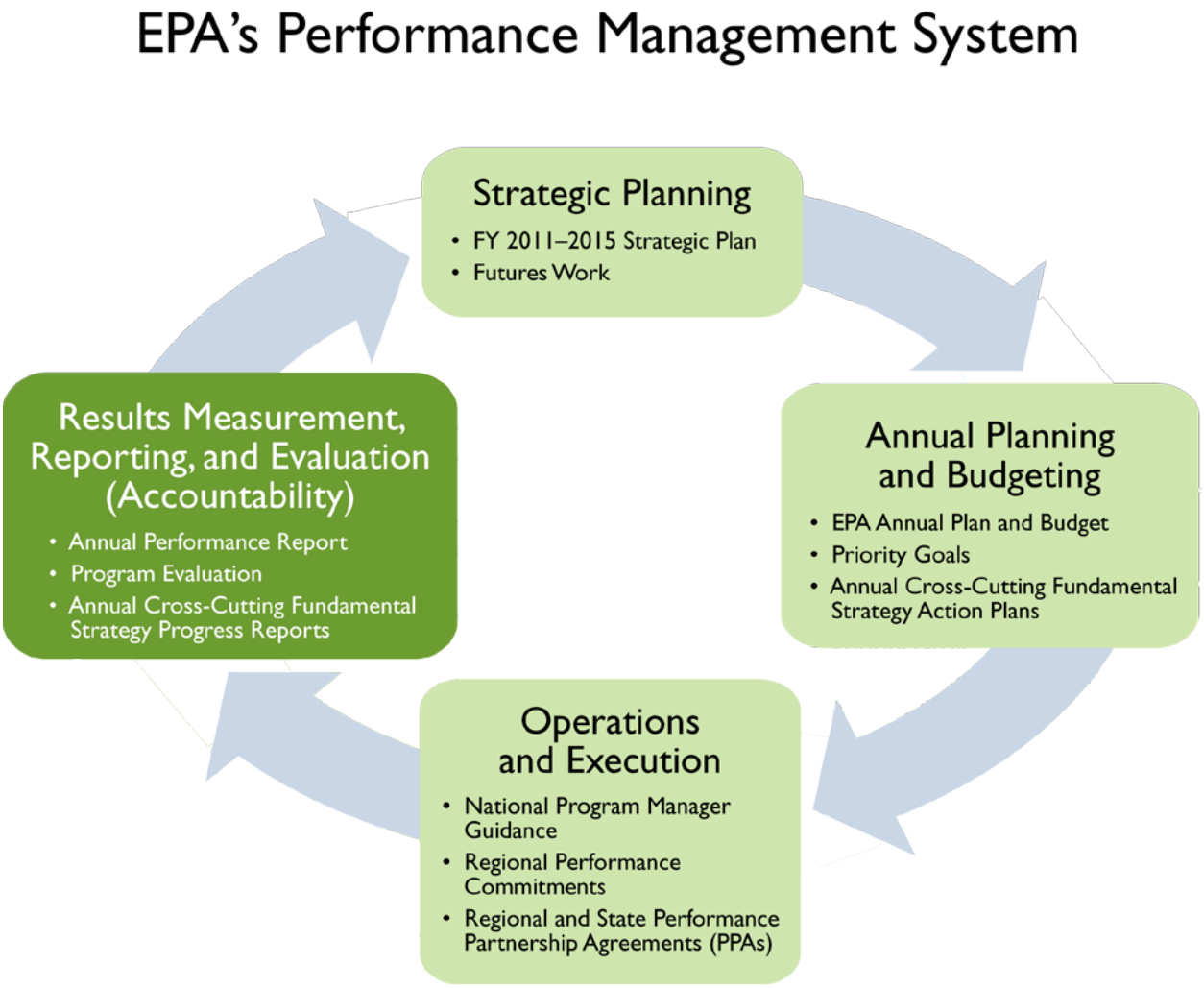
Approach to Performance Reporting

The EPA strives to more closely connect the results it has achieved with its direction for the future. Toward this end, the agency worked to integrate its annual performance report and Congressional Budget Justification more fully and meaningfully. In addition to the "Overview of FY 2011 Performance" provided in this section, the EPA has woven performance results information and addressed performance reporting requirements throughout its FY 2013 CJ:

- The *Introduction and Overview* section presents EPA's mission statement and organizational structure;
- The *Goal and Objective Overview* section includes FY 2011 performance results where helpful to support discussion of future directions;
- *Appropriation Program/Project Fact Sheets* include FY 2011 performance results and trend data to provide context for budget decisions; and
- The *Program Performance and Assessment* section presents a detailed, 8-year array of performance data—displayed by strategic goal and objective—which provides results for each measure established in the agency's *FY 2011 Annual Performance Plan* and includes explanations for missed or exceeded targets.

Integrating performance and budgeting in this manner advances the agency's strategic planning and provides context and support for its FY 2013 budget decisions.

Performance Management in FY 2011



To support achievement of the long-term goals and objectives outlined in its *Strategic Plan*, the EPA prepares an *Annual Performance Plan and Budget*, which commits the agency to a suite of annual performance measures. The EPA reports its results against these annual performance measures and discusses progress toward its longer term strategic goals in its *Annual Performance Report*, which the agency includes in its C*ongressional Budget Justification*.

FY 2011 marks the first year of the EPA's implementation of its new *FY 2011–2015 Strategic Plan* (http://www.epa.gov/ocfo/plan/plan.htm), released in September 2010. The plan establishes five goals that support the agency's mission to protect human health and the environment, as well as supporting objectives. The plan also presents a set of five cross-cutting strategies that stem from the Administrator's priorities and are designed to fundamentally change how the agency works, both internally and externally, to achieve the mission outcomes articulated under its five strategic goals. The EPA is implementing these strategies through annual action plans, which focus its efforts and promote tangible, measurable actions that transform its delivery of

environmental and human health protection. The EPA's FY 2011 Action Plan Progress Reports are available at http://www.epa.gov/planandbudget/results.html.

THE EPA'S STRATEGIC GOALS

Taking Action on Climate Change and Improving Air Quality
Protecting America's Waters
Cleaning Up Communities and Advancing Sustainable Development
Ensuring the Safety of Chemicals and Preventing Pollution
Enforcing Environmental Laws

THE EPA's CROSS-CUTTING FUNDAMENTAL STRATEGIES

Expanding the Conversation on Environmentalism
Working for Environmental Justice and Children's Health
Advancing Science, Research and Technological Innovation
Strengthening State, Tribal, and International Partnerships
Strengthening EPA's Workforce and Capabilities

To focus attention on advancing its *FY 2011–2015 Strategic Plan*, in FY 2011 the EPA instituted new practices that promote the use of simpler and more meaningful performance information in managing programs and provide cross-agency dialogue to inform decision-making. For example, in FY 2011 the Deputy Administrator initiated quarterly meetings with senior leadership to discuss progress on agency priority goals, and at midyear and the end of the year, on a broader set of performance measures for each of the agency's strategic goals. Similarly, agency managers prepare and discuss action plans for carrying out the cross-cutting fundamental strategies which shape how the EPA carries out its work. These meetings encourage transparency and discussion among national program managers and regions on program results and challenges.

The EPA's Priority Goals

The EPA also reports on Priority Goals, a new component of the Administration's performance management framework. The EPA's Priority Goals are specific, measurable, near-term (18- to 24-month) targets, which align with the agency's long-term and annual performance measures and communicate the performance improvements the agency will accomplish using its existing legislative authority and resources. The EPA's FY 2010–2011 Priority Goals include controlling greenhouse gas emissions, improving water quality and protecting and developing communities. Results the agency achieved for its FY 2010-2011 Priority Goals are highlighted in the goal-by-goal discussions which follow.

The EPA's FY 2010–2011 Priority Goals
I *EPA will improve the country's ability to measure and control Green House Gas (GHG) emissions. Building a foundation for action is essential.* • By June 15, 2011, EPA will make publically available 100 percent of facility-level GHG emissions data submitted to EPA in accordance with the GHG Reporting Rule, compliant with policies protecting Confidential Business Information (CBI.) • In 2011, EPA, working with DOT, will begin implementation of regulations designed to reduce the GHG emissions from light duty vehicles sold in the US starting with model year 2012.
II. *Clean water is essential for our quality of life and the health of our communities. EPA will take actions over the next two years to improve water quality.* • Chesapeake Bay watershed states (including the District of Columbia) will develop and submit Phase I watershed implementation plans by the end of CY 2010 and Phase II plans by the end of CY 2011 in support of EPA's final Chesapeake Bay Total Maximum Daily Load (TMDL) and consistent with the expectations and schedule described in EPA's letters of November 4 and December 29, 2009 and June 11, 2010. • Increase pollutant reducing enforcement actions in waters that don't meet water quality standards, and post results and analysis on the web. • Over the next two years, EPA will initiate review/revision of at least 4 drinking water standards to strengthen public health protection.
III. *EPA will ensure that environmental health and protection is delivered to our communities.* • By 2012 EPA will have initiated 20 enhanced Brownfields community level projects that will include a new area-wide planning effort to benefit under-served and economically disadvantaged communities. This will allow those communities to assess and address a single large or multiple Brownfields sites within their boundaries, thereby advancing area-wide planning to enable redevelopment of Brownfields properties on a broader scale. EPA will provide technical assistance, coordinate its enforcement, water and air quality programs, and work with other Federal agencies, states, tribes and local governments to implement associated targeted environmental improvements identified in each community's area-wide plan.

The American Recovery and Reinvestment Act of 2009

During FY 2011, the EPA continued to make significant progress in implementing its responsibilities under the American Recovery and Reinvestment Act of 2009. Since the end of FY 2009, the EPA has tracked program performance for six key ARRA-funded environmental programs that invest in clean water and drinking water projects, implement diesel emission reduction technologies, clean up leaking underground storage tanks, revitalize and reuse brownfields, and clean up Superfund sites. FY 2011 realized a significant amount of activity as a result of ARRA funding. An overview of the number and types of projects completed with ARRA funds in 2011 demonstrates further progress made to advance environmental protection. To date the agency has reported on the following accomplishments:

- More than 660 projects have been funded to improve or maintain wastewater treatment works serving an estimated 79 million Americans, and more than 265 drinking water systems have been brought into compliance, serving over 7.4 million Americans.

- Almost 30,000 diesel engines have been retrofitted, replaced or retired.

- Hundreds of contaminated sites have been cleaned up, including 92 brownfield properties, more than 1,300 underground storage tanks and nine Superfund sites. Additionally, more than 50 Superfund site cleanups have been accelerated.

To ensure accountability and demonstrate progress toward meeting ARRA goals, the EPA provides quarterly ARRA performance updates at http://www.epa.gov/recovery/plans.html#quarterly.

The EPA's Human Capital Strategy

A component of the EPA's *FY 2011–2015 EPA Strategic Plan*, Cross-Cutting Fundamental Strategy 5, "Strengthening EPA's Workforce and Capabilities," focuses on human capital priorities, as well as internal business processes. Under this cross-cutting fundamental strategy, the agency seeks to continuously improve its internal management, encourage innovation and creativity in all aspects of its work, and ensure that the EPA is an excellent workplace that attracts and retains a topnotch, diverse workforce, positioned to meet and address the environmental challenges of the 21st century. To achieve this goal, the EPA focused on six areas: recruiting, developing, and retaining a diverse and creative workforce; cultivating a workplace that values a high quality work life; practicing outstanding resource stewardship; enhancing communication; integrating energy efficiency and environmental considerations into our work practices; and improving the effectiveness and efficiency of the agency's acquisition function.

During FY 2011, the agency carried out several targeted actions to achieve the goals of this crosscutting fundamental strategy. These included reforming the EPA's hiring process to make it easier for applicants to apply for jobs, as well as increasing the pool of qualified candidates; completing standardized recruitment packages for 10 occupations; launching a Diversity Dashboard; and conducting training for hiring officials across the EPA on targeted outreach strategies.

More information on the Strengthening the EPA's Workforce and Capacities can be found in the Cross Cutting Fundamental Strategy section which follows.

Program Evaluations

To improve program effectiveness and efficiency, the Administration emphasized the importance of using program evaluation to provide the evidence needed to demonstrate that the agency's programs are meeting their intended outcomes. By assessing how well a program is working and why, program evaluation can help the EPA identify where activities have the greatest impact on protecting human health and the environment, provide the road map needed to replicate

successes, and conversely identify areas needing improvement. This is particularly important as the EPA meets its obligations for transparency and accountability. A summary of those program evaluations completed during FY 2011 are available on the following website: http://www.epa.gov/planandbudget/results.html.

Summary of FY 2011 Performance Results

Reliability of the EPA's Performance Data

Data used to report performance results are reliable and as complete as possible. Because improvements in human health and the environment may not become immediately apparent, there might be delays between the actions we have taken and results we can measure. Additionally, we cannot provide results data for several of our performance measures for this reporting year. When possible, however, we have portrayed trend data to illustrate progress over time. We also report final performance results for prior years that became available in FY 2011.

Administrator
Lisa P. Jackson

2/9/12

Lisa P. Jackson
Administrator

Date

In its *FY 2011 Annual Performance Plan and Budget*, the EPA committed to 238 annual performance measures, 178 of which had validated measurement data as of the publication date of this report. In FY 2011, the agency met 127 of these performance measures, 71 percent of the performance measures for which data were available. The EPA significantly exceeded its targets for several of its FY 2011 performance measures. In some cases, a new collaborative effort or a new approach to the performance measures allowed the EPA to accomplish more than it had planned.

The EPA also faced a number of difficult challenges and obstacles to success. Despite the agency's best efforts, 51 performance measures were not met. There are a number of reasons for missed targets, including an unexpected demand for resources or competing priorities; the effect of budget cuts on the agency's state, tribal, and local government partners; and factors outside the agency's control, such as weather, technological challenges, or population growth and land use patterns.

The EPA is using performance measures to look at FY 2011 results in terms of long-term performance. The agency has highlighted key performance trends and challenges related to specific performance measures under each of its five programmatic goals. These trends and

challenges are described in this document, along with actions the agency is taking as a result of the data.

The EPA will carefully consider its FY 2011 results and adjust program strategies and approaches accordingly. The 8-year array included in the *Program Performance and Assessment* section of the CJ provides more detailed explanations for missed and significantly exceeded targets and discusses the agency's plans to meet these performance measures in the future.

Data Not Available

Because final end-of-year data for some measures were not available when this report went to press, the EPA is not yet able to report on 60 of its 238 performance measures. Environmental results may not become apparent within a fiscal year, and assessing environmental improvements often requires multiyear information. In some cases, additional time is needed to understand and assess factors such as exposure and the resulting impact on human health.

In many cases, reporting cycles—including some that are legislatively mandated—do not correspond with the federal fiscal year on which this report is based. Data reported biennially, for example, are not available for this report but will be provided in next year's Annual Performance Report.

Extensive quality assurance/quality control processes to ensure the reliability of performance data can also delay reporting. The EPA relies heavily on performance data obtained from state, tribal and local agencies, all of which require time to collect information and review it for quality. If the EPA is unable to obtain complete end-of-year information from all sources in time for this report, FY 2011 results will be available in the *Performance and Assessment* section of the FY 2014 Congressional Justification, published in February 2013.

Data Now Available

The EPA is now able to report data from FY 2010 that became available in FY 2011. These FY 2010 results are reflected in the 8-year array provided in the *Program Performance and Assessment* section of the FY 2013 CJ. (Note that the agency's FY 2010 performance measures were developed under the goal structure of its *2006–2011 Strategic Plan;* thus, where appropriate, some FY 2010 measures are realigned in the 8-year array to correspond to the goal structure of the agency's current *FY 2011–2015 Strategic Plan*.) In summary, final performance results became available for 41 of the 60 FY 2010 measures (out of a total 211 FY 2010 performance measures) for which data were unavailable at the end of FY 2010. Of these 41 performance measures, the EPA met 31 targets.

A Guide to this "Overview of FY 2011 Performance" Section

The pages which follow highlight a few selected FY 2011 regional accomplishments and provide performance results and information on the agency's progress toward achieving the five strategic goals and implementing the five cross-cutting fundamental strategies established in its *FY 2011–2015 Strategic Plan*.

For each of the EPA's five strategic goals, the report provides a brief overview, lists key programs or offices that contribute to the goal, summarizes measures met and missed by objective, notes significant FY 2011 highlights and challenges, and discusses results achieved for Priority Goals which support the strategic goal. In addition, the agency analyzes **selected** performance measures and trends which represent key initiatives or activities toward achieving the long-term strategic goal.

For each of the EPA's five cross-cutting fundamental strategies, the report provides an overview of FY 2011 activity and presents bulleted highlights and challenges for FY 2011.

Highlights of Environmental

Region 8 Treating Contaminated Mining Drainage in Colorado

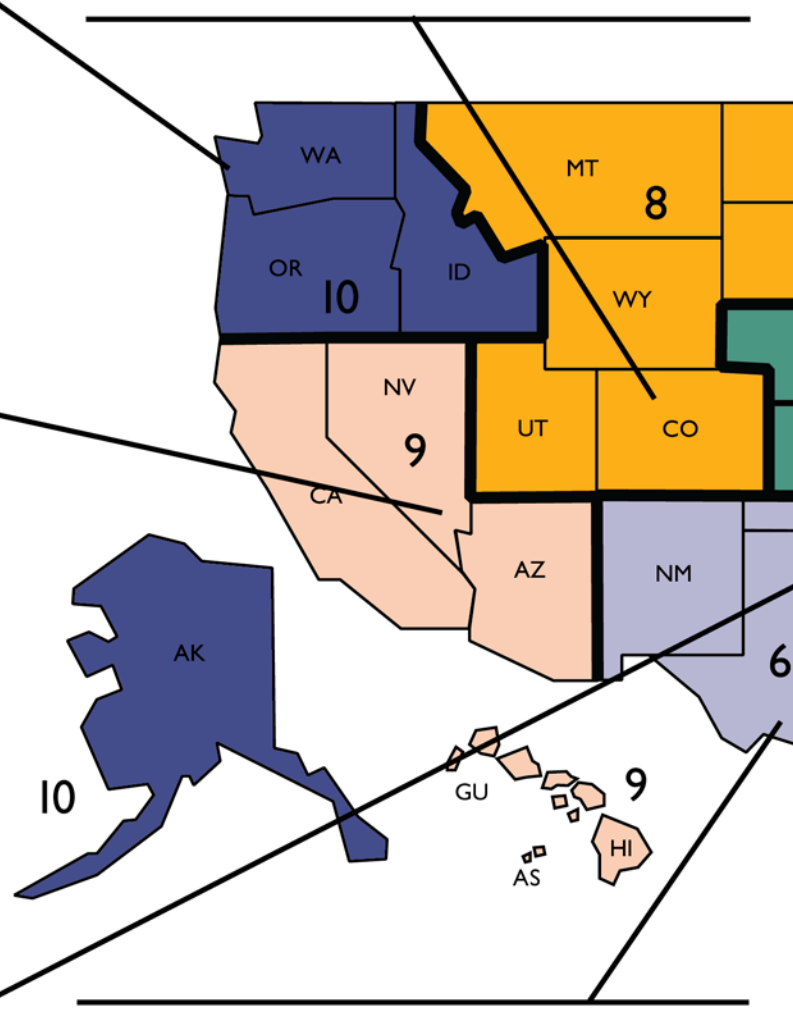
Using $17 million in hazardous waste cleanup funding from the American Recovery and Reinvestment Act of 2009, the EPA and the Colorado Department of Public Health and Environment constructed a 1,600-gallon-per-minute water treatment plant at the Summitville Mine Superfund site to remove heavy metal contaminants from mine drainage before the water leaves the site and enters the headwaters of the Alamosa River, a tributary of the Rio Grande River. The project has supported job creation in various building trades, including mechanics, heavy equipment operators and truck drivers. In addition, the EPA and the CDPHE installed a micro-hydropower plant at the site, providing 15 to 20 percent of the site's energy needs and resulting in significant cost savings.

http://www.epa.gov/region8/superfund/co/summitville/index.html

Region 10 Restoring the Puget Sound Ecosystem

The EPA awarded $38.1 million in grants to facilitate the ecosystem restoration and protection of Puget Sound, the nation's second-largest estuary. Funded projects include reducing toxic and bacterial pollution and protecting at-risk watersheds such as the Duwamish River, an urban waterway in Puget Sound that is currently under Superfund cleanup. The Port of Seattle and City of Seattle have committed $33 million to clean up contaminated marine sediment and soil. Tribes have used the Puget Sound funding to support the elimination of invasive species and to monitor salmon movement during the Elwha River Dam removal, the largest project of its kind in U.S. history.

http://www.epa.gov/pugetsound/



Region 9 Undertaking Uranium Cleanup in Navajo Nation

To address health and environmental impacts of uranium contamination in Navajo Nation, the EPA and Navajo EPA screened 683 structures for potential contamination, completed the demolition and excavation of 34 structures and 12 residential yards, assessed 452 mines, and started cleanup on the four highest priority mines. Additionally, the EPA tested 240 wells for ground water contamination and partnered with Indian Health Services and U.S. Housing and Urban Development to invest $24.5 million in new water lines serving drinking water to 300 homes. Marking a major accomplishment, the EPA and the Navajo Nation reached agreement on a plan to clean up the Northeast Church Rock United Nuclear Corporation mine—the largest mine on the reservation—starting in 2012.

http://www.epa.gov/region09/NavajoUranium

Region 7 Responding to Joplin, Missouri, Tornado Aftermath

On May 22, 2011, tragedy struck Joplin, Missouri, after an F-5 tornado damaged approximately 8,000 structures in its wake. In the aftermath of the tornado, the EPA has worked with the Missouri Department of Natural Resources and the Federal Emergency Management Agency, as well as other state and local partner agencies and nongovernmental entities, to reuse and recycle more than 156 tons of electronic equipment, 104,000 containers, and 257 tons of white goods, such as housing materials and propane cylinders. In addition, the EPA coordinated with partner agencies to conduct rapid needs assessments, air monitoring for asbestos and particulates, and household hazardous waste operations, as well as provide long-term community recovery support. The EPA has maintained public outreach efforts throughout the response, conducting more than 70 news media interviews that resulted in several hundred news stories mentioning the agency's efforts.

http://www.epa.gov/joplin/

Region 6 Ensuring Environmental Justice and Public Health in Texas

The EPA finalized approval of a community-based Supplemental Environmental Project to build a $1 million health clinic to serve the residents of Port Arthur, Texas. The clinic is part of the EPA's Environmental Justice Showcase Community Project, a grassroots program in which the EPA works with city officials, industry, and state and federal partners to achieve measurable progress in some of America's most environmentally distressed communities. In addition, the EPA has helped establish six multi-stakeholder workgroups designed to improve environmental conditions, health care, housing, jobs training, energy efficiency and urban redevelopment projects in the region.

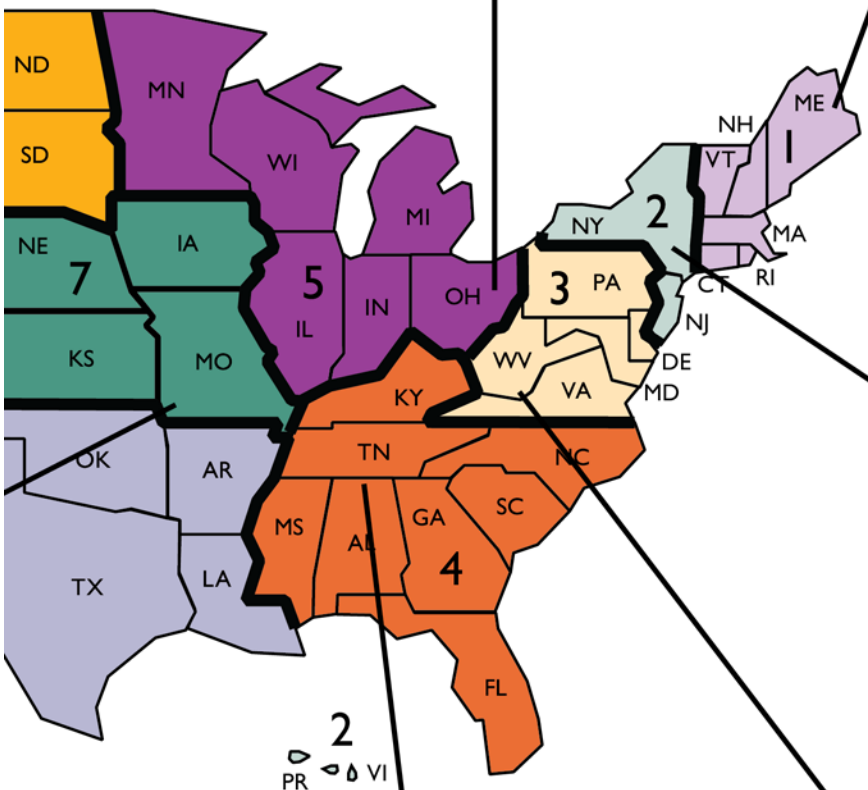
http://www.epa.gov/region06/6dra/oejta/ej/index.html

Accomplishments, EPA Regions

Region 5 Advancing Northeast Ohio's Water Infrastructure and Economy

In July 2011, the EPA reached a Combined Sewer Overflow Consent Decree with the Northeast Ohio Regional Sewer District, mandating a $3 billion effort to reduce the annual volume of raw sewage discharged from 4.5 billion gallons to 494 million gallons, including a minimum of $42 million for large-scale green infrastructure projects spanning the next 25 years. Green infrastructure management approaches and technologies include infiltration, evapotranspiration, and the capture and reuse of stormwater to maintain or restore natural hydrologies. Collectively, the implemented control measures will result in the treatment of more than 98 percent of the wet weather flows in the sewer system.

http://www.epa.gov/compliance/resources/cases/civil/cwa/neorsd.html



Region 1 Providing Training To Prevent Lead Exposure in New England

As part of an extensive outreach and assistance effort reaching more than 125,000 people in the New England region, the EPA accredited 64 training providers, over a two-year period, to teach more than 134 courses under the federal lead renovation, repair and painting rule. The rule requires that firms performing renovation, repair and painting projects that disturb lead-based paint in pre-1978 homes, childcare facilities and schools be certified by the EPA and use certified renovators trained to follow lead-safe work practices. To date, 12,664 New England firms have been certified, and almost 2,500 courses have been offered, providing invaluable training to an estimated 75,000 people. Continuing the EPA's effort to achieve compliance and reduce risks, Region 1 issued the first renovation, repair and painting rule enforcement action in the nation resulting from a social media video tip.

http://epa.gov/region1/enforcement/leadpaint

Region 2 Cleaning Up the Hudson River

Region 2 marked an important milestone in the cleanup of the Hudson River with the start of the second and final phase of dredging in spring 2011. Over the next five to seven years, General Electric will remove about 2.4 million cubic yards of polychlorinated biphenyls contaminated sediment from a 40-mile section of the Upper Hudson River between Fort Edward and Troy, NY. An estimated 1.3 million pounds of PCBs were discharged into the river from two General Electric capacitor manufacturing plants located in Fort Edward and Hudson Falls over the course of 30 years. General Electric is conducting the dredging project, with EPA oversight, under the terms of a November 2006 legal agreement. Approximately 500 jobs have been created by the cleanup project, and more than 550,000 cubic yards of contaminated sediment has already been removed.

http://www.epa.gov/hudson/

Region 3 Establishing a "Pollution Diet" for the Chesapeake Bay

In December 2010, the EPA established the Chesapeake Bay Total Maximum Daily Load, the nation's most rigorous "pollution diet" for meeting water quality standards in the Chesapeake Bay and its tidal tributaries, many of which are a source of drinking water. The Chesapeake Bay TMDL sets pollution limits that represent a 25-percent reduction in nitrogen, 24-percent reduction in phosphorus and 20-percent reduction in sediment. The TMDL is designed to ensure that all control measures needed to meet the jurisdictions' Chesapeake Bay water quality standards are in place by 2025, with 60 percent of the actions completed by 2017. The pollution controls could significantly improve water quality in streams, creeks and rivers throughout the region, as well as benefit local economies through increased use of watershed activities, including fishing, swimming and boating.

http://www.epa.gov/reg3wapd/tmdl/ChesapeakeBay/index.html

Region 4 Improving Air Quality in the Southeast Through Clean Air Act Settlement

In April 2011, the EPA provided a new benchmark for clean power generation in the United States through a Clean Air Act settlement with the Tennessee Valley Authority that requires the TVA to spend $350 million on environmental mitigation projects, including energy efficiency and renewable energy projects. Once fully implemented, the pollution controls could reduce emissions of nitrogen oxide by 69 percent and sulfur dioxide by 67 percent from the TVA's 2008 emission levels. The settlement will also significantly reduce particulate matter and carbon dioxide emissions, leading to estimated annual monetized health benefits ranging from $11 billion to $27 billion.

http://www.epa.gov/compliance/resources/cases/civil/caa/tvacoal-fired.html

Strategic Goal 1: Taking Action of Climate Change and Improving Air Quality

Strategic Goal 1 at a Glance:

TAKING ACTION ON CLIMATE CHANGE AND IMPROVING AIR QUALITY

Reduce greenhouse gas emissions and develop adaptation strategies to address climate change and protect and improve air quality.

FY 2011 Performance Measures

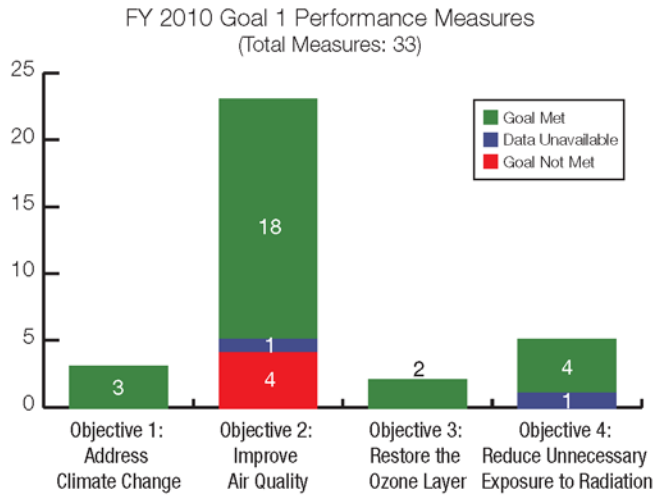
Met = 4 Not Met = 0 Data Unavailable = 29 (Total Measures = 33)

FY 2010 Performance Measures (see chart below)

Met = 27 Not Met = 4 Data Unavailable = 2 (Total Measures = 33)

Objectives

- Address Climate Change
- Improve Air Quality
- Restore the Ozone Layer
- Reduce Unnecessary Exposure to Radiation



FY 2010 – FY 2011 Priority Goals

- By June 15, 2011, EPA will make publicly available 100 percent of facility-level GHG emissions data submitted to EPA in accordance with the GHG Reporting Rule, compliant with policies protecting Confidential Business Information (CBI).
- In 2011, EPA, working with DOT, will begin implementation of regulations designed to reduce the GHG emissions from light duty vehicles sold in the US starting with model year 2012.

Key Accomplishments

- Establishing GHG reporting registry.
- Reducing SO_2, a precursor to acid rain deposition.
- Monitoring radiation levels after Japan power plant disaster.
- Testing for clean cookstoves.

Key Challenges

- Reducing days of unhealthy air quality.
- Reducing toxic air emissions.

Goal 1 Purpose

The EPA manages a number of programs related to climate change, outdoor and indoor air quality, stratospheric ozone, and radiation, each of which plays a vital role in protecting human health and the environment. Under these programs, the agency and its partners have made substantial progress in improving air quality and continue to take steps to reduce greenhouse gas emissions; however, much work remains.

For example, although nationwide air quality has improved significantly since passage of the Clean Air Act Amendments in 1990, in 2008, about 127 million Americans lived in counties that did not meet air quality standards for at least one pollutant. To support its clean air goals, the EPA continues striving to meet strategic targets outlined in its *FY 2011–2015 Strategic Plan*, such as reducing emissions of particulate matter and ozone. The agency is also working with the electricity-generating power industry through a cap-and-trade program to reduce sulfur dioxide and nitrogen oxides, precursors of fine particulate matter, ozone and acid rain.

Similarly, the agency and its partners continue to face challenges in addressing climate change. To better understand the changing climate, the EPA instituted a Priority Goal to ensure that the nearly 7,000 facilities that emit greenhouse gases report their data through the new Electronic-Greenhouse Gas Reporting Tool (EGRT.) Programs under Goal 1 continue to work through voluntary partnerships and implement other cost-effective solutions to ensure that private industry complies with standards and creates a healthier environment.

Under these climate change and air quality objectives, the EPA committed to 33 FY 2011 performance measures. Of these 33 measures, the EPA met 5 measures. The agency collects air and climate data on a calendar year basis that has a year-long data lag, which means the EPA will report 27 of the 2011 performance measures in 2012.

In FY 2010, the EPA committed to 33 performance measures. The agency met [or exceeded] 87 percent and did not meet 13 percent of the measures for which data were available for this report. (Data were not yet available for two FY 2010 measures.) The full suite of the EPA's FY 2011 measures, including targets, results, and detailed explanations for variances, is available in the *Performance and Assessment Section* of the FY 2013 Congressional Justification.

EPA Contributing Programs: Acid Rain Program; AirNow; Air Toxics; Clean Air Allowance Trading Programs; Clean Air Research; Indoor Air Quality; National Ambient Air Quality Standards Development and Implementation; Mobile Sources; New Source Review; Regional Haze; Stratospheric Ozone Layer Protection Program; Radiation Programs; and Voluntary Climate Programs.

Priority Goals

In FY 2010, the EPA established two Priority Goals to advance the *Strategic Plan* objective to address climate change and reduce greenhouse emissions.

GHG Emissions: Mandatory Reporting Rule
By June 15, 2011, EPA will make publicly available 100 percent of facility-level GHG emissions data submitted to EPA in accordance with the GHG Reporting Rule, compliant with policies protecting Confidential Business Information.

Results: On October 30, 2009, the EPA published a rule requiring large greenhouse gas emissions sources in the United States to report their annual emissions to the EPA. The first emissions reports (for 2010) were due on March 31, 2011, and the EPA set a goal to make the reported data publicly available by June 15, 2011. However, following conversations with industry and other external stakeholders, and in the interest of providing high-quality data to the public, the EPA extended the March 31 reporting deadline to September 30 and extended the date for making the data publicly available to December 31, 2011. On September 30, 2011, the EPA successfully completed the first reporting period under the EPA's Greenhouse Gas Mandatory Reporting Rule (40 CFR Part 98.) Never before has the agency had facility-level GHG data that can be used to guide the development of policies and programs to reduce GHG emissions nationwide. The success of this data collection effort was made possible through a cross-office effort within the agency to develop a comprehensive, user-friendly, Web-based electronic reporting tool that nearly 7,000 facilities and suppliers used to submit their data to the EPA.

GHG Emissions: Light Duty Vehicles
In 2011, EPA, working with the U.S. Department of Transportation, will begin implementation of regulations designed to reduce the GHG emissions from light duty vehicles sold in the U.S., starting with model year 2012.

Results: Since establishing the first GHG emissions standards for cars and light-duty trucks in April 2010, the EPA has been working to ensure their effective implementation, beginning with vehicle model year 2012. The EPA's primary role is to review applications from vehicle manufacturers and perform tests on prototype vehicles and engines to determine/certify compliance with the GHG emissions standards. As of September 30, 2011, the EPA had issued just over 450 certificates of conformity; this total represents approximately 90 percent of the certificates anticipated for model year 2012.

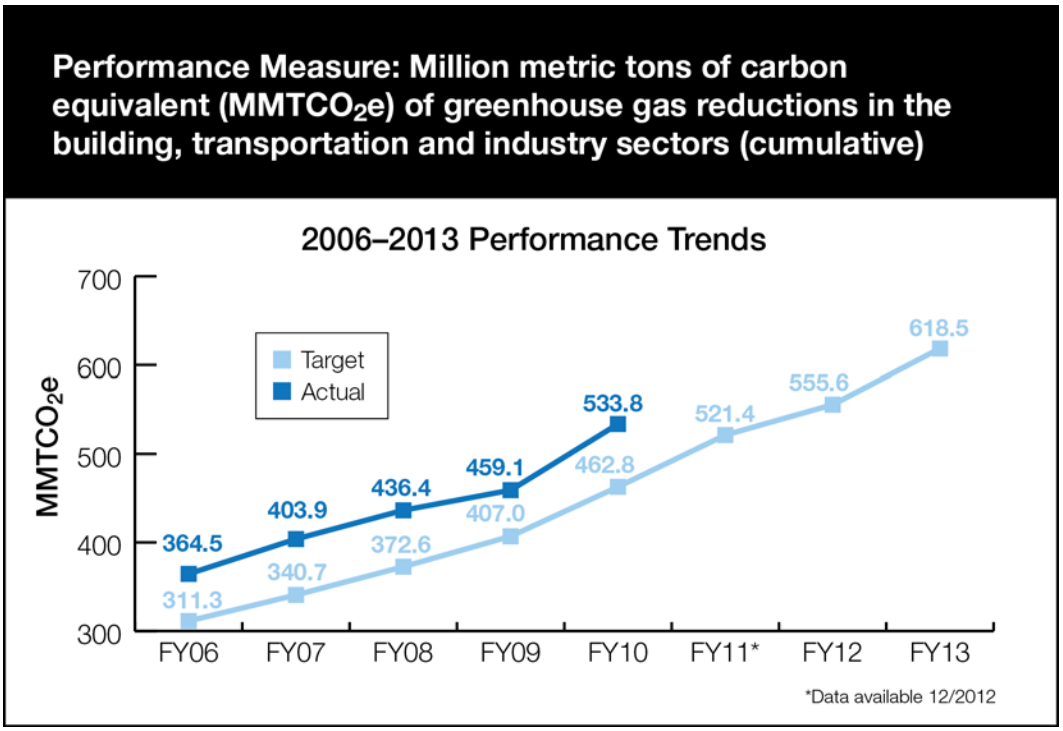
In addition to determining compliance, the EPA is also developing the data system to support the emissions averaging, banking and trading program that allows manufacturers different pathways to comply with the fleetwide average GHG emissions standards. The data system is being developed in two phases: Phase 1 for information collection and certificate of conformity generation, and Phase 2 for end of model year calculations. Phase 1 is being deployed throughout 2011 in a series of four releases. As of September 30, 2011, the EPA had deployed three releases: 1) system design and requirements analysis, 2) changes to the certificate of conformity template (to add GHG language) and the manufacturers' request for certificate dataset, and 3)

changes to the certification, confirmatory test, fuel economy label and manufacturer in-use verification program datasets. The remaining release, covering changes to the model year 2011 and 2012 Corporate Average Fuel Economy/GHG datasets was deployed in October 2011. Included in this deployment were infrastructure changes originally planned for Phase 2. These changes allow for all of the calculations (including GHG footprint and road-load information) to be released in Phase 2. The schedule change allowed more efficient use of resources.

Key Performance Results

Greenhouse Gas Emissions

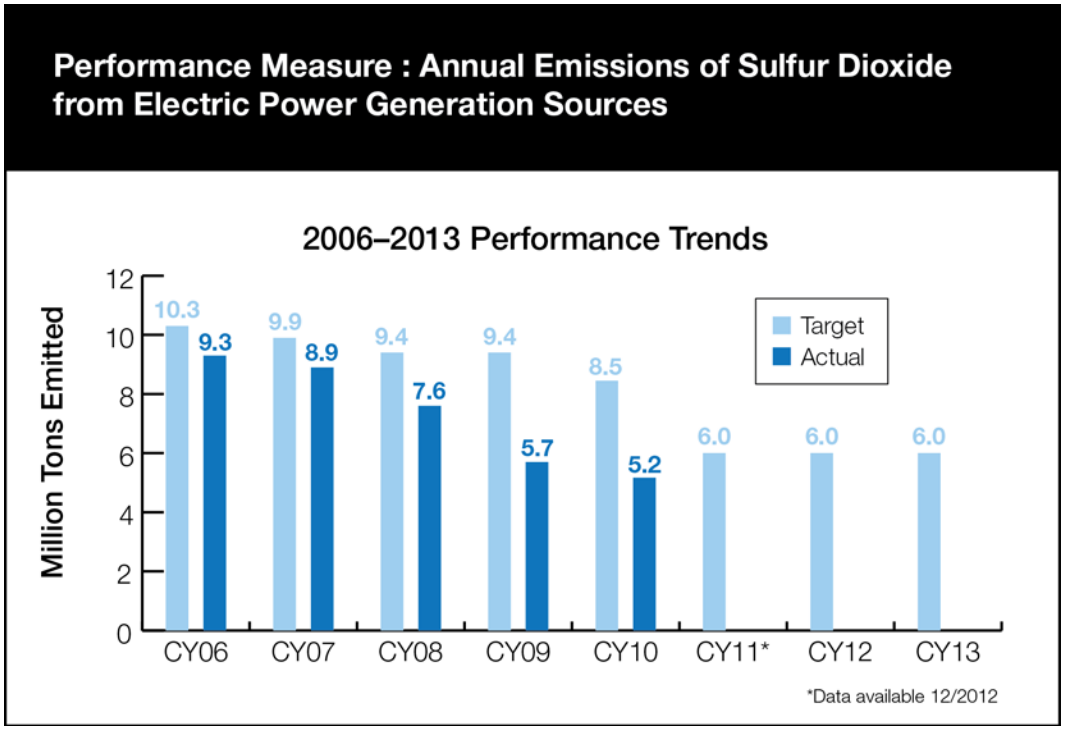
The EPA administers voluntary, public–private partnerships, like ENERGY STAR and SmartWay, to help avoid GHG emissions. The ENERGY STAR program focuses on energy efficiency in building and industry sectors, while SmartWay promotes cost-saving technologies in the transportation sector. Along with the beneficial impacts to the environment, thousands of businesses have reduced costs through increased energy efficiencies and fuel savings.



Analysis: The EPA exceeded its 2010 target by helping the business, industry and transportation sectors avoid 533.8 $MMTCO_2e$. The agency met part of this goal through the more than 126,000 new homes and 6,200 buildings constructed to meet ENERGY STAR 2010 guidelines—representing over 25 percent of new home starts and 6,200 buildings. In addition, SMARTWAY helped promote new technologies and efficiencies in the transportation sector that avoided approximately 16.5 $MMTCO_2e$.

Acid Rain Deposition

The Acid Rain Program, established under Title IV of the 1990 Clean Air Act Amendments, requires major emission reductions of sulfur dioxide (SO_2), one of the primary precursors of acid rain, from the power sector. The program sets a permanent cap on the total amount of SO_2 that may be emitted by electric generating units in the United States.



Analysis: Through a cap and trade program, industry has significantly reduced emissions of SO_2 from electric generating power plants. The EPA has met its target set by the Clean Air Act Amendments of 1990 to cut emissions approximately in half from 1980 levels (17.4 million tons) and keep emissions below the permanent statutory cap of 8.95 million tons. The target for 2011 reflects implementation of the Clean Air Interstate Rule, which will further reduce SO_2 emissions from these sources in eastern states and Washington, DC, to control interstate transport of fine particle pollution. The target for 2012 incorporates expected reductions from these sources in 23 states in the eastern, central and southern United States from implementation of the Cross-State Air Pollution Rule (which replaces CAIR beginning January 1, 2012.)

Note: By statute and regulation, the targets and actuals are based on calendar years, not fiscal years.

Fukushima Daiichi Power Plant Disaster

The EPA led the agency's Emergency Operations Center (EOC) response to radioactive releases from the Fukushima Daiichi Power Plant disaster, which was caused by an earthquake and subsequent tsunami. An EOC team of agency experts analyzed data on domestic radiation levels

and provided technical support for guidance on such issues as cargo container entries, sampling frequency, restricted zone re-entry, and food safety related to radiation releases cause by the disaster. The agency's RadNet system was used to monitor air, precipitation, drinking water and milk for the presence of radioactive materials across the United States; very low levels of radioactive material—far below levels of public health concern—were found. Data made available to the public on the EPA's Japan 2011 website provided assurances to the American public that any radiation migrating to the United States from Japan was below levels of concern.

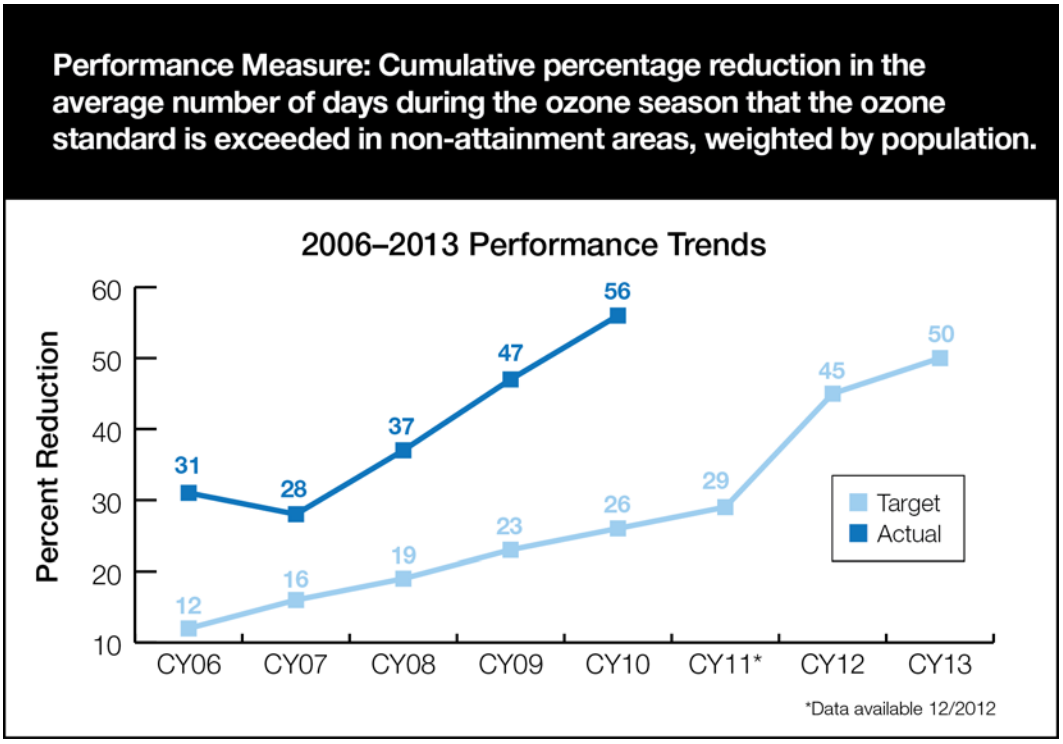
Emissions Testing for Clean Cookstoves

As part of its work with the Partnership for Clean Indoor Air, the EPA joined federal and private sector partners in announcing the U.N. Foundation's Global Alliance for Clean Cookstoves (GACC). This public–private alliance will address a major public health concern in developing countries—the high exposures to smoke from indoor fires and inefficient cookstoves that are associated with nearly 2 million deaths each year, primarily young children and women. In support of the GACC, the EPA has completed the most extensive testing of cookstove emissions to date. Forty-four combinations of stoves, fuels and operating conditions were tested for fuel efficiency and emissions of pollutants that affect human health and global climate. Results are being used by GACC partners to select stoves for field trials and by the GACC Working Group on Standards and Testing to improve cookstove testing methods.

Key Challenges

Ground-Level Ozone

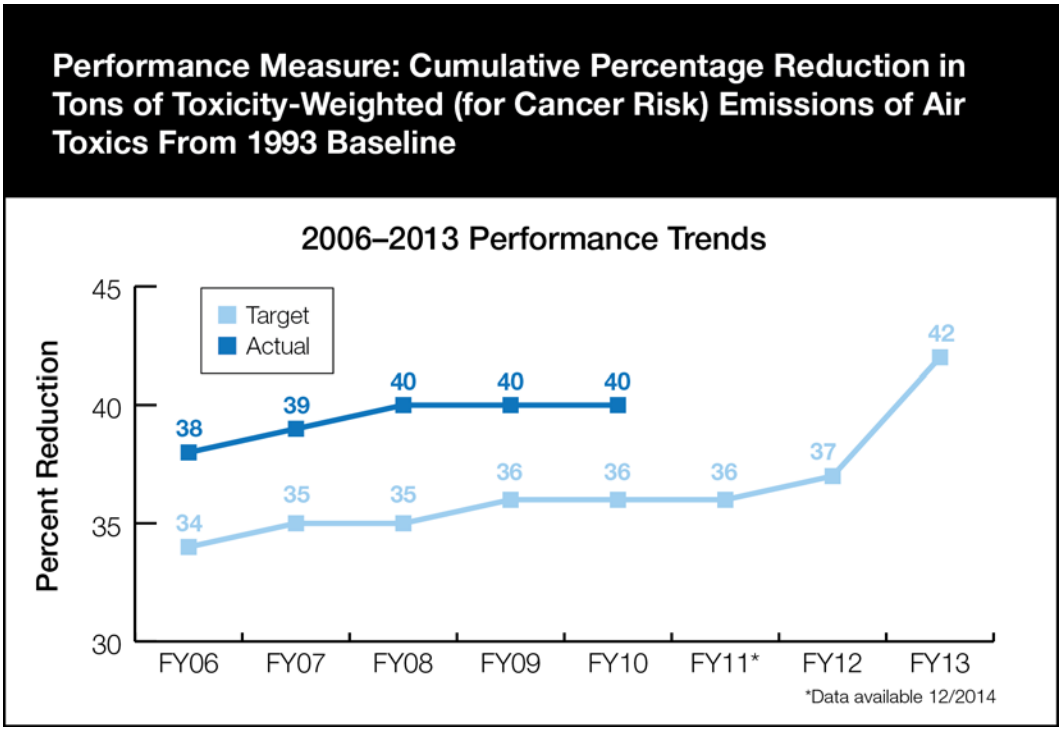
Ground-level ozone (smog) is not emitted directly into the air, but is created by chemical reactions between oxides of nitrogen (NOx) and volatile organic compounds (VOCs) in the presence of sunlight with most smog forming during the summer season. Emissions from industrial facilities and electric utilities, motor vehicle exhaust, gasoline vapors, and chemical solvents are some of the major sources of NOx and VOCs. Breathing ozone, a primary component of smog, can trigger a variety of health problems including chest pain, coughing, throat irritation, and congestion. It can worsen bronchitis, emphysema, and asthma. Ground-level ozone also can reduce lung function and inflame the linings of the lungs. Under the Clean Air Act, the EPA has set protective health-based standards for ozone in the air we breathe.



Analysis A significant reduction in the number of days with ozone exceedances during the ozone season in non-attainment areas (56% since 2003) has been achieved through strong partnerships with state, tribal and local governments to ensure that facilities comply with national air quality standards and that vehicles have incorporated the most cost-effective technologies to reduce emissions. Much work still remains to further reduce air pollution. Achieving results may be complicated by a changing climate. As the climate becomes warmer, the number of days with higher ozone levels will increase; this relationship will make for greater future challenges in controlling air pollution.

Air Toxics Emissions

The toxicity-weighted emission inventory utilizes the National Emissions Inventory for air toxics, along with the agency's compendium of cancer and non-cancer health risk criteria to develop a risk metric that can be tabulated on an annual basis. Air toxics emission data are revised every three years, with intervening years (the two years after the inventory year) interpolated utilizing inventory projection models.



Analysis: The EPA, along with its state, tribal and local partners, has helped reduce the emissions of toxic air pollutants like benzene, mercury, chromium and other cancer-causing toxics dramatically. Since 1993 a 40-percent reduction has been achieved through strong national standards that require facilities to implement cost-effective technologies to mitigate toxic air emissions. The reductions have been particularly beneficial to individuals in low-income, disadvantaged communities often living the closest to the facilities. Through 2010, the major reductions from the air toxics program were associated with the Maximum Achievable Control Technology standards promulgated as part of the first round of standards, which were completed in 2004. The agency has just begun the next phase of the air toxic program to review the technology standards and residual health risks, which could potentially lead to greater reductions in the future.

Strategic Goal 2: Protecting America's Waters

Strategic Goal 2 at a Glance:

PROTECTING AMERICA'S WATERS

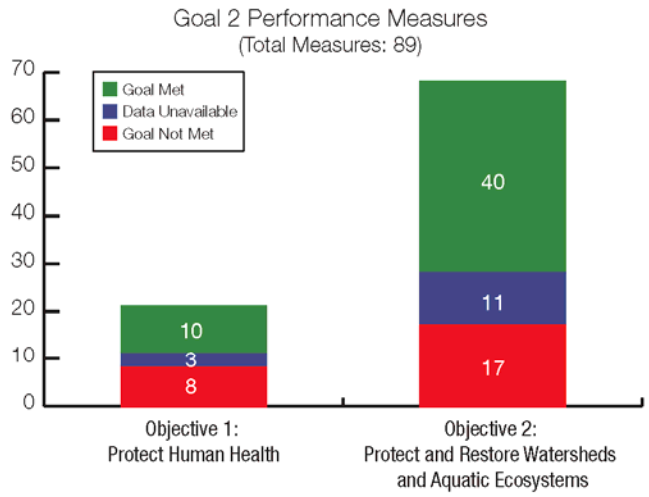
Protect and restore our waters to ensure that drinking water is safe, and that aquatic ecosystems sustain fish, plants and wildlife, and economic, recreational, and subsistence activities.

FY 2011 Performance Measures

Met = 50 Not Met = 25 Data Unavailable = 14 (Total Measures = 89)

Objectives

- Protect Human Health
- Protect and Restore Watersheds and Aquatic Ecosystems



FY 2010 – FY 2011 Priority Goals

- Chesapeake Bay watershed states (including the District of Columbia) will develop and submit Phase I watershed implementation plans by the end of CY 2010 and Phase II plans by the end of CY 2011 in support of EPA's final Chesapeake Bay Total Maximum Daily Load (TMDL) and consistent with the expectations and schedule described in EPA's letters of November 4 and December 29, 2009 and June 11, 2010.
- Over the next two years, EPA will initiate review/revision of at least 4 drinking water standards to strengthen public health protection.

Key Accomplishments

- Complying with drinking water standards for populations served by community water systems.
- Meeting standards for formerly impaired water bodies.
- Meeting water restoration goals for established or approved TMDLs.
- Progressing toward implementing innovative green infrastructure.

Key Challenges

- Complying with drinking water standards for tribal water systems.
- Protecting or restoring National Estuary Program habitat acres.
- Impacting nonpoint source pollution in Puget Sound shellfish areas.

Goal 2 Purpose

The EPA is committed to protecting and restoring America's waters. In coordination with its partners, the EPA ensures that drinking water is safe and that aquatic ecosystems sustain economic and recreational activities and provide healthy habitat for fish, plants, and wildlife. The Agency's efforts are driven by two main objectives established in its *FY 2011–2015 Strategic Plan*: protecting human health and protecting and restoring watersheds and aquatic ecosystems.
To ensure that tap water is safe to drink, the Agency sets limits for drinking water contaminants, helps to sustain and finance the network of pipes and treatment facilities that constitute the nation's water infrastructure, and works with water systems to comply with and implement drinking water standards.

The EPA works with state and local partners to implement source water protection plans for the areas surrounding drinking water sources. To protect surface waters, the EPA works with state and tribal partners to implement core clean water programs to protect waters nationwide by strengthening water quality standards, improving water quality monitoring and assessment, implementing total maximum daily loads (TMDLs) and other watershed-related plans, strengthening the National Pollutant Discharge Elimination System permit program, and implementing practices to reduce pollution from nonpoint sources. The EPA has also achieved its Priority Goals for improving water quality and strengthening public health protection by revising drinking water standards and developing state watershed implementation plans in support of the Chesapeake Bay TMDL.

In this section, the EPA discusses accomplishments and challenges in addressing water quality issues—strengthening and improving drinking water standards, maintaining safe water quality in Indian Country, restoring impaired water bodies, developing TMDLs to reduce pollutants, and protecting National Estuary Program habitat acres. While the EPA is making progress toward clean and safe water, it continues to face challenges such as improving drinking water systems in Indian Country and meeting water quality standards in systems increasingly stressed by aging infrastructure.

To further its objectives under Goal 2, the EPA committed to 89 performance measures for FY 2011 (this total includes efficiency and long-term measures with FY 2011 targets.) The Agency met or exceeded 67 percent and did not meet 33 percent of the measures for which data were available for this report. Data were not yet available for 14 measures under Goal 2. The full suite of the EPA's FY 2011 measures, including targets, results, and detailed explanations for variances, is available in the *Performance and Assessment* Section of the FY 2013 Congressional Justification.

EPA Contributing Programs: Analytical Methods; Beach Program; Coastal and Ocean Programs; Clean Water State Revolving Fund; Cooling Water Intakes; Drinking Water and Ground Water Protection Programs; Drinking Water State Revolving Fund; Drinking Water Research; Effluent Guidelines; Fish Consumption Advisories; National Pollutant Discharge Elimination System; Nonpoint Source Pollution Control; Pollutant Load Allocation; Surface Water Protection Program; Sustainable Infrastructure Program; Total Maximum Daily Loads; Underground Injection Control Program; Wastewater Management, Water Efficiency, Water

Quality Standards and Criteria; Watershed Management, Water Monitoring, and Water Quality Research; Marine Pollution; National Estuary Program/Coastal Waterways; Chesapeake Bay; Children's Health Protection; Columbia River Estuary Partnership; Commission for Environmental Cooperation; Great Lakes; Gulf of Mexico; Puget Sound; Human Health and Ecosystem Protection Research; Human Health Risk Assessment; Long Island Sound; Mercury Research; National Environmental Monitoring Initiative; Other Geographic Programs (including Lake Pontchartrain and Northwest Forest), Lake Champlain, San Francisco Bay, South Florida, Persistent Organic Pollutants; Trade and Governance, U.S.–Mexico Border; and Wetlands.

Priority Goals

In FY 2010, the EPA established two Priority Goals to advance the *Strategic Plan* objectives to reduce human exposure to contaminants in drinking water, fish and shellfish, and recreational waters; including protecting source waters and protecting the quality of rivers, lakes, streams, and wetlands on a watershed basis; and protecting urban, coastal, and ocean waters.

Improving the Quality of the Chesapeake Bay: *Chesapeake Bay watershed states (including the District of Columbia) will develop and submit Phase I watershed implementation plans by the end of CY 2010 and Phase II plans by the end of CY 2011 in support of EPA's final plan to restore water quality, the Chesapeake Bay Total Maximum Daily Load and consistent with the expectations and schedule described in EPA's letters of November 4 and December 29, 2009 and June 11, 2010.*

Results: Portions of the goal related to Phase I watershed implementation plans and the Chesapeake Bay TMDL have been achieved. Chesapeake Bay watershed states, including the District of Columbia, submitted final Phase I plans in November and December 2010. Based in large part on these plans, the EPA established the TMDL on December 29, 2010. Chesapeake Bay jurisdictions are on track for developing Phase II WIPs consistent with the expectations and schedule released in the EPA's March 31, 2011 *Guide for Chesapeake Bay Jurisdictions for the Development of Phase II Watershed Implementation Plans*, as amended in the EPA's August 1, 2011, letter. Draft Phase II plans are due to the EPA by the end of CY 2011, and final Phase II plans are due by March 30, 2012.

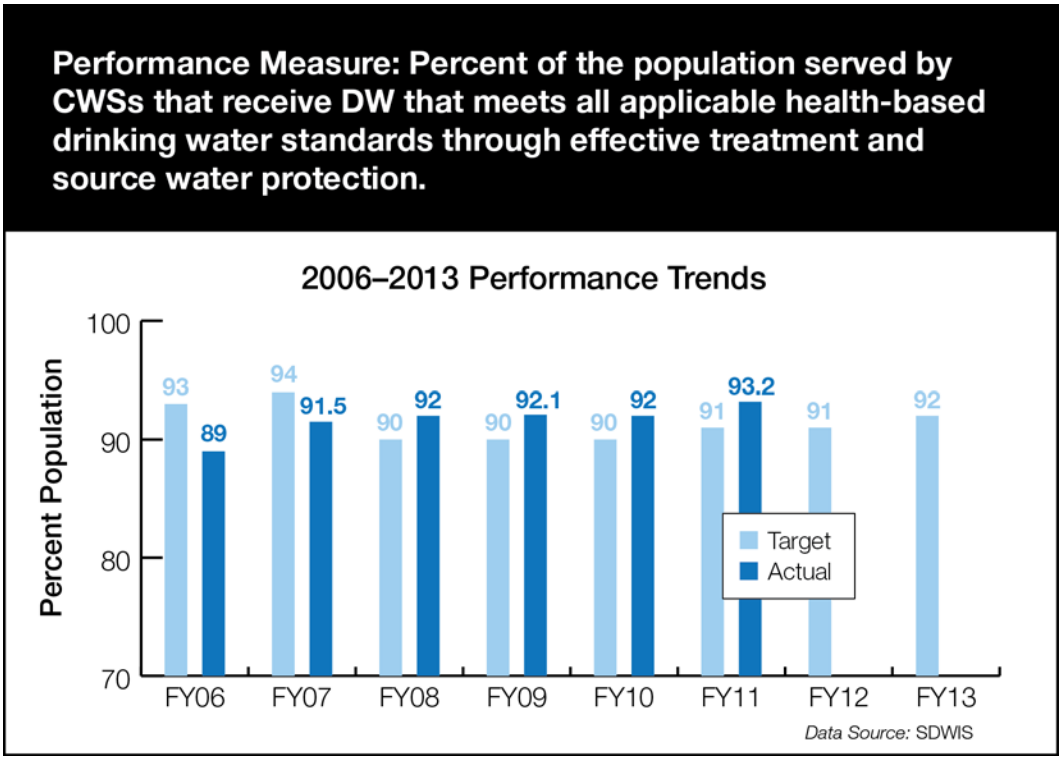
Strengthen Public Health Protection: Drinking Water Standards: *Over the next two years, EPA will initiate review/revision of at least four drinking water standards to strengthen public health protection.*

Results: The EPA significantly modified its implementation strategy for its goal to initiate review/revision of at least four drinking water standards to strengthen public health protection during FY 2010 and 2011. The regulatory action has been tiered and a workgroup initiated. Note: the initial step in the Agency's rule action development process, selection or assignment of the appropriate Agency review process, or "tiering," has been completed. The EPA is developing a national primary drinking water regulation for a group of carcinogenic volatile organic compounds (cVOCs). The preliminary group of cVOCs being considered includes the regulated cVOCs, tetrachloroethylene and trichloroethylene and may include other regulated and unregulated cVOCs.

These goals will be closed out in FY 2011.

Key Performance Results:

"Percent of Population" receiving drinking water which meets all applicable health-based drinking standards



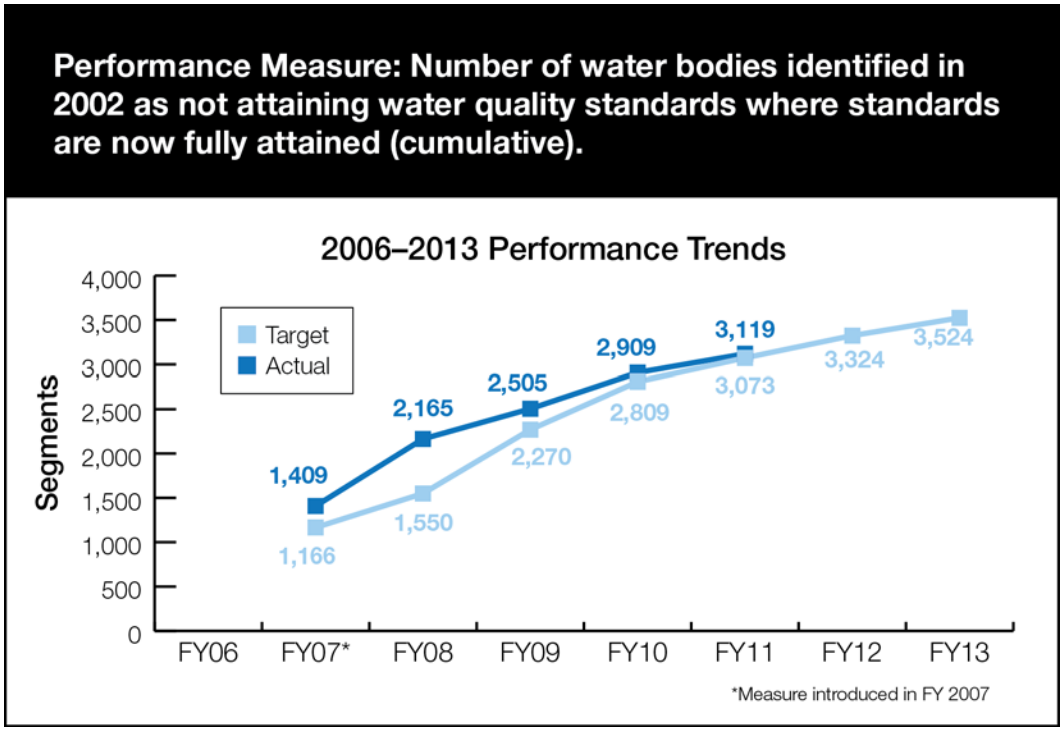
Analysis: The percent of population metric is described as the percentage of the U.S. population served by community water systems that receive drinking water that meets all health-based drinking water standards in the most recent four-quarter period. This measure includes federally regulated contaminants of the following violation types: maximum contaminant level, maximum residual disinfection limit, and treatment technique violations. It includes any community water system (CWS) violations that overlap with any part of the most recent four quarters.

The EPA achieved the FY 2011 goal of 91 percent and met the previous performance goal of 90 percent for each of the previous three years. This performance improvement is attributed to a national decrease in treatment technique violations that occur at the largest water systems, as well as how states are addressing background drinking water contaminants (e.g., arsenic) that chronically challenge water systems.

This success reflects the long-term efforts of the states and the EPA to minimize any health-based violations, while building appropriate technical, managerial and financial system

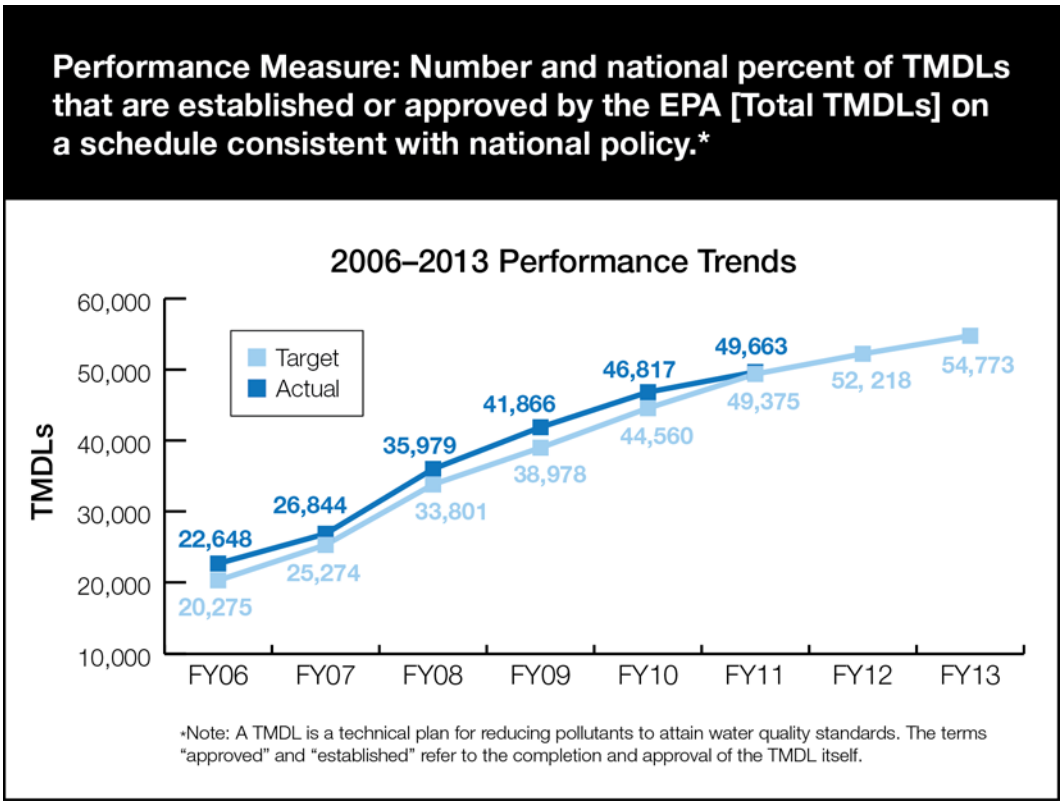
capability utilizing necessary infrastructure such that resources are available and appropriately applied to protect public health while delivering drinking water to consumers.

Formerly impaired water bodies now meeting standards



Analysis: The EPA and the states continue to make strong progress in addressing impaired waters. By the end of FY 2011, a total of 3,119 water bodies that were listed as impaired in 2002 are fully attaining the Agency's water quality standards, exceeding the EPA's annual target of 3,073. Under section 303(d) of the Clean Water Act, states, territories and authorized tribes are required to develop lists of impaired waters. Review of late 303(d) lists and audits of lists of impaired waters undertaken by several regions are factors contributing to the EPA exceeding its target. By attaining water quality standards, waters become safe for drinking, fishing and swimming. The EPA and state managers have given high priority to this measure, which has contributed to its continued success. Some of the challenges the Agency is facing that will continue to impact future accomplishments are: reduced state budgets are slowing implementation activities required to improve impaired water bodies; it is more difficult to show improvements and address all impairing pollutants for a water body segment than for just one or a few impairing pollutants; and many of the remaining impairments will take years before the water segment is fully recovered.

Total Maximum Daily Loads



Analysis: The development of TMDLs for an impaired water body is a critical step toward meeting water restoration goals. TMDLs focus on clearly defined environmental goals and establish a pollutant budget, which is then implemented via permit requirements or a wide variety of state, local and federal programs (which may be regulatory, nonregulatory, or incentive-based, depending on the program), as well as voluntary action by citizens. In FY 2011, the EPA and states developed 2,846 TMDLs, exceeding the agency's target by 288. A few examples of 2011 accomplishments include:

- Puerto Rico, with the EPA's support, established 118 TMDLs that were not expected until FY 2013.
- Rhode Island completed a statewide bacteria TMDL.
- Missouri developed a significant number of TMDLs (83) to meet Consent Decree requirements.
- Kansas developed 106 TMDLs due to its rotating basin assessment.
- San Diego completed 60 TMDLs for its beaches.

While states should be recognized for these accomplishments, resource constraints and technical and legal challenges still exist. For example, Alabama, Kentucky and South Carolina had several TMDLs with technical and/or legal issues that still need to be resolved, and most states continue to suffer due to budget shortfalls. There has also been a notable shift toward the development of more difficult TMDLs that take more time and resources. Additionally, states are balancing the

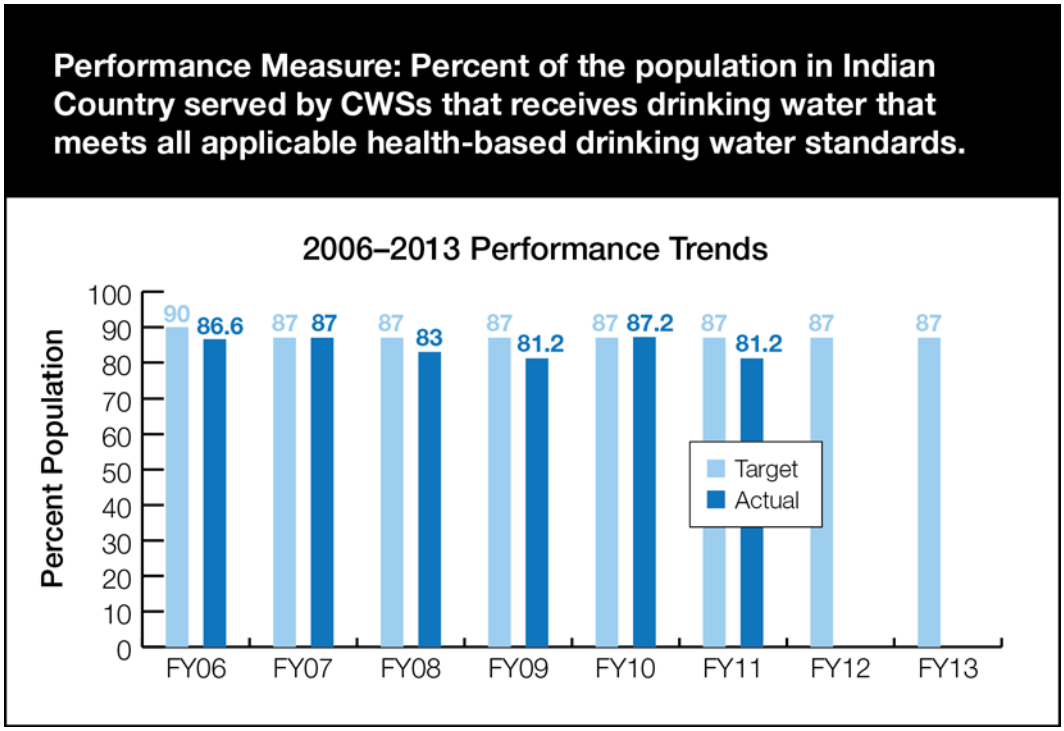
tradeoffs between TMDL implementation and TMDL development, and the EPA is aware of more emphasis being placed on implementation.

Innovative green infrastructure reduces cost and improves environmental conditions

The EPA's urban watershed research program develops novel approaches and technologies to reduce water pollution caused by combined sewer overflows and stormwater runoff. EPA scientists have partnered with municipalities, including Cincinnati; Kansas City; and Louisville, Kentucky, to develop more efficient and effective approaches to reducing stormwater runoff and sewer overflows. In Cincinnati, these improved approaches have resulted in the city reaching compliance with CWA requirements. These green infrastructure solutions present cost-effective alternatives to traditional grey approaches for controlling stormwater runoff.

Key Challenges:

Population served by CWSs in Indian Country



Analysis: This performance measure reflects the percentage of the population in Indian Country served by CWSs that receives drinking water that meets all health-based drinking water standards regulated by the Navajo Nation and the EPA. This measure mirrors the general population metric, in that it includes federally regulated contaminants of the following violation types: MCL, MRDL and treatment technique violations. It includes any violations from currently opened and closed CWSs in Indian Country that overlap with any part of the most recent four quarters.

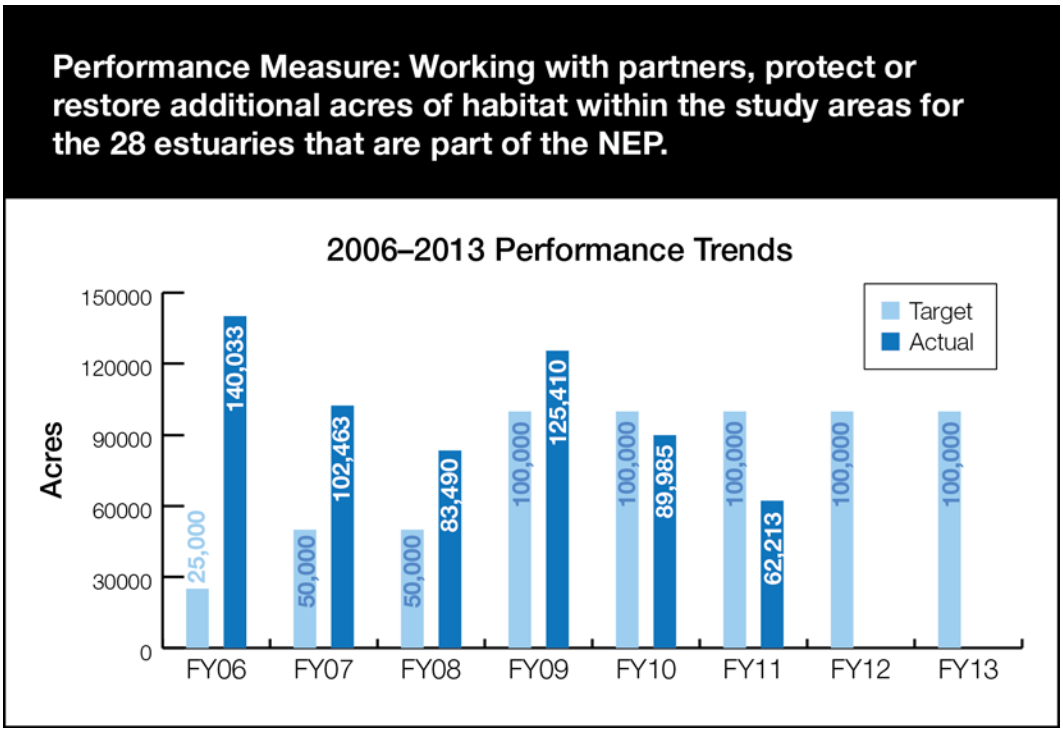
There continue to be challenges associated with tribal water systems maintaining compliance with National Primary Drinking Water Regulations, as shown in the end-of-year results. The EPA has failed to meet the performance target in three of the past five years. Performance over the years is heavily influenced by the systems in Region 9, as that region has the vast majority of the national tribal population governed by this measure. The measure results in FY 2011 were also influenced by data corrections from the Navajo Nation, which addressed reporting problems and inaccurate compliance determinations for a variety of contaminants. In addition, Region 9 tribes have struggled with meeting the Arsenic and Total Chloroform Rule MCL standards. Although these challenges remain, Region 9 is working with affected tribes, the Indian Health Service and the U.S. Department of Agriculture to better use funds to support infrastructure and address arsenic rule violations.

Tribes face challenges including those common to small systems, such as aging infrastructure, increased regulatory requirements, workforce shortages/high-turnover, increasing costs and declining rate bases.

The EPA is undertaking action to improve how tribes perceive the value of high-quality drinking water, as well as market potential resource availability for addressing infrastructure shortfalls by:

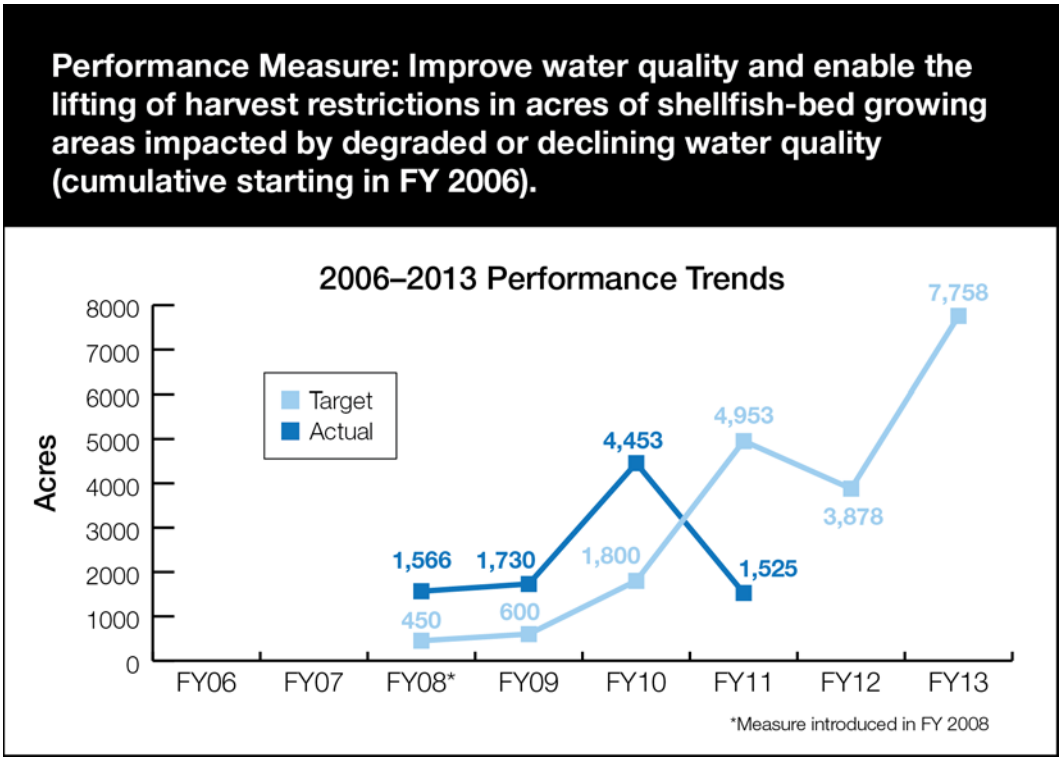
- Clarifying the goal and priorities for the tribal infrastructure set-asides from the Drinking Water State Revolving Loan Fund—the Drinking Water Infrastructure Grants Tribal Set-Aside program (DWIG-TSA)—with a focus on compliance.
- Improving the collection and analysis of data to enhance the transparency and strategic coordination of the DWIG-TSA program.
- Enhancing communication with all partners via the tribal infrastructure task force and biannual discussion with the EPA regions that focuses on clarification of collected data for use in communicating program achievements.
- Updating the tribal drinking water infrastructure needs as part of the EPA 2011 Drinking Water Infrastructure Needs Survey.
- Completed a formal program review of the Navajo Nation, who have primacy to implement SDWA, in FY 2012 to further evaluate how the Navajo Nation is determining compliance with the National Primary Drinking Water Standards and also verify if information in the Navajo Nations files and databases is consistent with publicly available data.

National Estuary Program habitat acres protected or restored



Analysis: The 28 NEPs and their partners have protected or restored over 1 million habitat acres within the NEP study areas since 2002. In FY 2011, they protected or restored just over 62,000 acres of habitat—about 38,000 acres short of the agency's goal. Several factors made it a challenge to reach the goal of protecting or restoring 100,000 acres of habitat this year. For example, the economic downturn has made it difficult for the NEP partners to come up with the matching funds for projects, and the number of large habitat protection or restoration projects has diminished over the last few years. In addition, several NEPs had to divert resources and efforts that might have gone to protect or restore coastal wetlands and other habitats in order to address the residual oil spill issues in the Gulf of Mexico. The EPA is working to determine a more appropriate target for the future.

Puget Sound shellfish areas increased



Analysis: In 2010, 4,453 acres (cumulative) of shellfish-bed growing areas had improved water quality, resulting in the lifting of harvest restrictions. In 2011, a downgrading of approximately 4,000 acres in Samish Bay occurred due to nonpoint source pollution exacerbated by La Niña weather conditions. Prior to the setback realized in FY 2011, the Puget Sound program had exceeded its long-term (2015) target and was on track to achieve yearly gains of 500 or more acres per year. This missed FY 2011 budget target puts the *FY 2011–2015 Strategic Plan* target of lifting restrictions on a total of 4,300 acres by 2015 at risk, and represents a significant challenge to the Puget Sound geographic program.

The Puget Sound geographic program is realigning its resources to address this challenge by applying additional grants management effort and cross-program coordination to focus on Samish Bay and the Samish River watershed. The EPA is coordinating its efforts with local governments; tribes; the Puget Sound Partnership (the state agency responsible for implementing the NEP Comprehensive Conservation and Management Plan); and the Washington State Department of Health, the EPA's lead organization grant recipient for addressing pathogen pollution in Puget Sound. This highly intensified focus on recovering the Samish watershed's shellfish harvest is the best opportunity for the Puget Sound geographic program to meet its long-term *FY 2011–2015 Strategic Plan* performance measure target. The strategy to recover this watershed's shellfish harvest and control the pollution that threatens it will provide a model for addressing pollution throughout the Puget Sound Basin.

Strategic Goal 3: Cleaning Up Communities and Advancing Sustainable Development

Strategic Goal 3 at a Glance:

CLEANING UP COMMUNITIES AND ADVANCING SUSTAINABLE DEVELOPMENT

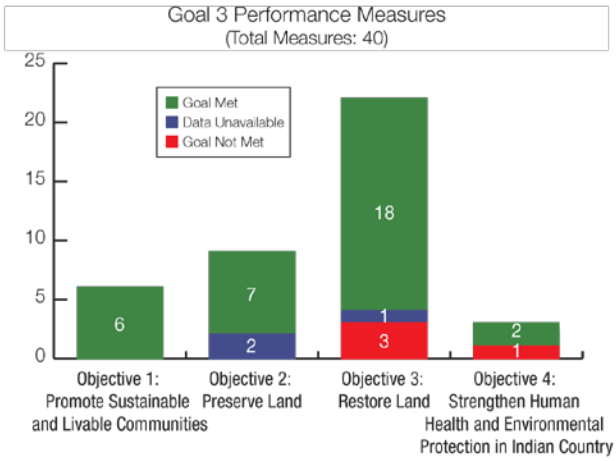
Clean up communities, advance sustainable development, and protect disproportionately impacted low-income, minority, and tribal communities. Prevent releases of harmful substances and clean up and restore contaminated areas.

FY 2011 Performance Measures

Met = 33 Not Met = 4 Data Unavailable = 3 (Total Measures = 40)

Objectives

- Promote Sustainable and Livable Communities
- Preserve Land
- Restore Land
- Strengthen Human Health and Environmental Protection in Indian Country



FY 2010 -FY 2011 Priority Goal

By 2012 EPA will have initiated 20 enhanced Brownfields community level projects that will include a new area-wide planning effort to benefit under-served and economically disadvantaged communities. This will allow those communities to assess and address a single large or multiple Brownfields sites within their boundaries, thereby advancing area-wide planning to enable redevelopment of Brownfields properties on a broader scale. EPA will provide technical assistance, coordinate its enforcement, water and air quality programs, and work with other Federal agencies, states, tribes and local governments to implement associated targeted environmental improvements identified in each community's area-wide plan.

Key Accomplishments

- Leveraging jobs under the Brownfields Program.
- Managing Superfund projects to completion.
- Making Superfund sites ready for reuse.
- Consulting and coordinating with Indian tribes.

Key Challenges

- Measuring sustainable materials management.
- Inspecting high-risk facilities.
- Tribes conducting EPA-approved environmental monitoring and assessment.

Goal 3 Purpose

The EPA is committed to making communities across the country safer places to live. Uncontrolled releases of waste and hazardous substances can contaminate drinking water and threaten healthy ecosystems. The EPA leads efforts to preserve, restore, and protect these precious resources so they are available for both current and future generations. The agency's highest priorities are to prevent and reduce exposure to contaminants and accelerate the pace of cleanups across the country. The EPA works collaboratively with state and tribal governments to achieve these aims and with communities to ensure that they have a say in environmental decisions that affect them. In addition, through its Indian General Assistance Program, the EPA provides funds to federally recognized tribes to plan, develop, and establish tribal environmental protection programs.

The agency's efforts support achievement of four main objectives, outlined in EPA's *FY 2011–2015 Strategic Plan*: to promote sustainable and livable communities; restore land; preserve land; and strengthen human health and environmental protection in Indian Country. The EPA has also achieved its Priority Goal to initiate 20 brownfields area-wide planning community level projects to benefit under-served and economically disadvantaged communities.

In this section, the EPA discusses progress for managing Superfund cleanups and making Superfund sites ready for reuse, leveraging jobs under the agency's Brownfields Program, and working with tribes to implement environmental programs in Indian country. While progress has been made on many fronts, new challenges and opportunities continue to emerge. For example, the agency recognizes the need to move its programs from end-of-pipe waste management to materials management throughout the entire life-cycle. Further, the EPA is integrating approaches, leveraging best practices, and focusing on managing projects to completion across the full spectrum of contaminated sites to further progress and optimize work within stages of the cleanup pipeline. Finally, the agency continues to acknowledge the many environmental and financial hardships that tribal governments face, and is working more closely with tribal governments to identify environmental priorities and to develop plans to address them. In support of this effort, the EPA is leveraging resources and partnerships with tribal governments and tribal colleges and universities.

To further its objectives for cleaning up communities, advancing sustainable development, and strengthening human health and environmental protection in Indian Country, the EPA committed to 40 performance and efficiency measures in FY 2011. The agency met or exceeded 89 percent and did not meet 11 percent of the measures for which data were available for this report. Under Goal 3, data were not yet available for three annual measures. The full suite of the EPA's FY 2011 measures, including targets, results, and detailed explanations for variances, is available in the *Performance and Assessment Section* of the FY 2013 Congressional Justification.

EPA Contributing Programs: RCRA Waste Management; RCRA Corrective Action; RCRA Waste Minimization and Recycling; Superfund Emergency Preparedness; Superfund Remedial; Superfund Enforcement; Superfund Emergency Response and Removal; Environmental Response Laboratory Network; Federal Facilities Restoration and Reuse; Oil Spill Prevention Preparedness and Response; Leaking USTs; UST Prevention and Compliance; Land Protection

and Restoration Research; Homeland Security; Brownfields and Land Revitalization; Commission for Environmental Cooperation; Community Action for a Renewed Environment; Global Change Research; Homeland Security Research; Human Health and Ecosystem Protection Research; Human Health Risk Assessment; International Sources of Pollution; National Environmental Monitoring Initiative; Smart Growth; Research Fellowships; State and Local Prevention and Preparedness; Trade and Governance; Sector Grant Program; State and Tribal Pollution Prevention Grants; Sustainability Research; Tribal Capacity-Building; and Tribal General Assistance Program.

Priority Goal

In FY 2010, EPA established the Priority Goals that directly supports the *Strategic Plan* objectives to restore land and promote sustainable and livable communities.

Brownfields-Area-Wide Planning: *By 2012, the EPA will have initiated 20 enhanced brownfields community level projects that will include a new area-wide planning effort to benefit under-served and economically disadvantaged communities. This will allow those communities to assess and address a single large or multiple brownfields sites within their boundaries, thereby advancing area-wide planning to enable redevelopment of brownfields properties on a broader scale. The EPA will provide technical assistance coordinate its enforcement, water, and air quality programs and work with other federal agencies, states, tribes, and local governments to implement associated targeted environmental improvements identified in each community's area-wide plan.*

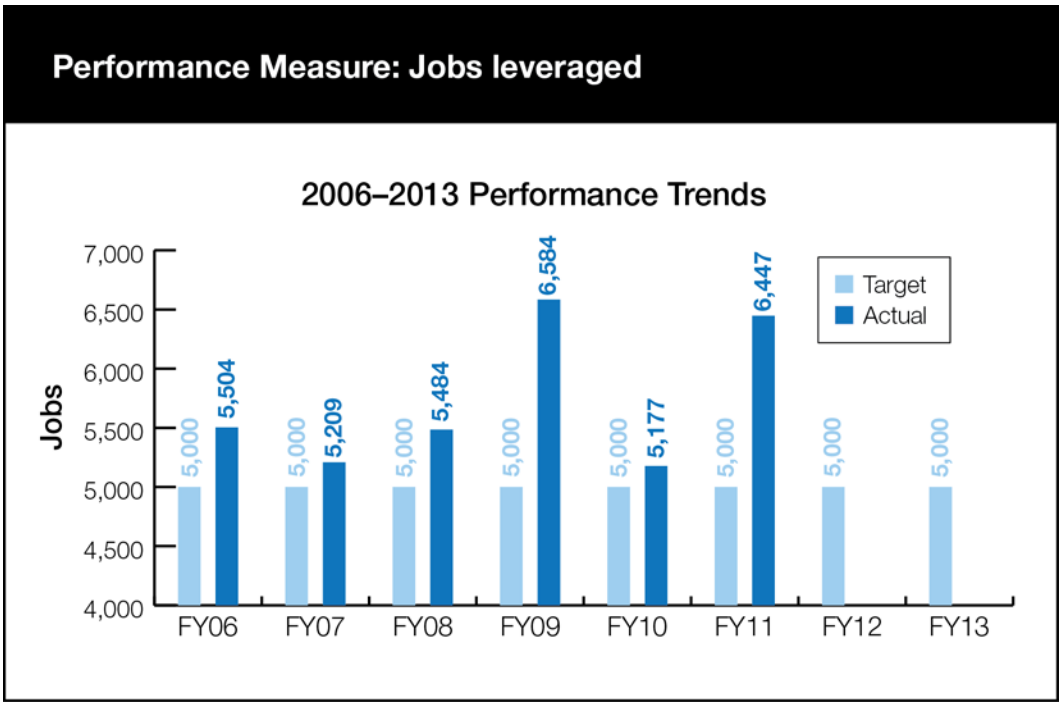
Results: In FY 2011, the EPA awarded cooperative agreement funding to 23 recipients to pilot local community approaches to brownfields area-wide planning. Brownfields area-wide planning focuses on the nexus among brownfield sites, the surrounding area, and the development of cleanup and reuse implementation strategies. The EPA piloted this approach because brownfield sites are often connected by location, infrastructure, economic conditions and social needs. A focus on multiple brownfield sites through area-wide planning can lead to a systematic cleanup and reuse strategy, which is developed and implemented consistent with a community's goals.

The measures targeted throughout the two year cycle of this Priority Goal challenge the EPA to facilitate initial coordination with other federal, state, local and tribal agencies, as well across EPA programs, as the recipients initiate these projects so that the recipients have access to the necessary information to strengthen their plans and develop the appropriate pathways to secure resources or look for opportunities to leverage investments to help implement their plans. To date, the EPA's Brownfields Program has initiated coordination with other federal or state agencies, or with other EPA programs, at 34 percent of the pilot projects. EPA is on track to meet its target to facilitate initial coordination at 80 percent of the pilot projects by the end of 2012.

Key Accomplishments:

Leveraging Jobs under the Brownfields Program

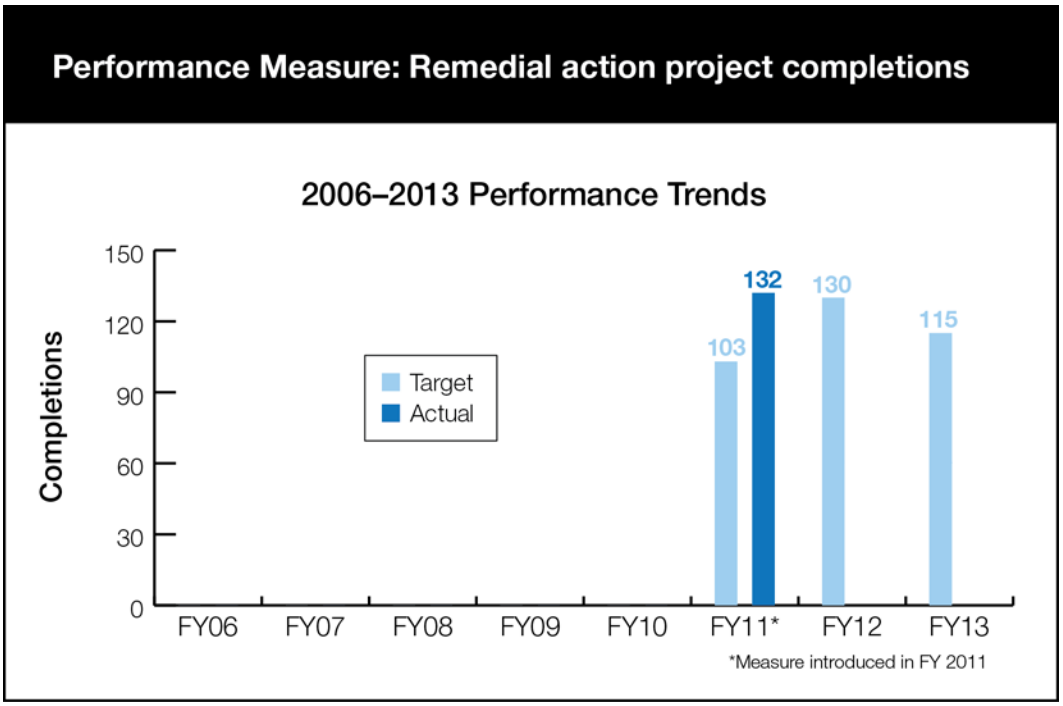
The EPA Brownfields Program provides grant funding and technical assistance to communities, states and tribes to help them assess, clean up and redevelop potentially contaminated sites, termed brownfield sites. The EPA's "Jobs Leveraged" measure describes jobs that are associated with cleanup and redevelopment activities taking place on properties that receive funding through an EPA brownfields grant. This measure provides information on jobs associated with the cleanup phase and jobs associated with the redevelopment outcome.



Analysis: The Brownfields Program has consistently met or exceeded the target for this measure. In 2011, for example, the program leveraged 6,447 jobs, exceeding its target of 5,000 jobs by about 29 percent. Cumulatively, the Brownfields Program has leveraged 72,000 jobs since its inception in 1995. These projects can have a tremendously positive impact on communities. In FY 2011, for example, the EPA funded a cleanup project in Michigan that is employing 20 to 25 people and will ultimately reach 150 people. Similarly, in an FY 2011 cleanup project in Ohio, a former gas manufacturing plant will be redeveloped as an office, hotel and retail complex that will employ more than 1,000 people. For more information on the EPA's Brownfields Program, see www.epa.gov/brownfields.

Managing to Project Completion

In FY 2011, the EPA began reporting on a new Superfund Program measure that tracks remedial action project completions at Superfund National Priorities List sites. The new measure augments the program's sitewide construction completion measure by emphasizing incremental progress in reducing risk to human health and the environment. In FY 2011, the EPA achieved 132 project completions, exceeding its target of 103 by 28 percent. The targets have fluctuated as project managers gain experience with the new measure and EPA determines the potential impacts of budgetary constraints. As such, , the FY 2012 target has been increased to 130 from 103 as a result of the emphasis on new guidance and best management practices, but the FY 2013 target has been reduced due to the projected impacts of resource reductions on the number of projects that may be funded.

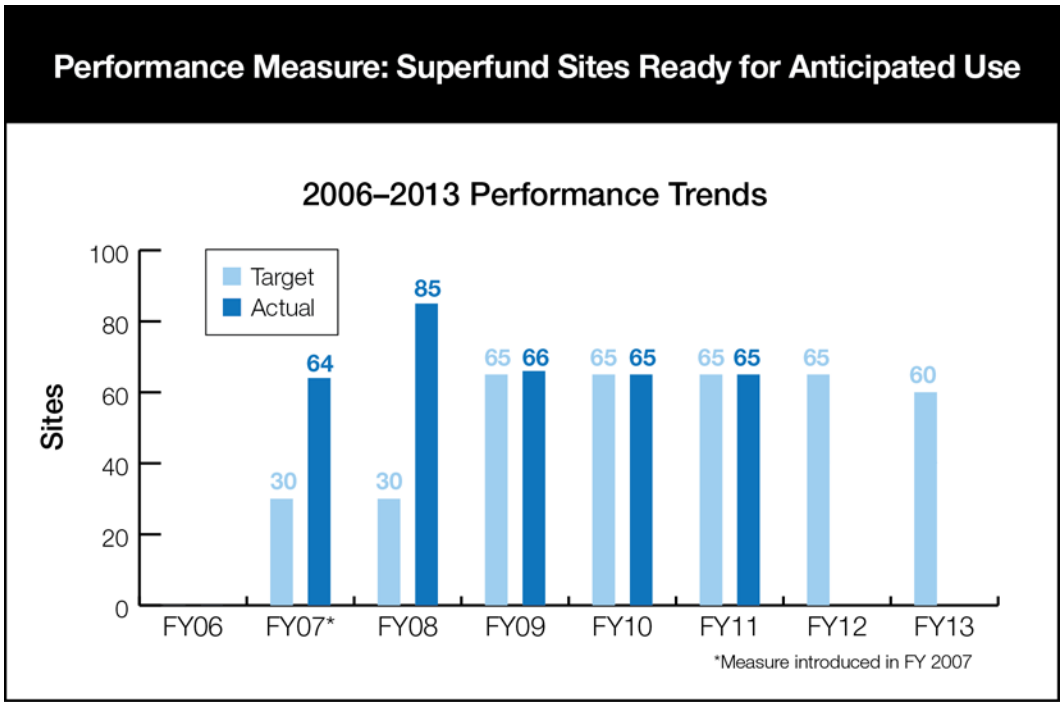


Analysis: A remedial action project refers to the actual construction or implementation of a discrete scope of activities supporting the overall, sitewide cleanup, with a focus on project-level work. Specifically, remedial action projects divide a site into a series of smaller components that allow for more effective management and implementation of cleanup activities. For example, a site may require construction of a landfill cap, provision of an alternate water supply, and excavation of contaminated soils. Each of these actions may qualify as distinct remedial action projects with separate completion milestones and individual incremental human health and environmental benefits. In the past, historical construction completion milestones would not be met until all projects were constructed, which is less meaningful at larger sites with many projects. Capturing construction progress at the project level, this milestone conforms more closely to field activities that resonate with a community's understanding of agency cleanup efforts.

To further accelerate and improve the management of remedial projects to completion, site managers are encouraged to implement regional best practices and/or the lessons learned identified through a series of site-specific pilot projects. Examples of best practices include: new, enhanced, or reinvigorated use of Regional Decision Teams; improved project management planning and communication; and increased use of removal and other in-house resources for remedial work. For a summary of regional best management practices for remedial projects visit: http://www.epa.gov/oswer/docs/ici/oswer_directive_639175.pdf#page=10.

Making Sites Ready for Anticipated Use

The EPA's Superfund, RCRA Corrective Action, Leaking Underground Storage Tank, and Brownfields Programs reduce risks to human health and the environment by assessing and cleaning up sites to continue use or return them to productive use. As a result, communities are able to reclaim properties for ecological, recreational, commercial, residential and other purposes. Currently, EPA is tracking the number of sites ready for anticipated use (RAU) as annual performance measures in the Superfund and Underground Storage Tanks (UST) Programs. Following are the results for the Superfund measure. The UST performance measure results are described more fully in the Key Challenges section.

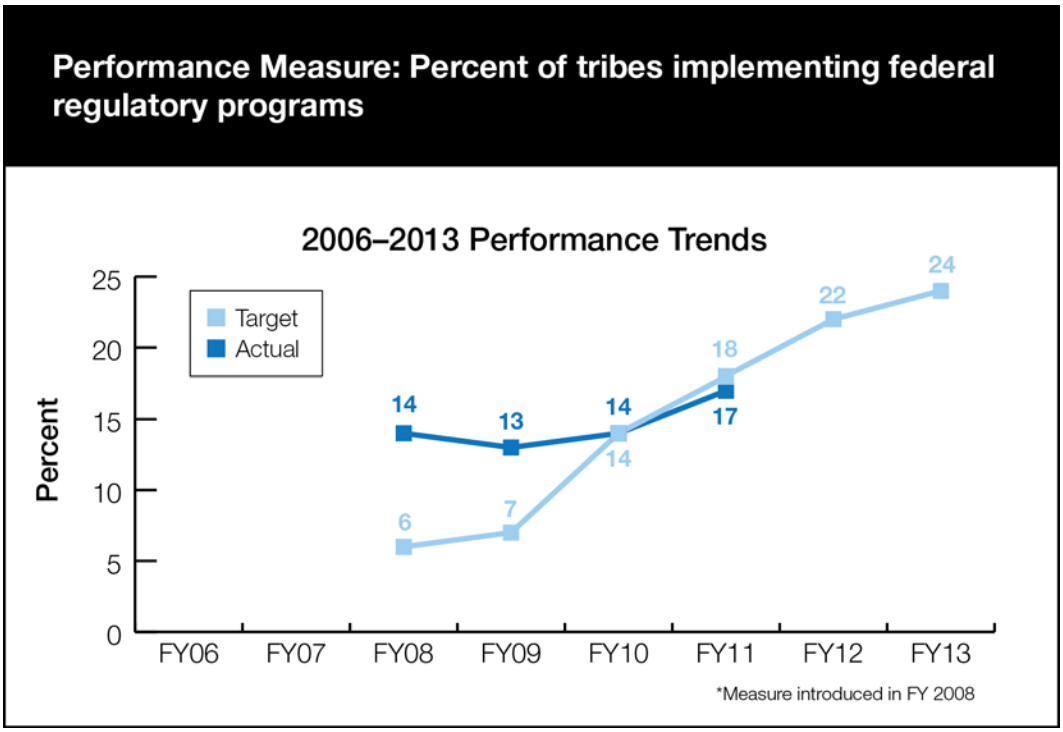


Analysis: Over the next several years, the EPA's highest priorities are to prevent and reduce exposure to contaminants and accelerate the pace of cleanups across the country. Under the FY 2012 priority goal, EPA will also report on the number of sites ready for anticipated use in the RCRA Corrective Action and Brownfields Programs. As a result, each of the EPA's cleanup programs will report incremental progress toward achieving this long-term goal.

Tribes Implementing Federal Regulatory Programs

On May 4, 2011, the EPA was the first federal agency to announce the release of the *EPA Policy on Consultation and Coordination with Indian Tribes* (PDF) (10 pp, 213K .) The policy is a result of the Presidential Memorandum on Tribal Consultation, issued November 5, 2009, directing agencies to develop a detailed plan of action to implement Executive Order 13175.

The policy establishes clear EPA standards for the consultation process, including defining the what, when and how of consultation. It also designates specific EPA personnel responsible for serving as consultation points of contact in order to promote consistency throughout the consultation process. Additionally, the policy establishes a management oversight and reporting structure that will ensure accountability and transparency, setting a broad standard for when the EPA should consider consulting with federally recognized tribal governments based on Executive Order 13175 and the principles expressed in the 1984 EPA Policy for the Administration of Environmental Programs on Indian Reservations (1984 Policy).

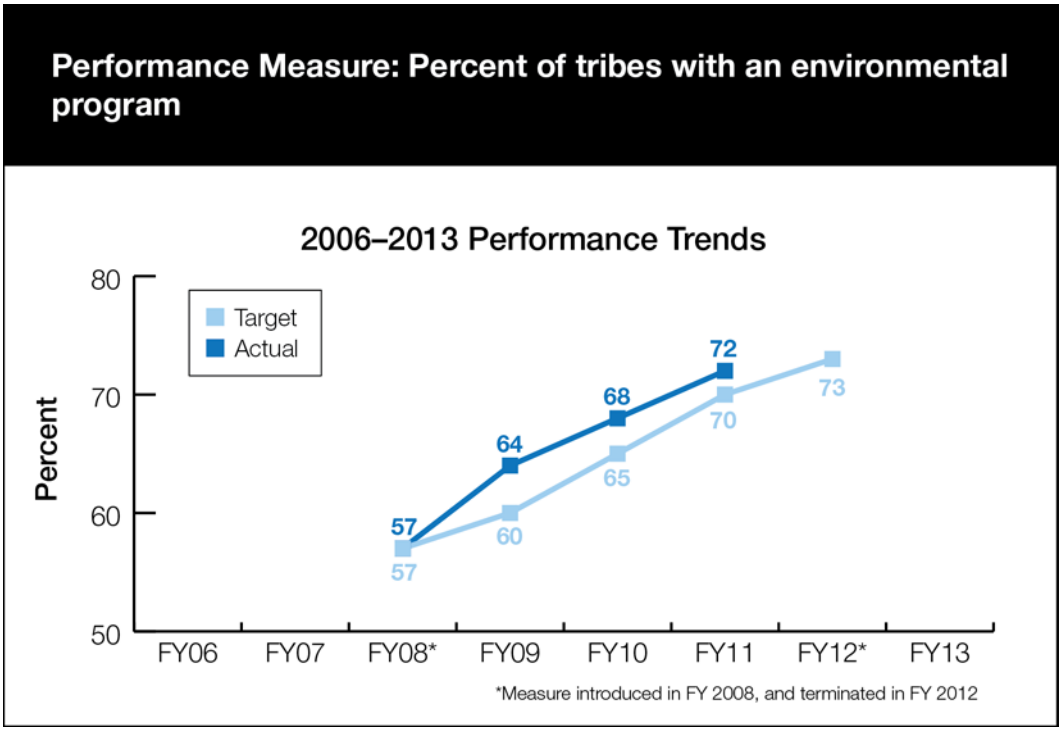


Analysis: The agency's Indian General Assistance Program is its core component for building tribal capacity. EPA continues to implement its "Treatment in the Same Manner as a State" (TAS) strategy, which authorizes tribes to establish and manage federal regulatory environmental programs in Indian Country. In FY 2011, 3 additional tribes received TAS approval. While progress is being made annually, many tribes are finding it more difficult to apply and achieve "TAS status" due to resource concerns. While a substantial increase was made in the number of total tribes with TAS approval in FY 2011, the total percentage of tribes implementing federal regulatory programs barely missed the target due to tribes moving from the use of Direct

Implementation Tribal Cooperative Agreements (a portion of how the measure is calculated) to other cooperative agreements such as Performance Partnership Grants.

Environmental Programs in Indian Country

The EPA provides funds to federally recognized tribes for them to plan develop and establish environmental protection programs.



Analysis: The EPA demonstrated improvements in core tribal environmental program capacity, which is critical to protecting human health and the environment in Indian Country. In FY 2011, 72 percent of tribes have an environmental program. Progress is attributed to the number of tribes that have acquired an environmental office or coordinator in the most current year and that have met at least one of the following indicators:

1. Completed Tier III Tribal Environmental Agreements.
2. Established laws, codes, regulations or ordinances, as evidenced by a document signed by the tribal government.
3. Completed solid and/or hazardous waste implementation activities.
4. Completed an intergovernmental environmental agreement with the EPA and the tribal government.

During the past four years, significant progress has been made in the EPA's General Assistance Program, adding environmental programs for almost 75 tribes. In efforts to focus the EPA's suite of annual performance measures on the most important and useful information, the Agency will continue to collect the data components of this measure for analysis, improving our ability to

assess tribal capacity building efforts and remaining needs. By identifying indicators that reflect the broad range of environmental protection activities and environmental conditions, EPA will improve its ability to measure environmental results in Indian country. On a related, parallel tract, the Agency is assessing its tribal measures as a result of the steps laid out in the new General Assistance Program (GAP) guidebook and through the development of the pilot FY 2013 Office of International and Tribal Affairs National Program Manager Guidance. Headquarters, Regional, and tribal environmental offices will partner to implement specific programmatic steps outlined in the new Guidebook to help build capacity for environmental programs.

Key Challenges

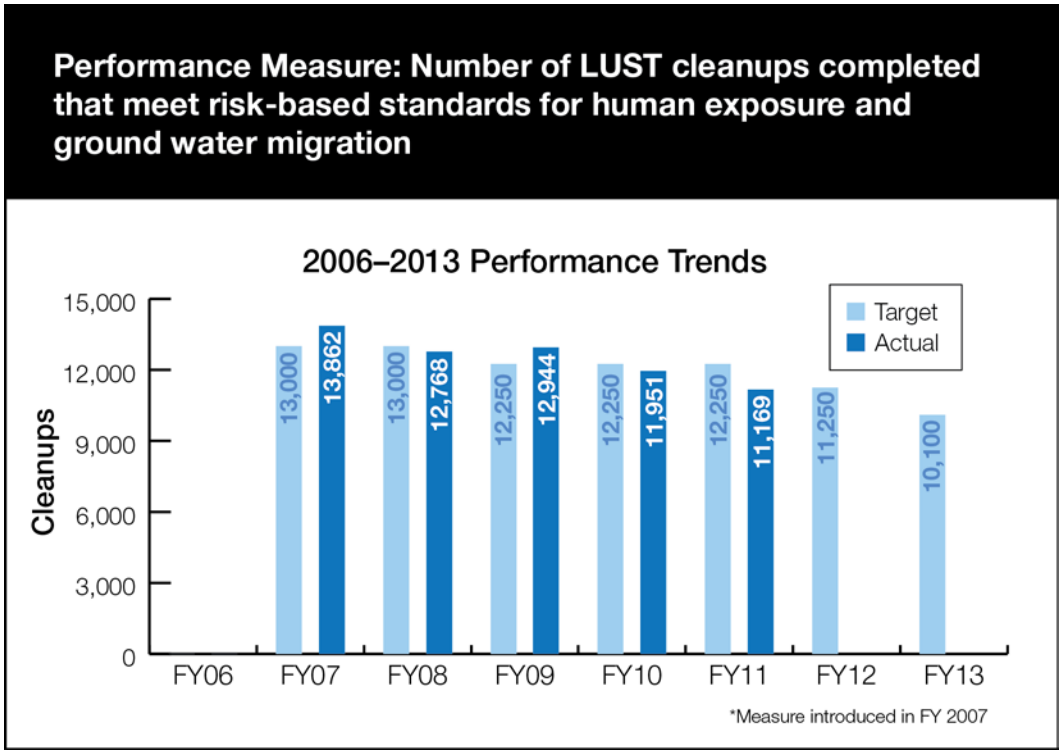
Sustainable Materials Management

One foundational purpose of RCRA is to reduce the total quantity of materials that ultimately become wastes, effectively practicing conservation during the useful life of materials and natural resources. In order to achieve this, EPA is transitioning from and end-of-life approach to a full lifecycle, sustainable materials management (SMM) program, building upon the lessons learned from the Resource Conservation Challenge (RCC). Under the SMM program, the EPA has developed and implemented strategically targeted initiatives with national impact that include the Federal Green Challenge, the Food Recovery Challenge, and the Electronics Challenge. As the EPA transitions to a SMM framework, the Agency is developing metrics and performance measures to capture program effectiveness and the full life cycle impacts of materials.

The agency has issued a Federal Register notice to solicit comment on information the Agency should gather to measure the environmental impacts of materials across their life cycles. (http://www.regulations.gov/#!documentDetail;D=EPA-HQ-RCRA-2011-0178-0001). EPA's current measure only addresses pounds of municipal solid waste reduced, reused or recycled. FY 2012 will be the last year EPA will report results for this measure since EPA has developed a new sustainable materials management measure (tons of materials and products offsetting the use of virgin resources through sustainable materials management).

Making Leaking Underground Storage Tanks Ready for Anticipated Use

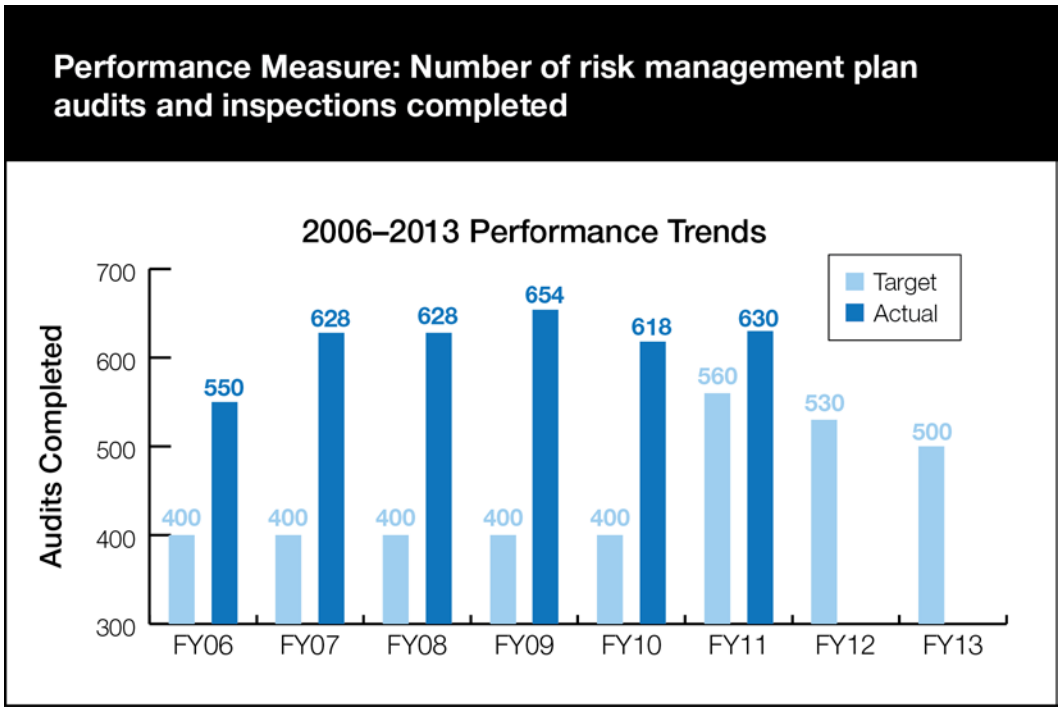
There are approximately 590,000 underground storage tanks nationwide that store petroleum or hazardous substances. The greatest potential threat from a leaking underground storage tank (LUST) is contamination of groundwater, the source of drinking water for nearly half of all Americans. EPA works with states and tribes to clean up LUSTs.



Analysis: In FY 2011, the EPA's LUST program completed 91 percent of its goal of 12,250 cleanups completed that meet risk-based standards for human exposure and ground water migration. Cleanup rates in the future will be even more challenging. Many states are facing significant staff and resource constraints, while at the same time, cleanup costs are rising. EPA recently completed a detailed study of the backlog in 14 states, encompassing over 70 percent of the national backlog. Based on that study, although over 25 percent of the sites remaining in the backlog have not yet been assessed, for those sites for which we had data, the data show that the remaining sites to be cleaned up tend to be more complicated, with high rates of ground water contamination. As an outgrowth of this enhanced characterization of the work remaining, EPA is working with regions and states to target reduction to the backlog through efforts such as expedited site assessments, remedy optimization, and exploring financing options.

Inspecting High-Risk Facilities

As part of the Administration's efforts to prevent the release of hazardous substances, the EPA has re-evaluated its goals for Risk Management Plan (RMP) inspections to support a focus on high-risk chemical facility inspections. Under the Clean Air Act, the EPA's regulations require that facilities handling more than a threshold quantity of certain extremely hazardous substances must implement a RMP. The RMP describes the approach the facility is taking to prevent and mitigate chemical accidents. The EPA's RMP program provides a structure that enables facilities to address chemical accident risks and assists states, tribes and local partners in their role to minimize and, if necessary, respond to these risks.

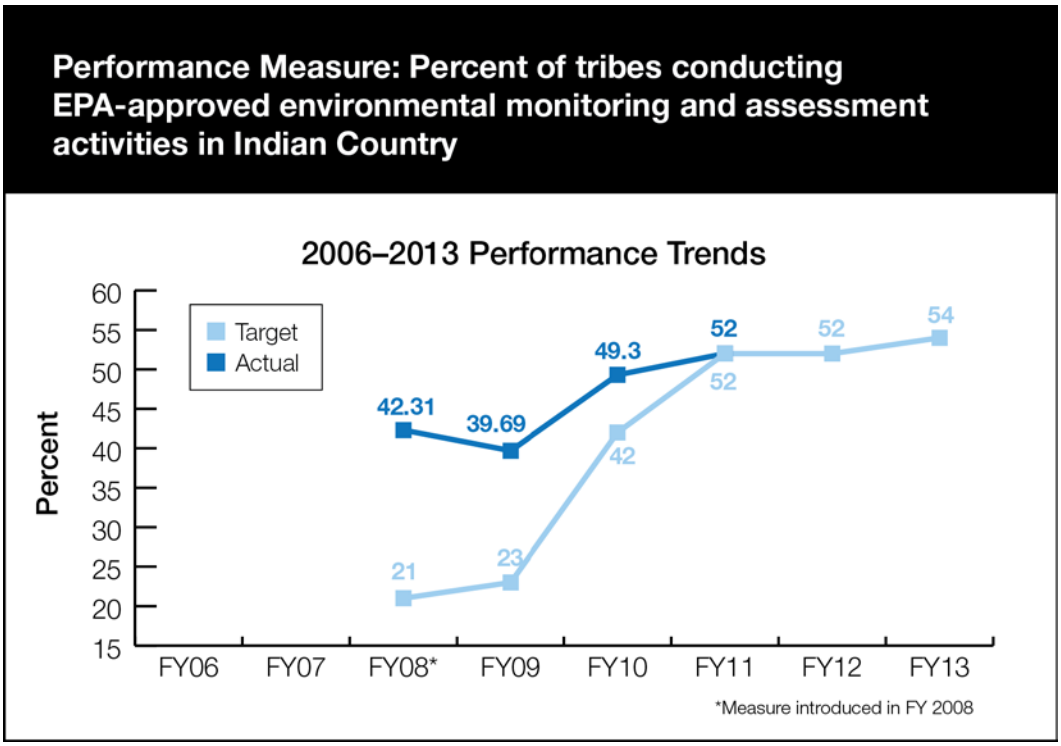


Analysis: There are [13,000] chemical facilities in the RMP program, approximately 1,900 of which are considered high-risk facilities. Since 2010, the EPA has shifted regional RMP inspection resources toward more frequent inspection of high-risk facilities. A high-risk facility is one that meets one or more criteria related to accident history, possible worst case scenarios and the facility's hazard index. As high-risk facilities tend to be larger and more complicated than other RMP facilities, inspecting them requires more resources (i.e., people and time.) This shift has made it more difficult to meet higher inspection targets with static budgetary resources, but it is necessary to ensure that the EPA is as effective as possible in performing inspections and preventing releases. The actual values for the performance measure include all RMP inspections, and for FY 2011, high-risk facilities made up 25 percent of the total at both the regional and national levels. The EPA is seeking to increase that percentage to 30 percent in FY 2013. EPA will conduct 500 RMP inspections in FY 2013. If resource levels are not increased, the target will be lowered to 460 inspections.

The agency has undertaken a similar evaluation of the direction of its Oil Spill Prevention Preparedness and Response Program to focus inspections of the Spill Prevention, Control, and Countermeasure and Facility Response Plan facilities on those that are higher risk.

Environmental Monitoring and Assessment Activities in Indian Country

When tribes begin developing an environmental program, one of the earliest tasks is to monitor the current state of surrounding water, air, and soil. This monitoring provides a baseline from which to set goals and inform the remaining steps of creating an environmental program. Before this monitoring can begin, and in order for the data to be verified and used by EPA, a Quality Assurance Project Plan (QAPP) must be developed and approved by EPA.



Analysis: In FY 2011, the EPA met its target of 52 percent of tribes conducting EPA-approved environmental monitoring and assessment activities in Indian Country, but did not meet the target of 52 percent of tribes. Progress is measured by the number of tribes with EPA-approved Quality Assurance Project Plans (QAPPs), which are agreed-upon plans before conducting environmental monitoring. The first two years of reporting varied widely from the proposed targets because it was the first two years of measure development. The agency is seeing gradual progress through FY 2013 that is more aligned with the target.

Strategic Goal 4: Ensuring the Safety of Chemicals and Pollution Prevention

Strategic Goal 4 at a Glance:

ENSURING THE SAFETY OF CHEMICALS AND PREVENTING POLLUTION

Reduce the risk and increase the safety of chemicals and prevent pollution at the source.

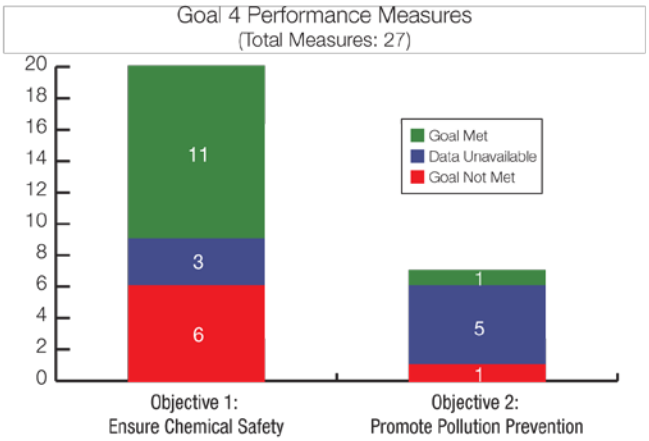
FY 2011 Performance Measures

Met = 12 Not Met = 7 Data Unavailable = 8* (Total Measures = 27)

*Of the Goal 4 - Objective 1 performance measures, five are reported biennially and are not included in the total for FY 2011.

Objectives

- Ensure Chemical Safety
- Promote Pollution Prevention



Key Accomplishments

- Enhancing chemical management.
- Reducing risks of lead-based paint.
- Furthering international phaseout of leaded gasoline and introduction of low-sulfur fuels.

Key Challenges

- Completing pesticide registration reviews.
- Advancing the Endocrine Disruptor Screening Program.

Goal 4 Purpose

The EPA is committed to ensuring chemical safety and promoting pollution prevention. Through collaboration with other countries, federal agencies, states, tribes, and the public, the agency leverages expertise, information, and resources to improve chemical safety. Children and other disproportionately exposed and affected groups, including low-income, minority, and indigenous populations receive explicit consideration in the agency's chemical risk assessments and management actions, in accordance with Executive Orders and guidance on children's health and environmental justice.

The EPA's *2011–2015 Strategic Plan* articulates two objectives under Goal 4. The first advances the EPA's work to ensure the safety of chemicals, and the second promotes pollution prevention strategies. In addition, the *Plan* establishes cross-cutting fundamental strategies which are being operationalized in relevant aspects of Goal 4 work. In particular, Goal 4 supports, "Working for Environmental Justice and Children's Health." Programs which contribute to Goal 4 work to achieve these objectives and support the cross-cutting strategy. To achieve our domestic environmental objectives, it is important to keep abreast of emerging environmental issues and to collaborate with domestic and foreign partners to address foreign sources of pollution that impact the United States (U.S.) and the global commons, such as the open ocean and the atmosphere. The EPA works with international partners to address the impacts of pollution from the U.S. on other countries and the global environment.

Throughout FY 2010 and FY 2011, the EPA devoted significant effort to putting in place its new *Enhanced Chemical Management* approach to improve collection of data on existing chemicals and enhance the accessibility and usefulness of data to assess chemical hazards, identify potential risks to human health and the environment, and take appropriate risk management action. In addition, the EPA has focused on reducing continuing risks from chemical substances that were used widely in the past and that persist in some environmental settings, despite strict restrictions on new use. A prime example is lead-based paint, which is banned for use in new residential construction but remains a major contributor to childhood lead poisoning due to its prevalence in pre-1978 homes. While the EPA continues to make major strides in guarding against exposure to chemicals that pose potential risks to human health and the environment, challenges still remain for completing pesticide registration reviews and within the Endocrine Disruptor Screening Program.

Under this goal, the EPA also implements the Pollution Prevention Act of 1990, which established national pollution prevention policy. Time and experience have added to the agency's understanding and appreciation of the value of preventing pollution before it occurs. Pollution prevention is central to all of the EPA's sustainability strategies, and the agency will continue to incorporate pollution prevention principles into its policies, regulations, and actions.

To advance these objectives, the EPA committed to 27 annual performance and efficiency measures for FY 2011. For those Goal 4 measures where data were available at the time of publication for this report (data were not yet available for eight measures), the agency met or exceeded 63 percent and did not meet 37 percent of the measures. The full suite of the EPA's FY

2011 measures, including targets, results, and detailed explanations for variances, is available in the *Performance and Assessment* Section of the FY 2013 Congressional Justification.

EPA Contributing Programs: Chemical Risk Review and Reduction; Chemical Risk Management; Endocrine Disruptor Program; Science Policy Biotechnology; Protect Human Health from Pesticide Risk; Protect the Environment from Pesticide Risk; Realize the Value of Pesticide Availability; Lead Risk Reduction and Lead Categorical Grant Programs; Pesticides Program Implementation Categorical Grant Program; Pollution Prevention and Pollution Prevention Categorical Grant Programs

Key Accomplishments

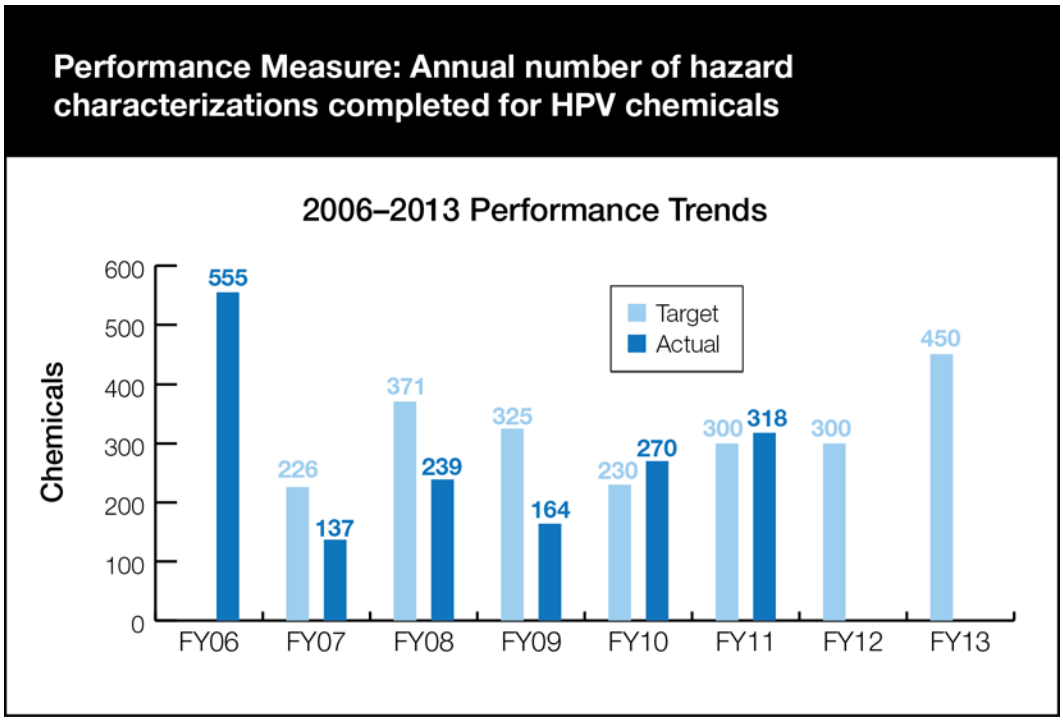
Throughout FY 2010 and 2011, the EPA developed and implemented the *Enhanced Chemical Management* approach, which is focused on 1) mitigating chemical information gaps with existing chemicals by improving chemical information collection, access and usefulness; 2) screening and assessing chemical hazards and identifying health and environmental risks; and 3) managing identified chemical risks.[1]

In addition to addressing risks from chemicals currently used in commerce, the EPA also focused on reducing legacy risks from chemicals used widely in the past, including lead in paint—banned for consumer use in 1978, but still a major contributor to the incidence of childhood lead poisoning.

[1] http://www.epa.gov/oppt/existingchemicals/pubs/Existing.Chem.Fact.sheet.pdf

Assessing Existing Chemical Risks

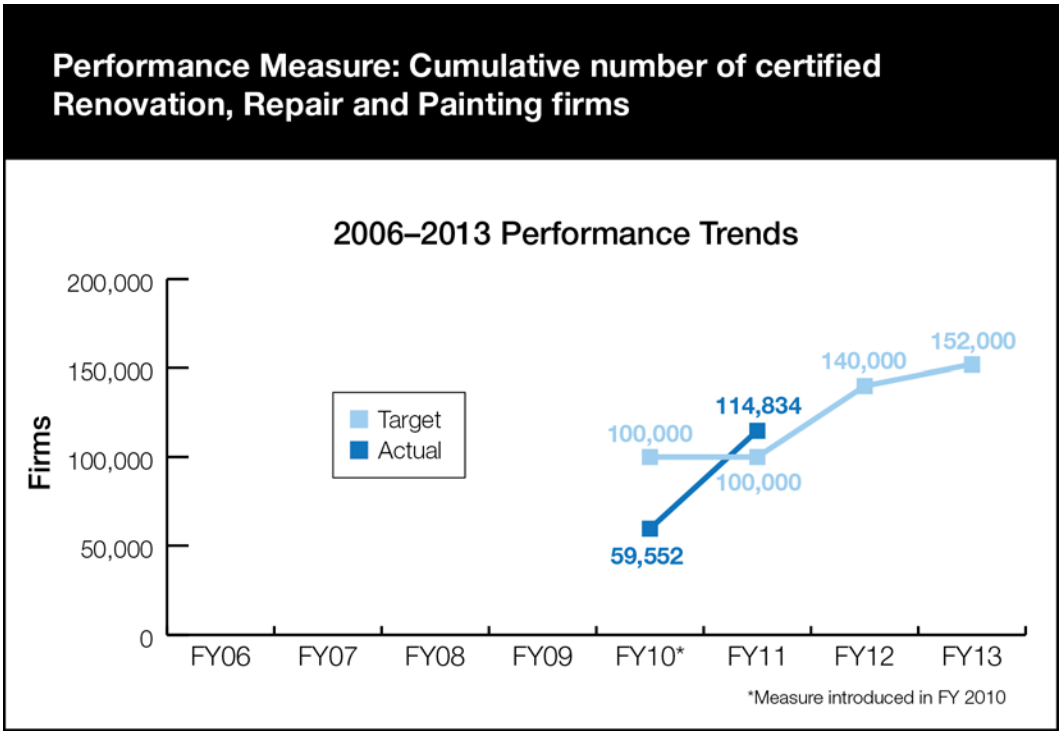
A key step in the chemical risk assessment/management process is characterizing the hazards that chemicals pose to humans and the environment. Under the Enhanced Chemical Safety Program, the EPA focuses its assessment resources on completing hazard characterizations, which present the EPA's perspective on data regarding eco-toxicity, acute toxicity, mutagenicity, reproductive and developmental toxicity, environmental fate and physical/chemical properties for chemicals produced in the largest quantities—the nearly 2,800 High Production Volume chemicals produced or imported annually at greater than 1 million pounds per year.



Analysis: Over the past decade, through the HPV Challenge Program and Toxic Substances Control Act Section 4 Test Rules, the EPA has been obtaining the Screening Information Data Set hazard endpoint data needed to complete hazard characterizations. The EPA slightly exceeded its FY 2011 target and brought the cumulative total of HCs completed to more than 1,650 HPV chemicals since 2006. The EPA is currently on track for completing HCs for the original universe of HPV Challenge chemicals by the end of FY 2014.

Reducing Lead Risks

The current focus of the EPA's strategy to reduce risks from lead-based paint is the promulgation and implementation of the Lead Renovation, Repair and Painting Rule, which requires that firms performing paint-disturbing activities in pre-1978 homes and child-occupied facilities be trained and EPA-certified and follow lead-safe work practice standards when disturbing lead-based

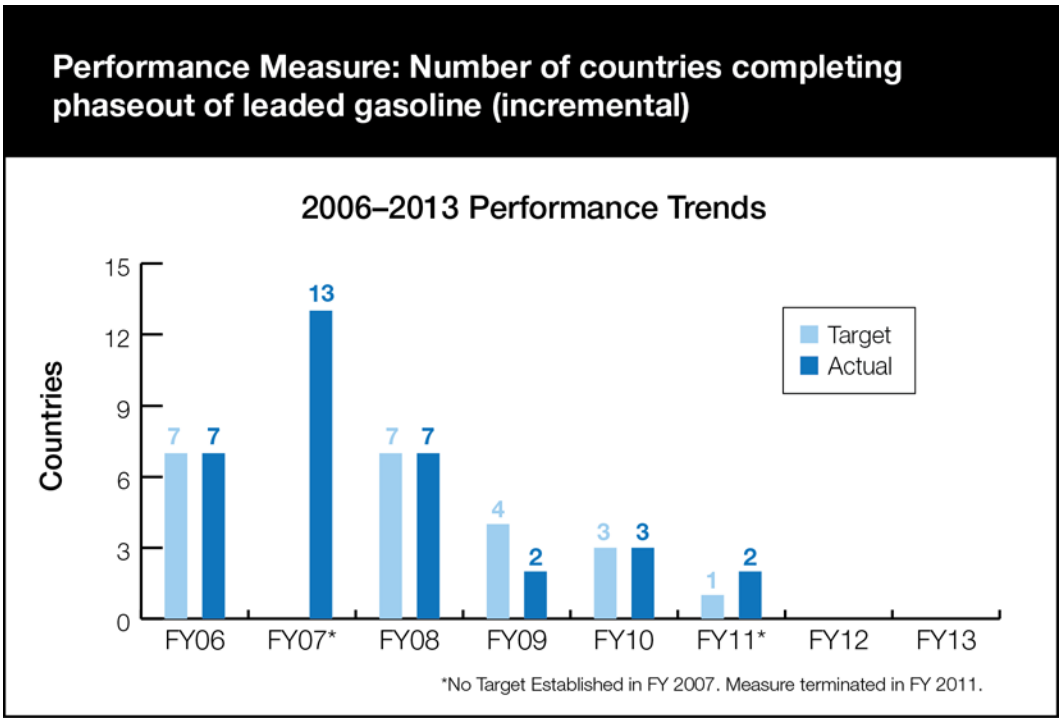


Analysis: In support of these results, through the end of FY 2011, the EPA has accredited more than 575 training providers who have conducted more than 34,000 courses and trained an estimated 700,000 workers in the construction and remodeling industries to use lead-safe work practices. The EPA and authorized states have certified more than 114,000 renovation firms. Performance in FY 2010 did not meet expectations because the agency provided firms with additional time to become certified and, combined with the midyear effective date of the rule, resulted in reduced performance by approximately 40 percent from projected levels. The EPA adjusted its FY 2011 target to reflect FY 2010 progress. The agency exceeded the adjusted target, in part as a result of efforts by the 12 states authorized to certify firms, providing a strong foundation for achieving continued progress.

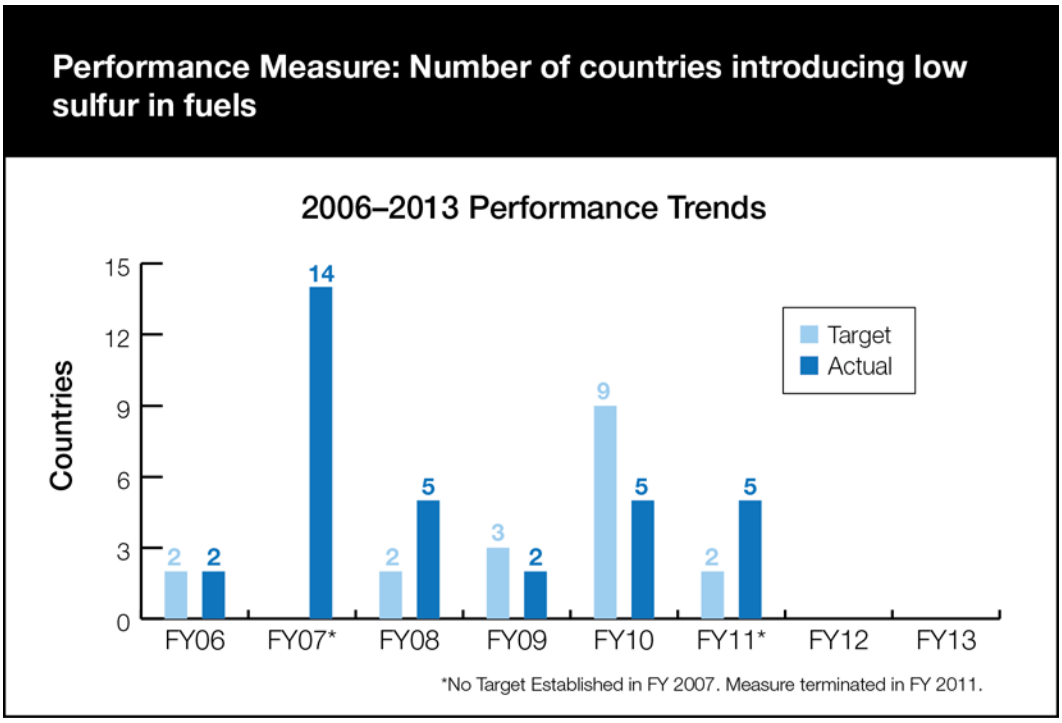
Partnership for Clean Fuels and Vehicles

Toxic lead has been removed from gasoline in more than 175 countries worldwide – representing near-global elimination. The elimination of leaded gasoline has increased IQ scores, lowered lead-in-blood levels by up to 90 percent and prevented the premature deaths of more than 1.2 million people annually, according to a recent study "Global Benefits of Phasing Out Leaded Fuel."[2]

In January 2011, Serbia and Montenegro officially announced the phaseout of leaded gasoline. The last remaining countries that have not yet phased out the use of leaded gasoline (e.g., Afghanistan, North Korea, Burma) have all expressed an interest in meeting the target date in the near future. Out of the universe of 194 countries, through FY 2011, 186 countries have completed a phaseout of leaded gasoline.



[2] Tsai, P. L., & Hatfield, T. H. (2011). Global Benefits From the Phaseout of Leaded Fuel. *Journal Of Environmental Health*, *74*(5), 8-14.



Analysis: Since the EPA's Partnership for Clean Fuels and Vehicles (PCFV) began in 2002, nearly 50 developing countries have achieved the low sulfur goal. In FY 2011, PCFV exceeded its FY 2011 target. Three countries, Costa Rica, Montenegro and Turkey introduced lower sulfur (50 ppm) fuels in January 2011 with two additional countries shortly thereafter. Globally, there is a steady momentum with countries and regions slowly transitioning to low and lower sulfur fuels. Often, one country in a region (such as Costa Rica in Central America) leads the way. Out of the universe of 194 countries, through FY 2011, 61 countries have introduced low sulfur in fuels.

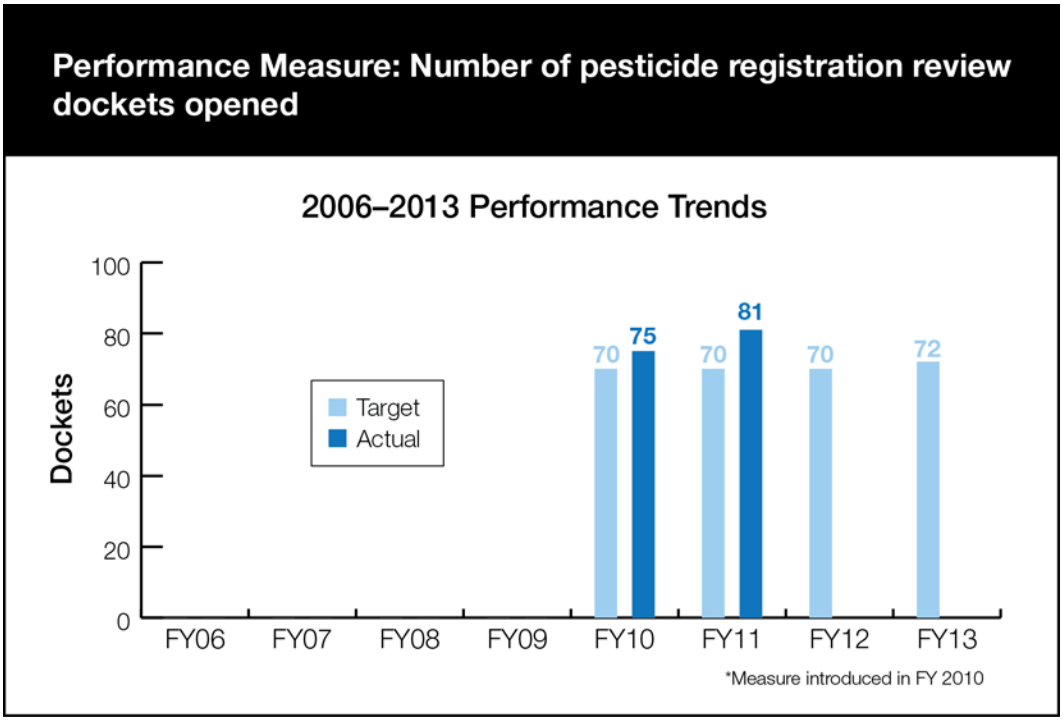
In February 2011, the EPA Administrator, Lisa Jackson was present with the United Nations Environment Program head, Achim Steiner, when Kenya announced its new sulfur fuel standard (500 ppm), the lowest in East Africa. Kenya is developing a plan to reach the goal of 50 ppm by 2020. In June 2012, the EPA-sponsored meeting resulted in 18 additional African countries agreeing to this goal. Since the start of the PCFV in 2002, 49 developing countries globally have achieved the low-sulfur goal. As a result of these successes, the EPA's two performance measures related to the Partnership will no longer be tracked after FY 2011.

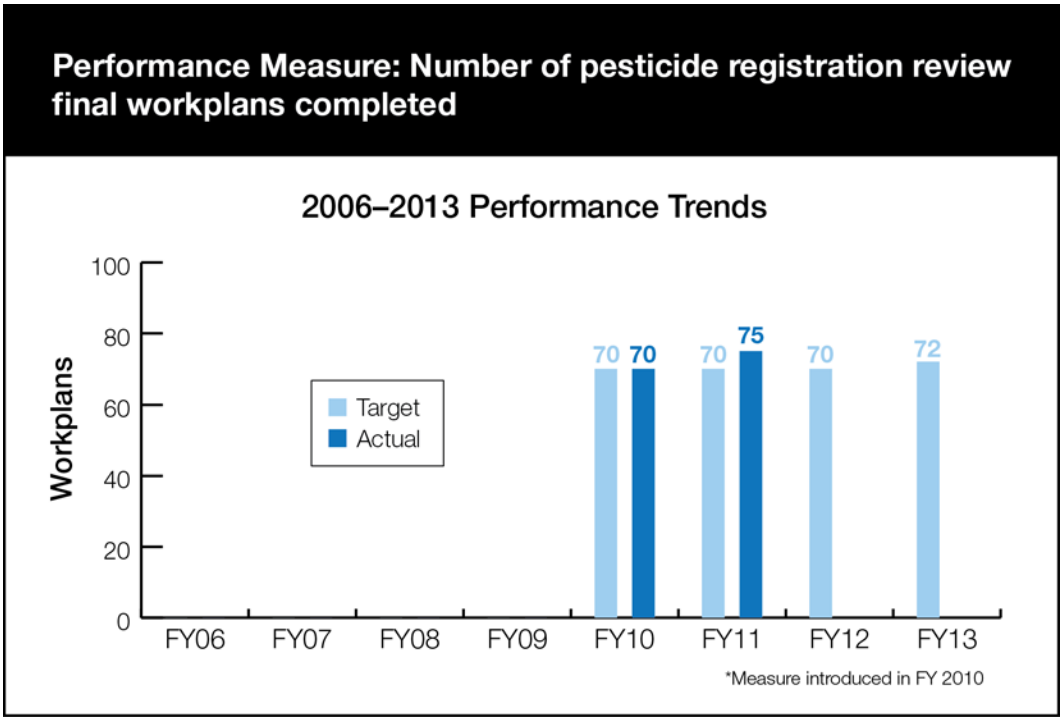
Key Challenges

Pesticide Registration Reviews

The EPA's Pesticide Registration Review Program ensures that, as science and the ability to assess risk evolve and policies and practices change, all registered pesticides continue to meet the statutory standard of no unreasonable adverse effects. Changes in science, public policy and pesticide use practices occur over time, and the Pesticide Registration Review Program must continuously improve its processes, science and information management while maintaining a collaborative and open decision-making process. Moving forward, completion of registration

reviews in accordance with statutory requirements continues to be challenging as case development of complex ecological risk assessments progress at the national level, including Endangered Species Act (ESA) requirements. Addressing ESA via registration review continues to be a complex and scientifically challenging endeavor.

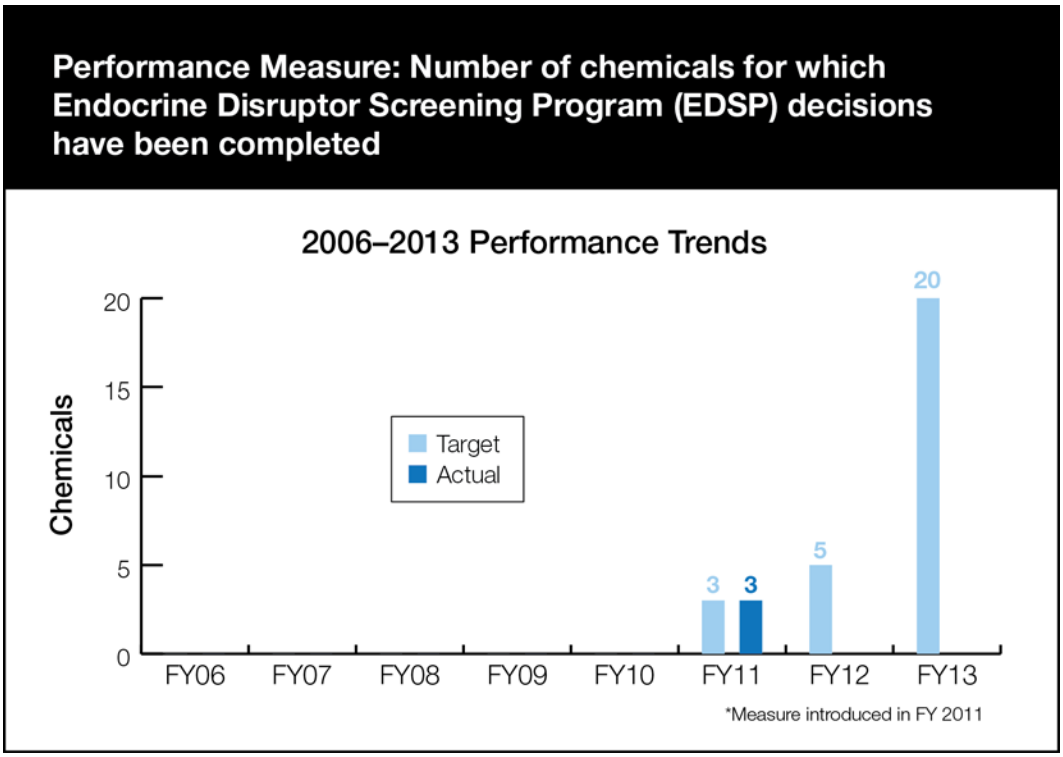




Analysis: The Pesticide Registration Review Program has an aggressive schedule to meet the statutory deadline of October 1, 2022, for completing the first round of pesticide registration reviews. The EPA tracks registration reviews, including the opening of public dockets and the completion of final workplans, which represent the earliest steps of the registration review process. FY 2011 actual results included closing cases for active ingredients that are no longer in use, which required minimal review and led to the agency exceeding its targets. During FY 2011, The EPA and the Departments of Agriculture, Commerce, and Interior requested that the National Academy of Sciences' (NAS) National Research Council undertake a review of key scientific and technical issues impacting the development of endangered species assessments and Biological Opinions under the Endangered Species Act and FIFRA. This committee began its review this November and expects to complete its report in the winter of 2013.

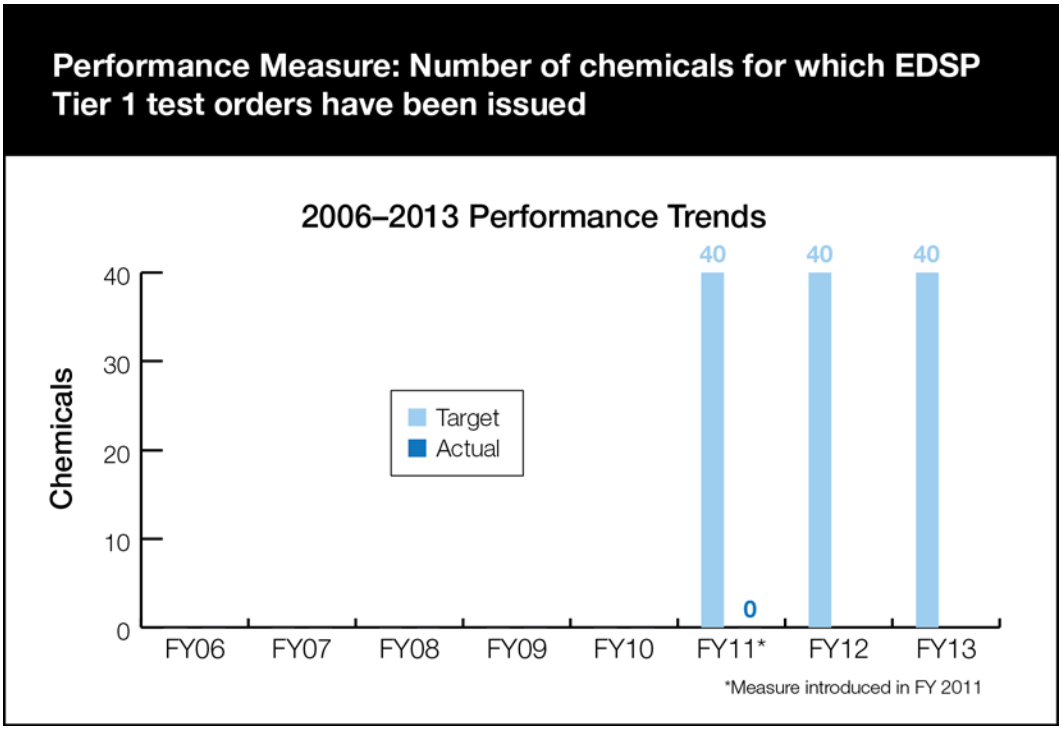
Endocrine Disruptor Screening Program

The Endocrine Disruptors Screening Program has achieved noteworthy accomplishments over the past few years, including harmonizing test guidelines for the 11 assays that constitute the Tier 1 Screening Battery, issuing Tier 1 test orders for the first list of 67 pesticide chemicals (58 pesticide active ingredients and 9 high production volume chemicals that are also inert ingredients in pesticide product formulations) to undergo screening, and reviewing test order responses and other relevant information. In addition, the program has made progress toward validating Tier 2 tests, renewing and amending the Information Collection Request in order to send out test orders for the second list of chemicals that includes water contaminants and developing a plan for making greater use of computational or in silico models and molecular-based in vitro high throughput assays to prioritize and screen chemicals in the EDSP.



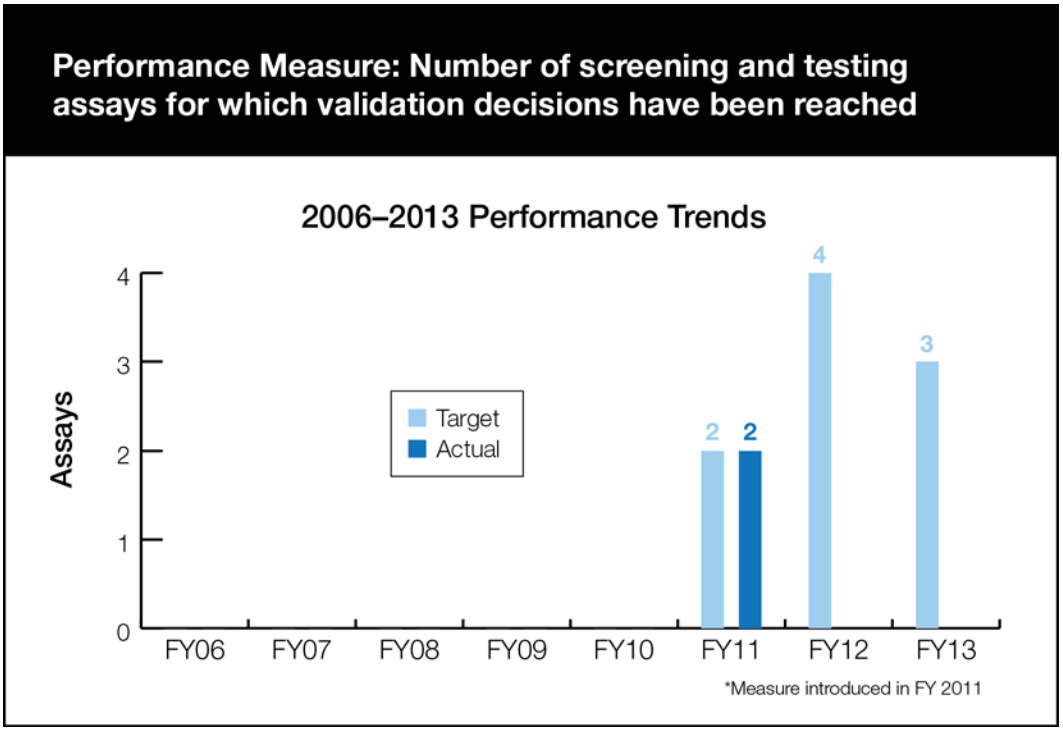
In FY2011, the Program did not achieve the goal of getting Test Orders out for another set of chemicals. Through the end of FY 2011, the Program continued to consider public comments received on a draft amendment to the EDSP Information Collection Request. Therefore, the Program did not achieve the goal of getting Test Orders out for another set of chemicals. However, the Program achieved goals for EDSP-based decisions on chemicals and validation of assays.

The EPA implemented new performance metrics in FY 2011 and is developing a comprehensive management plan and related tools to help better anticipate and manage some of the complexities of the program. As the program continues to move through implementation, performance measures will evolve to reflect the major activities and goals. These tools will address recent Office of Inspector General recommendations,[3] help develop the program to make greater use of 21st century advances and improve overall program management



[3] The OIG issued a final audit report of the EDSP in May 2011, which contained six recommendations intended to improve overall management of the program. The agency is addressing these recommendations by developing:

- Weight of evidence guidance for making decisions in Tier 1 of the EDSP.
- A workplan focused on increased utilization of high throughput and computational tools in the EDSP.
- A comprehensive management plan for the program, including developing a new annual program review process. Through these tools, the program will address improved:
- Characterization of the universe of chemicals for screening and testing.
- Methodologies for prioritizing chemicals.
- Performance metrics for management and communicating results.



Analysis: The EDSP continues to progress towards full implementation with the on-going evaluation of the chemicals, prioritization of the universe of chemicals and issuance of test orders. However, the EDSP also continues to experience challenges due to the complexity of the scientific and regulatory processes associated with the full implementation of the EDSP.

Strategic Goal 5: Enforcing Environmental Laws

Strategic Goal 5 at a Glance:

ENFORCING ENVIRONMENTAL LAWS

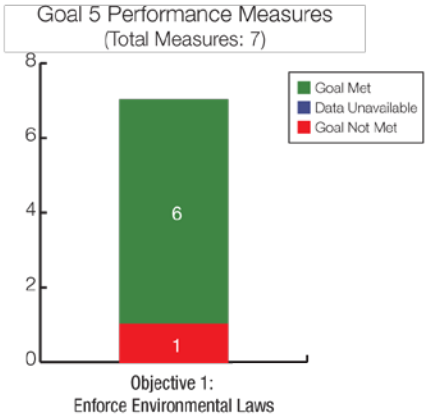
Protect human health and the environment through vigorous and targeted civil and criminal enforcement. Assure compliance with environmental laws.

FY 2011 Performance Measures

Met = 6 Not Met = 1 Data Unavailable = 0 (Total Measures = 7)

Objective

- Enforce Environmental Laws



FY 2010 -FY 2011 Priority Goal

Increase pollutant reducing enforcement actions in waters that don't meet water quality standards, and post results and analysis on the web.

Key Accomplishments

- Taking action under the National Enforcement Initiatives.
- Reducing, treating and eliminating pollutants through enforcement actions.
- Enforcing the Clean Air Act.
- Investing in injunctive relief.
- Fulfilling EPA's Superfund enforcement goals.
- Increasing criminal enforcement.

Key Challenges

- Measuring enforcement and compliance assurance.
- Providing information on the National Enforcement Initiatives to the public.
- Utilizing e-reporting

Goal 5 Purpose

Vigorous enforcement is critical to the EPA's work to protect human health and the environment. That is why enforcing environmental laws is both a Goal and an Objective in the agency's *FY 2011–2015 Strategic Plan*. Achieving the EPA's goals for clean drinking water, lakes and streams that are fishable and swimmable, clean air to breathe, and communities and neighborhoods that are free from chemical contamination requires both new strategies and compliance with rules already in place. By addressing noncompliance swiftly and effectively, the EPA's civil and criminal enforcement cases directly reduce pollution and risk, and deter others from violating the law. The EPA has also made strides in advancing its Priority Goal to increase pollutant reducing enforcement actions in waters that do not meet water quality standards, and post results and analysis on the web. Additionally, FY 2011 was the first year the agency began implementing cross-cutting fundamental strategies, developing annual action plans which shape work under Goal 5 in new ways.

The EPA takes aggressive enforcement action against pollution problems that make a difference in communities. Through vigorous civil and criminal enforcement, the EPA targets the most serious water, air, and chemical hazards, and advances environmental justice by protecting low income, minority, and tribal communities that are disproportionately impacted by such hazards.
To further its objectives under Goal 5, the EPA committed to 7 performance measures in FY 2011. The agency met 6 of these measures (86 percent) and did not meet 1 (14 percent.)
While the agency and its partners have made progress in reducing, treating, or eliminating pollutants from the environment, new challenges continue to emerge, such as addressing the expanding universe of regulated sources and economic challenges faced by states and tribal governments. The EPA's FY 2011 performance results indicate progress in developing implementation strategies for its National Enforcement Initiatives. Through enforcement actions that reduce, treat, or eliminate millions of pounds of pollution, the EPA identifies and focuses on priority environmental risks and noncompliance problems.

The full suite of the EPA's FY 2011 measures, including targets, results, and detailed explanations for variances, is available in the *Performance and Assessment* Section of the FY 2013 Congressional Justification.

EPA Contributing Programs: Environmental Justice, Compliance Assistance Program, Compliance Incentives Program, ETV Program, Monitoring and Enforcement Program, National Center for Environmental Innovation, National Partnership for Environmental Priorities, Economic Decision Sciences Research, Pesticide Enforcement Grant Program, Sector Grant Program, Sustainable Materials Management, Toxic Substances Compliance Grant Program, Sustainability Research, Superfund Enforcement, RCRA Corrective Action

Priority Goal

In FY 2010, EPA established a Priority Goal to advance the FY 2011–2015 *Strategic Plan* objective to pursue vigorous civil and criminal enforcement that targets the most serious water, air, and chemical hazards in communities.

Clean Water Enforcement: *Increase pollutant reducing enforcement actions in waters that don't meet water quality standards, and post results and analysis on the web.*

Results: The agency has made great strides in implementing its strategy to clean up the nation's waters through targeting pollutant reducing enforcement actions in waters that do not meet water quality standards. In 2009, the agency analyzed concluded Clean Water Act enforcement actions and determined that 32 percent of the facilities subject to those actions reduced pollutants discharged into impaired waters. Through implementation of its Clean Water Act Action Plan, the EPA increased this percentage to 49 percent in FY 2010 and 62 percent in FY 2011.

The enforcement portion of the Clean Water Action Plan had 3 major steps: 1) the development and implementation of tools that display geographic locations of Category 4 and 5 waters that do not meet water quality standards and NPDES noncompliant permittees; 2) the development and implementation of guidance used to target enforcement actions; and 3) development and implementation of tools that allow public dissemination of enforcement information on the web. Implementing these steps resulted in coordination across the agency to integrate enforcement action and point source discharge information with water impairment data to develop the targeting and public access tools. As a result, EPA now has a tool that calculates pollutant loadings from permit and Discharge Monitoring Report (DMR) data and ranks dischargers, industries, and watersheds based on pollutant mass and toxicity; a map of all of CWA enforcement actions overlaid on impaired water data; and a tool to search permitted facilities that discharge into impaired waters, with a detailed linkage to the water quality around that facility. All of these tools have been made publicly available through EPA's Enforcement and Compliance History Online (ECHO) website at http://www.epa-echo.gov/echo/.

Key Performance Results

National Enforcement Initiatives

The EPA's enforcement and compliance program identifies and focuses on priority environmental risks and noncompliance problems through the National Enforcement Initiatives. The EPA developed six National Enforcement Initiatives to address some of the more complex pollution problems in our nation:

1. Keeping raw sewage and contaminated stormwater runoff out of waters.
2. Cutting animal waste to protect surface and ground waters.
3. Reducing widespread air pollution from the largest sources, especially the coal-fired utilities, cement, glass, and acid sectors.
4. Cutting toxic air pollution that affects communities' health.
5. Assuring energy extraction sector compliance with environmental laws.

6. Reducing pollution from mineral processing operations.

In 2011, the EPA has taken action under the National Enforcement Initiatives by:

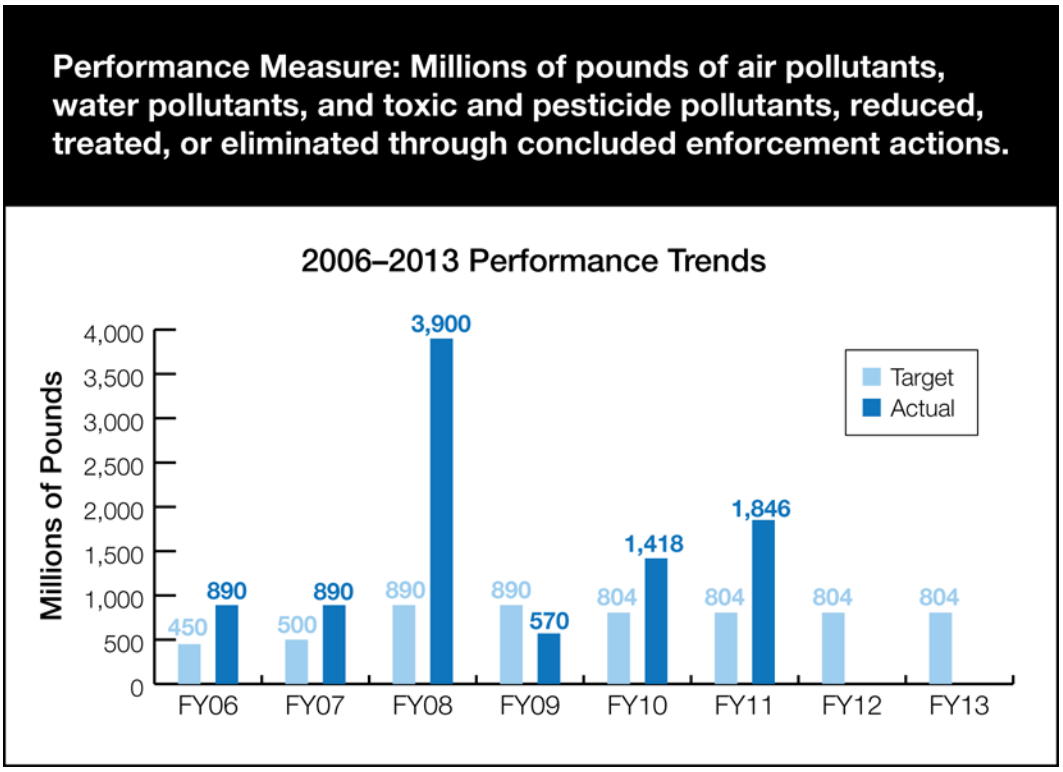
- Targeting large municipalities to reduce pollution and volume of stormwater runoff and to reduce unlawful discharges of raw sewage that degrade water quality in communities.
- Taking action to reduce animal waste pollution that impairs our nation's waters, threaten drinking water sources, and adversely impact communities at livestock and poultry operations.
- Continuing New Source Review initiatives in the coal-fired plant, cement kiln, glass, and acid manufacturing sectors, securing major reductions in emission that adversely affect community health.
- Stepping up enforcement activities to control air toxics that pose significant risks to communities located near large sources of toxic air emissions.
- Increasing the use of state-of-the-science remote monitoring tools to evaluate previously unmeasured toxic emissions from refineries that threaten nearby communities.
- Deploying new infrared cameras to protect communities from uncontrolled emissions posed by burgeoning gas extraction activities across the nation.
- Taking action to address the highest risk mineral processing sites across the nation

For more information on the EPA's National Enforcement Initiatives visit http://www.epa.gov/compliance/data/planning/initiatives/index.html

Reducing, Treating, and Eliminating Pollutants

The EPA secures commitments for future pollution controls to reduce, treat, or eliminate millions of pounds of pollution through enforcement actions. As part of FY 2011 enforcement actions, the EPA secured commitments for pollution controls which will reduce, treat, or eliminate illegal release of pollutants in the first year after pollution controls are installed. During FY 2011, the agency reduced, treated, or eliminated an estimated:

- 1.1 billion pounds of air pollutants.
- 730 million pounds of water pollutants. The top categories of pollutants reduced, treated, or eliminated from illegal discharges that affect water quality are suspended solids, oil, dissolved solids, oxygen demanding pollutants, and nutrients.
- 6.1 million pounds of toxic pollutants and pesticides. The top categories of pollutants reduced, treated, or eliminated are PCBs, pesticides, and metals.
- 3.6 billion pounds of hazardous waste. The target for this measure, 6.5 billion pounds of hazardous waste reduced, treated or eliminated, was not met in FY 2011. The hazardous waste metric is generally dominated by results from one or two very big cases. This results in substantial variability in this measure from year to year.



For more information on these measures and trends visit http://www.epa.gov/compliance/resources/reports/endofyear/eoy2011/resultscharts-fy2011.pdf

Health Benefits from Enforcement Actions

While often invisible, pollutants in the air create smog and acid rain and cause cancer or other serious health effects. The EPA's enforcement of the Clean Air Act also reduced the exposure to air pollution that can cause serious respiratory problems and exacerbate cases of childhood asthma. The reductions from the largest stationary source air enforcement cases result in estimated health benefits of $15 to $36 billion each year, including:

- Reducing approximately 1,800 to 4,500 premature deaths in people with heart or lung disease.
- 1,100 avoided emergency room visits or hospital admissions.
- 30,000 avoided asthma attacks.
- 230,000 fewer days of missed work or school.

Injunctive Relief

In FY 2011, EPA enforcement actions required companies to invest an estimated $19 billion in actions and equipment to control pollution (also known as injunctive relief.) This is the highest recorded injunctive relief value for the EPA. Also in FY 2011, EPA enforcement actions required companies to invest an estimated $25 million in projects that benefit the environment and public health (known as supplemental environmental projects.) For example, one

enforcement action in FY 2011 resulted in requiring a facility to retrofit low-income housing in the surrounding community with the most cost-effective energy efficiency technologies.

Superfund Enforcement

The EPA's Superfund Enforcement Program continues to use the most appropriate enforcement or compliance tools to address the most significant problems and to achieve the best outcomes. The Superfund Enforcement Program also strives to ensure fairness, reduce transaction costs, and promote economic development. For example, to ensure that responsible parties can meet their cleanup obligations, the EPA has developed a national strategy to assess companies' compliance with federal financial assurance requirements. For more information see: www.epa.gov/oecaerth/cleanup/superfund/index.html

The EPA's Superfund enforcement goals for FY 2011 were: 1) reach a settlement or take an enforcement action by the start of remedial action at 95 percent of nonfederal Superfund sites that have viable, liable parties; and 2) address cost recovery at all NPL and non-NPL sites with a statute of limitations on total past costs equal to or greater than $200,000 and report value of costs recovered.

In FY 2011, cost recovery was addressed at 339 National Priority List (NPL) and Non-NPL sites, of which 162 had total costs greater than or equal to $200,000; of those, 98 had potential statute of limitations concerns. In addition, the EPA secured private party commitments for cleanup and cost recovery and billed private parties for oversight for amounts that exceeded $3.3 billion.

FY2011 Enforcement & Compliance Annual Results Superfund Results
(Inflation/Deflation Adjusted to FY 11 Dollars)

In Millions $	FY07	FY08	FY09	FY10	FY11
Cost Recovery	247	241	387	158	300
Oversight	67	79	82	84	74
Site Study & Cleanup	747	1638	2082	1448	3000

FY2011 Data Source for Clean up and Cost Recovery: Comprehensive Environmental Response, Compensation & Liability Information System (CERCLIS), FY2011 Data Source for Oversight: Integrated Financial Management System (IFMS); Data source for previous fiscal years: CERCLIS and IFMS.

Criminal Enforcement

In FY 2011, 371 criminal environmental crime cases were opened. This is a 7 percent increase from FY 2010. The EPA brought criminal charges against 249 defendants, the second highest number since FY 2007. Of the 249 defendants, 79 percent were individuals and 21 percent were companies. Charging individuals where warranted enhances deterrence, since only individuals

face potential incarceration. In FY 2011, individual defendants were sentenced to a total of 89.5 years of incarceration (a 24 percent increase from FY 2010.)

Key Challenges

Measuring Enforcement and Compliance Assurance

EPA is adopting new strategic approaches to deal with challenges, such as the expanding universe of regulated sources and economic challenges faced by states, so that enforcement and compliance do not solely depend on inspections and enforcement to address serious violations. As part of the new approach, the Agency's enforcement program is developing a suite of measures that expand its ability to communicate to the public. As part of this suite, the Agency is including measures for its criminal enforcement program for the first time in EPA's FY 2011–2015 *Strategic Plan*. The suite of measures address:

- Enforcement Presence/Level of Efforts Measures: The extent of the general enforcement and compliance assurance presence in communities.
- Case-Linked Outcome Indicators**:** The annual and long-term trends in environmental benefits resulting from EPA enforcement actions.
- Strategic Enforcement Measures**:** The results of EPA's focused efforts to address specific, high-priority problems that make a difference to communities.

When viewed together, this suite of measures provides a more comprehensive understanding of the program than has been available previously.

Public Information

The EPA made performance information for the National Enforcement Initiatives available to the public via a new website in FY 2011. The information released marks the first step in providing a range of facts about our progress on the Initiatives. The EPA strives to provide more meaningful information to describe holistically the nature of the priority environmental risks and noncompliance problems of each National Enforcement Initiative and explain how the Agency is working to address the issues. The EPA will continue to identify information sources throughout FY 2012 to build on and expand the range of information available to the public on high-priority environmental problems in their communities. To learn more about the National Enforcement Initiatives visit http://www.epa.gov/compliance/data/planning/initiatives/index.html

E-Reporting

Agency reporting requirements are still largely paper-based, which is inefficient and unnecessarily resource-intensive for reporting entities and states, results in data quality errors, and is ineffective for compliance monitoring and enforcement uses. To reduce both reporting burden and pollution over the long term, and to improve both compliance and the information available to the public about pollution that affects them, the agency is assessing options for

converting to 21st century electronic reporting technology. This effort is expected to provide substantial long-term benefits for industry, states, the EPA, and the public.

Enabling and Support Programs

At a Glance:

EPA ENABLING AND SUPPORT PROGRAMS

The EPA's Enabling and Support Programs provide centralized management services and support environmental programs, as well as the people, facilities and systems necessary to operate the agency.

FY 2011 Performance Measures

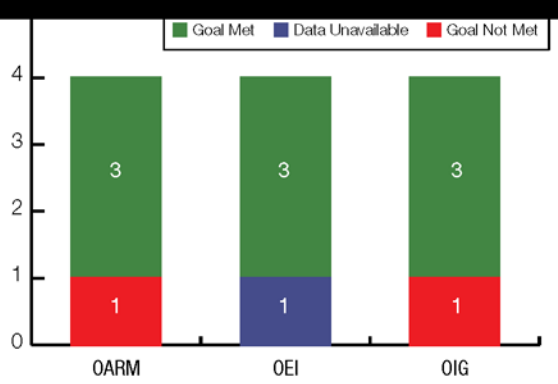
Met = 9 Not Met = 2 Data Unavailable = 1 (Total Measures = 12)

*Results are displayed for only those offices that report annual performance measures.

Enabling and Support Programs

- Office of the Administrator
- of Administration
- esources
- gement
- of the Chief
- ial Officer
- of Environmental
- ation
- of General Council
- of Inspector General

ESP Performance Measures
(Total Measures: 12)



- Office
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- Inform
- Office
- Office

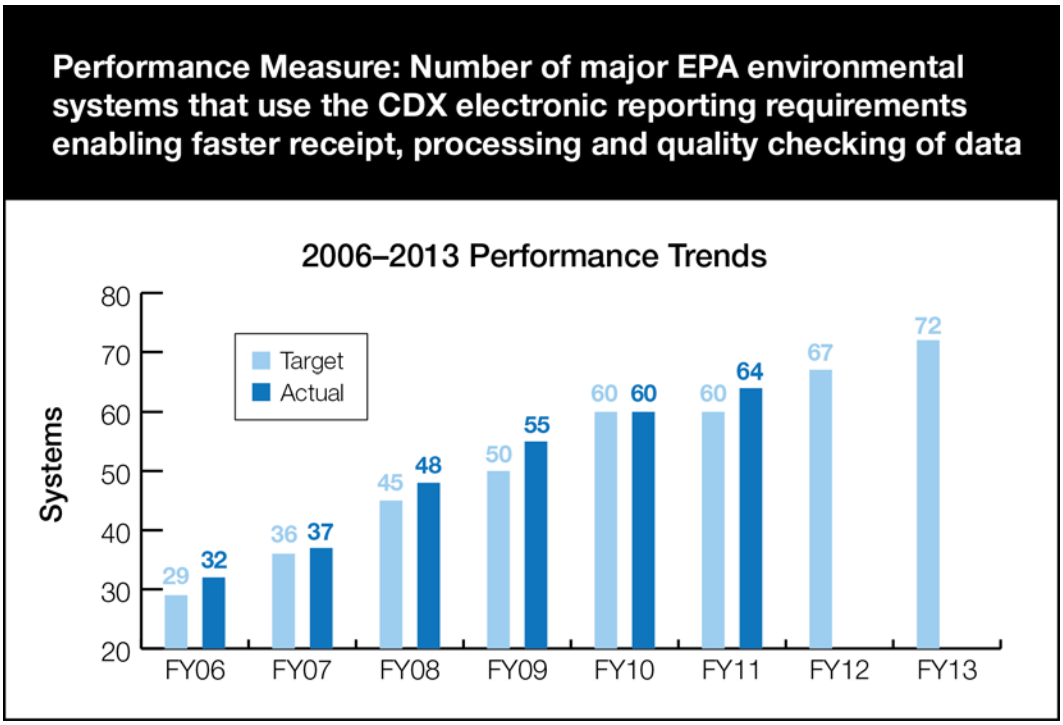
Purpose

In addition to the media National Program Offices, EPA has a total of six support Offices to assist in meeting the Agency's overall mission and multiple Goals. These organizations are referred to as Enabling Support Programs ("ESPs"), and include the Office of the Administrator, the Chief Financial Officer, the Inspector General, the Office of Environmental Information, the Office of Administration and Resource Management and the General Counsel.
EPA's support Offices contribute substantially in a variety of varying capacities to assist the media Programs with meeting Agency Objectives. Support includes complying with Congressionally-mandated statutes, auditing Agency programs for improved efficiencies, interpreting and advising on legal issues, hiring, processing payroll, providing all aspects of internal IT support. The ESPs are essential to the functionality of the Agency's media programs.

In FY 2011, together the Enabling and Support Programs reported twelve performance measures. The agency met or exceeded 82 percent and did not meet 18 percent of the measures for which data were available for this report. Data were not yet available for one of OEI's annual measures. The full suite of the EPA's FY 2011 measures, including targets, results, and detailed explanations for variances by supporting office, is available in the *Performance and Assessment* Section of the FY 2013 Congressional Justification.

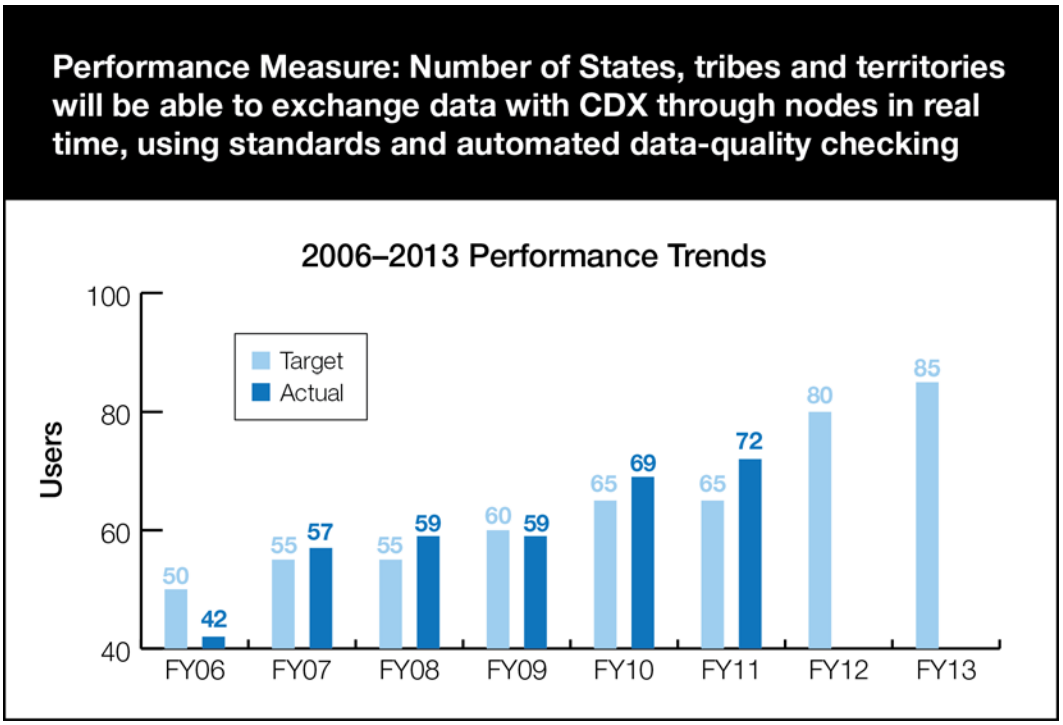
Key Accomplishments for the Office of Environmental Information

Central Data Exchange



Analysis: CDX is the electronic gateway through which environmental data enters the Agency. It enables fast, efficient and more accurate environmental data submissions from state and local

governments, industry and tribes to the EPA. It also provides a set of core services for the entire agency, rather than each agency program building its own duplicative services. This success is reflected in the expanding number of the EPA systems using CDX.



Analysis: The EPA continues to leverage the Exchange Network to achieve agency information goals and priorities while increasing efficiency. In collaboration with the EPA, the Environmental Council of the States (ECOS) accepts the Network as the standard approach for the EPA, state, tribe and territory data sharing. Based on current trends, 60 percent of state reporting to the EPA's ten priority national systems will use the Network by the end of calendar year 2011, a doubling of Network use within 18 months. Tribal use of the Network will grow by 20 percent during calendar year 2011.

Key Accomplishments for the Office of Inspector General

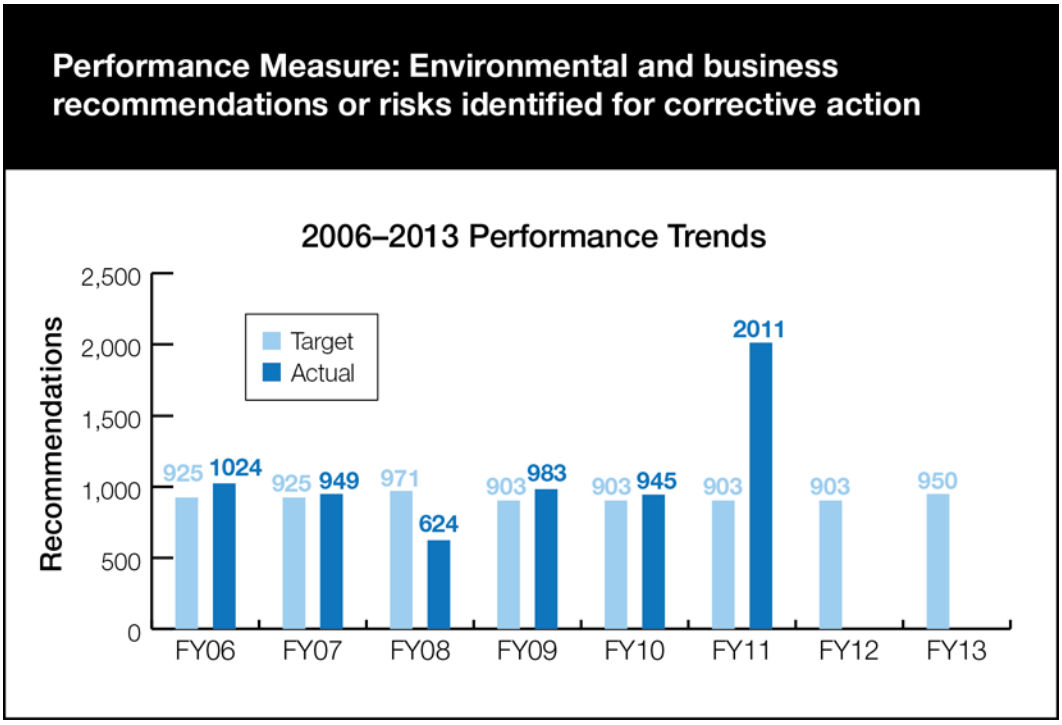
The EPA's OIG contributes to the agency's mission to improve human health and environmental protection by assessing the efficiency and effectiveness of the EPA's program management and results; ensuring that Agency resources are used as intended; developing recommendations for improvements and cost savings; and providing oversight and advisory assistance in helping the EPA carry out its Recovery Act objectives.

In FY 2011, OIG identified key management challenges and internal control weaknesses and provided over 2,011 recommendations accounting for more than $82.4 million in potential savings and recoveries and more than 315 actions taken by the agency for improvement from OIG recommendations. For example, in response to OIG recommendations the agency: established procedures to provide reasonable assurance that Diesel Emissions Reduction Act

grant and subgrant grantee progress reports are accurate and emission levels are verified; agreed to ensure that the Solid Waste Disposal Act site priority requirement is consistently incorporated into the terms and conditions of future LUST Trust Fund grant agreements; developed strategic vision and program design that assures that the ENERGY STAR label represents superior energy conservation performance along with a complete set of goals, valid and reliable measures; and agreed to revise policies and procedures to ensure that financial monitoring review reports are distributed timely to all project officers, work assignments managers and task order managers assigned to the contract impacted by the financial monitoring review.

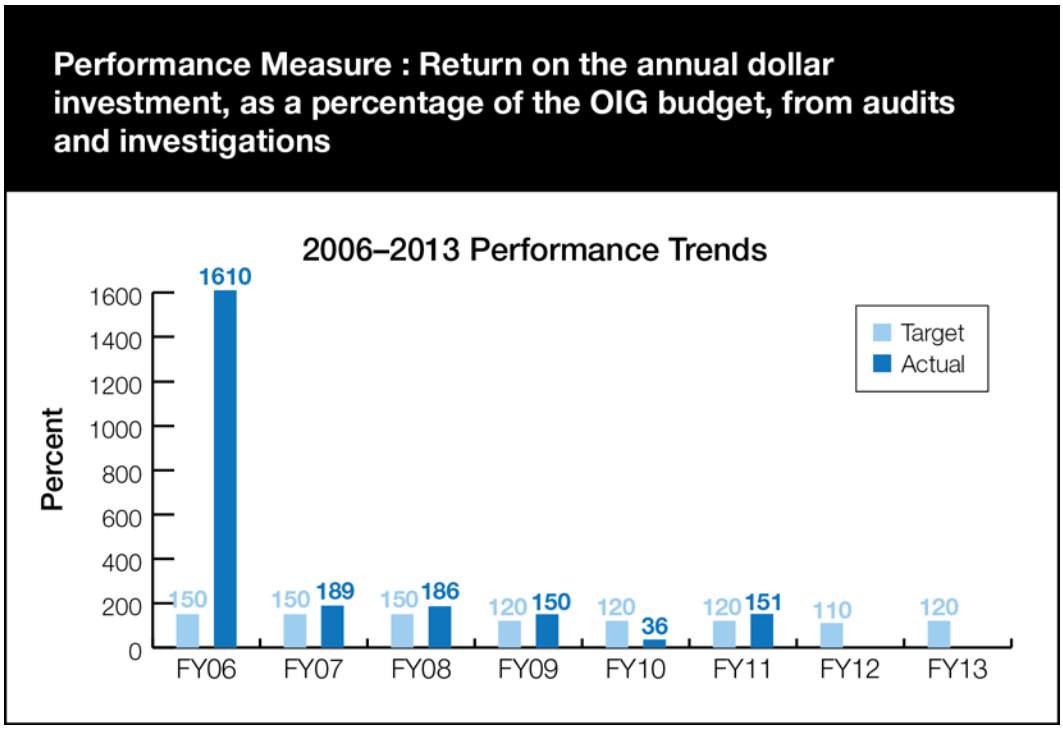
OIG also contributes to the integrity of and public confidence in the agency's programs and to the security of its resources by preventing and detecting possible fraud, waste, and abuse and pursuing judicial and administrative remedies. Additionally, OIG investigations accounted for 160 criminal, civil or administrative enforcement actions or allegations disproved during FY 2011 and $6.4 million in Recovery Act fund cost savings to date.

Recommendations or Risks Identified for Corrective Action



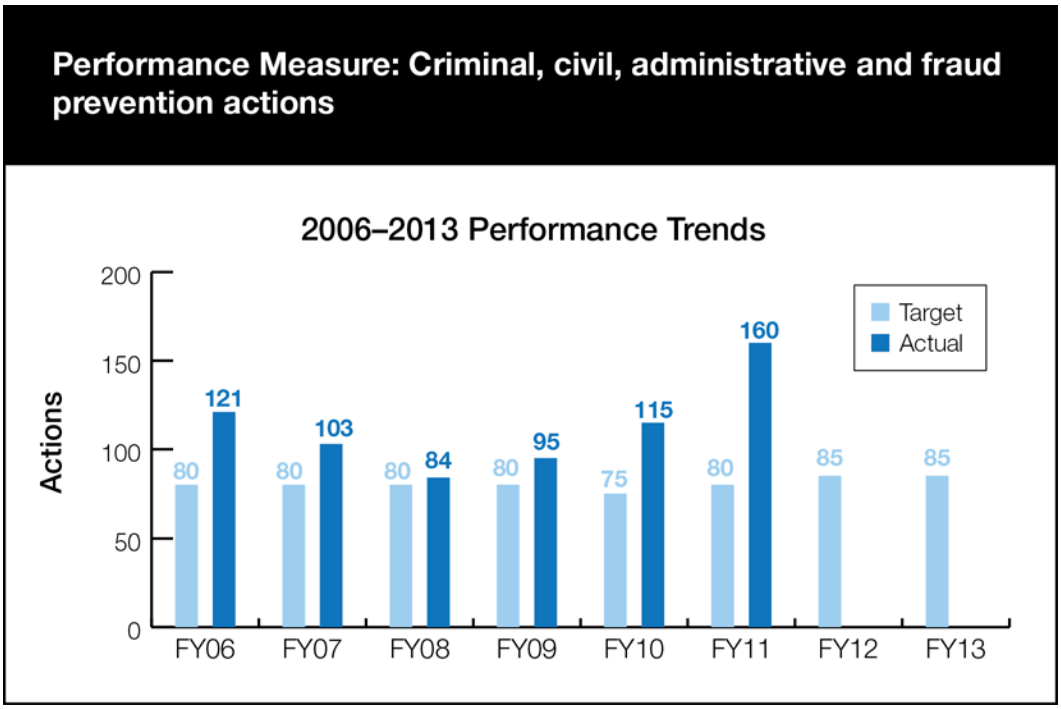
Analysis: The number of OIG results in terms of recommendations and risk identified has generally reflected the staffing levels of the OIG and the types of audits and evaluations performed. More complex evaluations and audits have fewer total but more complex recommendations and risks identified. The type of work changes as the OIG identifies different areas of risks requiring reviews. The number of recommendations dramatically increased in FY 2011 as the OIG included 1137 findings from Single Audit review of ARRA grant recipients. The non-ARRA portion of recommendations identified was 874.

Return on Investment



Analysis: The OIG has been fairly consistent in the dollar level of questioned costs, cost efficiencies identified from audits and evaluation, and fines, penalties and settlements from investigations. Some years may have vast differences from the normal level, often dependent upon an extraordinary recovery from a criminal case settlement of great magnitude as in FY 2006, or a significant decrease in FY 2010 as we focused resources on few monetary reviews in preference to more qualitative reviews such as internal controls.

Investigative Results



Analysis: Results from investigative work is extremely unpredictable since the nature of the work itself is response oriented (to indicators of fraud, wrong doing, or allegations received) and dependent upon the subsequent actions of the Department of Justice. However, OIG investigative results have generally correlated to the levels of investigative staffing and have increased steadily since FY 2008—a trend we anticipate to continue as the OIG continues to reach its authorized staff level.

Progress Toward the EPA's Cross-Cutting Fundamental Strategies

Introduction

Annually, the agency develops fiscal year action plans with commitments that align with existing planning, budget and accountability processes. In implementing these strategies through annual action plans, the agency has embarked on a deliberate, focused effort to take tangible, measurable actions to transform the way we deliver environmental and human health protection. FY 2011 is the first year the agency developed Cross-Cutting Fundamental Strategy Action Plans (http://www.epa.gov/planandbudget/archive.html#action_plans). The FY 2011 Action Plan Progress Reports are available at http://www.epa.gov/planandbudget/results.html, and selected highlights from the Progress Reports are described below.

Expanding the Conversation on Environmentalism**:** *Engage and empower communities and partners, including those who have been historically under-represented, in order to support and advance environmental protection and human health nationwide.*

The EPA has begun a new era of outreach and conversation to include a broader range of people and communities in its day-to-day work and to expand its engagement with communities historically under-represented in our decision-making processes. In FY 2011, the agency's actions were focused on public access to multi-lingual communication, interaction with media outlets that reach historically under-represented groups, improved access to and transparency of environmental data to support community and citizen involvement in decision-making, and lastly, expanding public awareness and opportunities for involvement during all phases of rulemaking processes.

Highlights:

- Expanded media outreach lists encompassing TV, radio and print to reach as many as 28 million in the Hispanic community. The EPA's reach through Spanish language social media tools increased nearly 200 percent in FY 2011.
- Published more than 1,600 environmental datasets, 258 geographic datasets and 64 software tools from across the EPA programs on http://www.data.gov to support community and citizen involvement in environmental decision-making.
- Launched innovative use of Twitter as a texting service to provide air quality monitoring information to people near the Aerovox Mill demolition project in New Bedford, Massachusetts.

Challenges:

- Implementing the color-coding system for communicating sampling results from contaminated sites posed several challenges, including 1) complex data that can be difficult to categorize/summarize; 2) color-coding system might not be applicable to all sites; 3) quick turn-around during an emergency can be difficult; and 4) finding a balance that is true to the science but understandable for multiple audiences.

Working for Environmental Justice and Children's Health**:** *Work to reduce and prevent harmful exposures and health risks to children and underserved, disproportionately impacted, low-income minority and tribal communities, and support community efforts to build healthy, sustainable green neighborhoods.*

In FY 2011, the EPA took important steps to: 1) promote environmental justice (EJ) and children's health in regulatory decisions, 2) strengthen federal partnerships, 3) apply best scientific methods, and 4) deliver environmental results in communities (Performance Summary.) In addition, the EPA has finalized Plan EJ 2014 (see http://www.epa.gov/environmentaljustice/resources/policy/ej-rulemaking.html), which implements the environmental Justice portion of this cross-cutting strategy. Some of the most significant agency accomplishments that demonstrate how the EPA works for EJ and children's health are highlighted below.

Highlights:
Implemented guidance on incorporating EJ into the EPA's rulemaking process (see http://www.epa.gov/environmentaljustice/resources/policy/ej-rulemaking.html) and created a training supplement to existing guidance on considering Children's Health when developing EPA actions.

- Developed tools to enable communities to have full and meaningful access to the permitting process and to develop permits that address EJ.
- Further developed case targeting strategies and remedies in enforcement actions to benefit overburdened communities.
  (see http://www.epa.gov/environmentaljustice/resources/policy/plan-ej-2014/plan-ej-c-e-2011-09.pdf).
- Conducted more than 25 healthy homes training sessions for health care providers, housing professionals, community outreach workers, tribal environmental health officials and leaders of community-based organizations.
- Through an interagency workgroup, developed criteria and finalized an internal list of Priority Chemical Hazards for children's health which includes mercury, lead, Polychlorinated biphenylsperfluorinated compound and perchlorate.
- Consulted with the Children's Health Protection Advisory Committee and engaged additional stakeholders to gather public input for the criteria the agency will use to identify priorities for potential action under the Toxic Substances Control Act.

Challenges:

- The agency continues to work on developing and strengthening performance measures that will describe EJ actions to be taken and to characterize environmental or health conditions of overburdened communities or populations including children. (http://www.gao.gov/products/GAO-12-77)

Advancing Science, Research, and Technological Innovation**:** *Advance a rigorous basic and applied science research and development agenda that informs, enables, and empowers and delivers innovative and sustainable solutions to environmental problems. Provide relevant and robust scientific data and findings to support the agency's policy and decision-making needs.*

In FY 2011, the EPA took important steps to: 1) plan and implement innovative and sustainable technologies and methods for addressing environmental problems; 2) expand efforts to communicate research results; and 3) promote partnerships to leverage funding and foster research innovations.

Highlights:

- Partnered across the agency and with external stakeholders to address 1) high-priority cross-cutting issues such as: the potential impact of hydraulic fracturing on drinking water; 2) validation of air monitoring methods and new technologies; 3) green and sustainable water infrastructure; and 4) next-generation tools for screening chemicals that disrupt the human endocrine system.
- Collaboratively developed four integrated research frameworks for: 1) air, climate and energy; 2) safe and sustainable water; 3) chemical safety for sustainability; and 4) sustainable and healthy communities.
- Initiated effort to evaluate technology opportunities and market assessments, which is included in EPA's plan to implement Executive Order 13563, Improving Regulation and Regulatory Review.
- Initiated efforts to support and promote technologies and methods that scrutinize environmental and human health impacts from the beginning to the end of the technology life cycle.
- Implemented the "Great Environmental Moments in Science" website (see http://www.epa.gov/sciencematters/april2011/scinews_research-highlights.htm) and report to highlight important advances in environmental science realized through EPA research.

Challenges:

- The evaluations of water and air monitoring technologies planned for FY 2011 have not been completed, as they have been incorporated into the broader efforts to evaluate and prioritize both technology innovation and research needs being conducted in FY 2011 and 2012.

Strengthening State, Tribal, and International Partnerships**:** *Deliver on our commitment to a clean and healthy environment through consultation and shared accountability with states, tribes and the global community for addressing the highest priority problems.*

In FY 2011, the EPA began the successful implementation of delivering on its commitment to a clean and healthy environment through consultation and shared accountability with states, tribes and the global community for addressing the highest priority problems. As we worked together, our relationships continued to be based on integrity, trust and shared accountability to make the most effective use of our respective bodies of knowledge, our existing authorities, our resources, and our talents.

With States:

- Facilitated data exchange with states, including increasing state utilization of the Exchange Network by 59 percent, and established a new reporting system for Underground Injection Control data.
- Strengthened shared accountability by developing a suite of new approaches to revamp the National Pollutant Discharge Elimination System permitting, compliance and enforcement program in consultation with states, which included developing a Web-based dashboard to make state performance information against key criteria available to the public.
- Furthered closer consultation and transparency by:
  - Conducting three federalism consultations with our state and local partners for the following rules: Utility Maximum Achievable Control Technology, Stormwater Discharges from Developed Sites, and Greenhouse Gas Emissions from Electric Utility Steam Generating Units.
  - Reviewing and clarifying internal policies for federalism consultations, and training rule writers on federalism consultation guidance and practices.
  - Creating RegDaRRT (see http://yosemite.epa.gov/opei/RuleGate.nsf/), a Web application to provide timely information to the public about priority regulations under development and reviews of existing regulations.
- Collaborated with states to seek more efficient use of resources by establishing an agencywide task force to identify program areas where EPA–state worksharing can be applied and areas where statutes or regulations prohibit worksharing.

With Other Countries: Expanded our partnership efforts in multilateral forums and in key bilateral relationships.

- In August 2011, EPA Administrator, Lisa Jackson and Brazil Minister of Environment, Izabella Teixeira launched the U.S.–Brazil Joint Initiative on Urban Sustainability—a vehicle for identifying opportunities for new and innovative green urban infrastructure investment in the United States and Brazil, and for serving as a global model for building greener economies and smarter cities.

With Tribes: On May 4, 2011, Administrator Lisa Jackson announced the release of the "EPA Policy on Consultation and Coordination with Indian Tribes." The policy is a result of the

Presidential Memorandum on Tribal Consultation, issued November 5, 2009, directing federal agencies to develop a plan to implement Executive Order 13175 fully.

- The EPA was the first agency to release a final Tribal Consultation Policy, which establishes EPA standards for the consultation process (defining the “what, when and how” of consultation), including specific EPA points of contact in order to promote consistency in, and coordination of, the consultation process. Additionally, it establishes a management oversight and reporting structure that will ensure accountability and transparency.
- In collaboration with tribal partners, the EPA continued efforts to identify gaps in the implementation of EPA programs in Indian Country and related to Alaska Native Villages. In FY 2011, the EPA initiated an internal workgroup with the regional offices to discuss developing a phased pilot approach that will operate into FY 2012.

Challenges:

- Partnerships continue to be an increasingly positive activity in addressing human health and environmental concerns even though implementation challenges remain. For example, as the EPA implements the new Tribal Consultation Policy, we continue to address and understand the complexity of the definition of consultation while determining guidelines on what constitutes appropriate "consultation."

Strengthening EPA's Workforce and Capabilities**:** *Continuously improve the EPA's internal management, encourage innovation and creativity in all aspects of our work, and ensure that the EPA is an excellent workplace that attracts and retains a topnotch, diverse workforce, positioned to meet and address the environmental challenges of the 21st century.*

Success in strengthening the EPA's workforce and capabilities further enhances the EPA as "One Great Place to Work." In FY 2011, our actions were employee-focused and driven by opportunities to find smarter ways to work, save money and reduce our environmental footprint. Our continuing goal is to provide a supportive and productive work environment so that the EPA has the talent, processes and tools it needs to protect human health and the environment effectively and efficiently.

Highlights:

- Increased telework and reduced unliquidated obligations across all offices, demonstrating a true "One EPA" success by operationalizing significant shifts in how the agency does business.
- Reduced hiring time from 161 days in FY 2010 to 96 days in FY 2011, and completed 10 Standardized Recruitment Packages that typically shorten the recruit timeline by 15 to 20 days.
- Enhanced new employee orientation including:
  - Produced new hire videos for new EPA employees. Videos feature EPA people and places to welcome new employees and convey a good sense of how they will fit into One EPA.
  - Updated and standardized the on-boarding process for bringing new employees into the organization.
  - Created external and Intranet sites for new employee orientation to prepare new employees for their first day on the job.
- Increased tools for green conferencing by installing 50 green videoconferencing units across the agency, and tracked their use to set a baseline to measure videoconferencing trends beginning in FY 2012.

Challenges:

- In FY 2010, the EPA ranked at the bottom among federal agencies for hiring time. To improve agency performance, the EPA conducted benchmarking studies and aligned its reporting process with those of other agencies so that in FY 2011 and beyond, the way the agency measures hiring time against the governmentwide 80-day goal is comparable to the hiring time reported by other federal agencies. The agency will also improve hiring tools by adding 13 more Standardized Recruitment Packages, for a total of 23; creating automated templates in EZHire; and reducing by 20 percent the number of questions in the EZHire Question Library.

Environmental Protection Agency
2013 Annual Performance Plan and Congressional Justification

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February 2012 Addendum to the FY 2011-2015 EPA Strategic Plan

The purpose of this Addendum is to update the *FY 2011-2015 EPA Strategic Plan* to add the five FY 2012-2013 Agency Priority Goals in compliance with the Government Performance and Results Act (GPRA) Modernization Act of 2010, 31 U.S.C. 1115. EPA's Priority Goals advance our long-term strategic measures and are specific, measurable, and achievable within 18 to 24 months. These goals serve as key near-term indicators of progress and have been established by the Obama Administration as a central focus of its performance management framework. This Addendum includes an overview of the FY 2012-2013 Agency Priority Goals followed by a brief discussion of how the Priority Goals advance the EPA's *Strategic Plan*.

The *FY 2011-2015 EPA Strategic Plan* (http://www.epa.gov/planandbudget/strategicplan.html), issued on September 30, 2010, is a blueprint for accomplishing EPA's mission over a five-year timeframe. The *Plan* sets forth five strategic goals for advancing the Agency's environmental and human health outcomes and five Cross-Cutting Fundamental Strategies to change how the Agency works to achieve those goals. In addition, the *Plan* included six FY 2010-2011 Agency Priority Goals whose results are included in the *FY 2011 Annual Performance Report* at http://www.epa.gov/planandbudget/results.html.

The FY 2012-2013 Agency Priority Goals are incorporated in the *EPA FY 2013 Annual Performance Plan and Budget*. Per the GPRA Modernization Act requirement to address Federal Goals in the Agency's *Strategic Plan* and *Annual Performance Plan and Budget*, please refer to Performance.gov for information on Federal Priority Goals and the Agency's contributions to those goals, where applicable.

FY 2012-2013 EPA Priority Goals	
EPA Strategic Goal	**Priority Goal Statement**
Taking Action on Climate Change and Improving Air Quality	Reduce greenhouse gas emissions from cars and trucks. Through September 30, 2013, EPA in coordination with DOT's fuel economy standards program will be implementing vehicle and truck greenhouse gas standards that are projected to reduce GHG emissions by 1.2 billion metric tons and reduce oil consumption by about 98 billion gallons over the lifetime of the affected vehicles and trucks.
Protecting America's Waters	Improve, restore, or maintain water quality by enhancing nonpoint source program accountability, incentives, and effectiveness. By September 30, 2013, 50% of the states will revise their nonpoint source program according to new Section 319 grant guidelines that EPA will release in November 2012.
	Improve public health protection for persons served by small drinking water systems by strengthening the technical, managerial, and financial capacity of those systems. By September 30, 2013, EPA will engage with twenty states to improve small drinking water system capability through two EPA programs, the Optimization Program and/or the Capacity Development Program.
Cleaning Up Communities and Advancing Sustainable Development	Clean up contaminated sites and make them ready for use. By September 30, 2013, an additional 22,100 sites will be ready for anticipated use.
All Goals (Cross-Program)	Increase transparency and reduce burden through e-Reporting. By September 30, 2013, develop a plan to convert existing paper reports into electronic reporting, establish electronic reporting in at least four key programs, and adopt a policy for including electronic reporting in new rules.

Greenhouse Gas Emissions Priority Goal:

Reduce greenhouse gas (GHG) emissions from cars and trucks. Through September 30, 2013, EPA in coordination with DOT's fuel economy standards program will be implementing vehicle and truck greenhouse gas standards that are projected to reduce GHG emissions by 1.2 billion metric tons and reduce oil consumption by about 98 billion gallons over the lifetime of the affected vehicles and trucks.

This Priority Goal advances the *Strategic Plan* objective to address climate change and reduce greenhouse gas emissions and the strategic measure to reduce GHG emissions from light duty vehicles. Additionally, the Priority Goal provides co-benefits by helping EPA attain strategic measures related to criteria pollutants. Through implementation of the Priority Goal, EPA expects these rules to reduce GHG emissions through better fuel economy and increased fuel savings. GHGs are known to trap some of the earth's heat that would otherwise escape into space and are the primary cause of climate change which can lead to hotter, longer heat waves that impact the environment and public health and increase ground-level ozone pollution linked to asthma and other respiratory illnesses, among other health-related threats.

EPA's strategy for accomplishing this Priority Goal focuses on implementing the light-duty vehicle standards for model years 2012-2016 that were adopted in April 2010, and the heavy-duty vehicle standards for model years 2014-2018 that were adopted in August 2011. The work that EPA will perform to achieve the Priority Goal primarily involves certifying that new light-duty vehicles, new heavy-duty vehicles, and new heavy-duty engines meet the standards. The certification process involves EPA's review of test data that vehicle and engine manufacturers submit to EPA. EPA reviews the test data to assure compliance with applicable emissions standards for the vehicle's useful life. EPA also conducts spot checks by testing prototype vehicles for emissions and fuel consumption at EPA's National Vehicle and Fuels Emissions Laboratory in Ann Arbor, Michigan. All new vehicles sold in the U.S. need a valid EPA certificate regardless of where the vehicle may have been manufactured.

Implementing the standards also requires EPA to manage a complex credit program, designed to allow manufacturers different pathways for demonstrating compliance with the standards. As part of the implementation strategy, EPA works with the National Highway Traffic Safety Administration (NHTSA) of the Department of Transportation on those portions of the mobile source air pollution standards that relate to fuel efficiency.

Water Quality Priority Goal:

Improve, restore, or maintain water quality by enhancing nonpoint source program accountability, incentives, and effectiveness. By September 30, 2013, 50% of the states will revise their nonpoint source program according to new Section 319 grant guidelines that EPA will release in November 2012.

This Priority Goal advances the *Strategic Plan* objective of protecting the quality of rivers, lakes, streams, and wetlands on a watershed basis, and protecting urban, coastal, and ocean waters. It also supports the strategic measure on attaining water quality standards for all pollutants and impairments in waterbodies that were identified as not attaining standards in 2002. Nonpoint source pollution—principally nitrogen, phosphorus, and sediments—has been recognized as the largest remaining impediment to improving water quality. Recent national surveys have found that the Nation's waters are stressed by nutrient pollution, excess sedimentation, and degradation of shoreline vegetation, which affect upwards of 50% of our lakes and streams. Section 319 of the Clean Water Act is one of EPA's core water programs to help protect, restore, and improve water quality by providing grants to prevent or reduce nonpoint source pollution.

EPA's implementation strategy for accomplishing this Priority Goal will focus primarily on developing new Section 319 grant guidelines by November 2012. By the end of 2013, EPA will provide assistance to states to revise their nonpoint source programs in order to accelerate water quality improvements and restoration with a focus on increased accountability and enhanced targeting of the funds to ensure timely implementation of nonpoint source controls.

To achieve gains under this Priority Goal, EPA will work with the U.S. Department of Agriculture and the Department of the Interior (including the Bureau of Land Management, Office of Surface Mining, and Fish and Wildlife Service), to encourage collaborative efforts that reduce nonpoint source pollution caused by agriculture, confined animal operations, grazing, forestry, surface mining, and other sources. Specifically, EPA will jointly identify with U.S. Department of Agriculture Natural Resources Conservation Service at least 50 critical watersheds for coordination of conservation and monitoring investments. Additionally, EPA works in partnership with states and tribes to develop and implement nonpoint source pollution prevention programs and will expand partnerships to include local conservation districts, counties, regional planning commissions, and nonprofit organizations at the state and national levels.

Drinking Water Priority Goal:

Improve public health protection for persons served by small drinking water systems by strengthening the technical, managerial, and financial capacity of those systems. By September 30, 2013, EPA will engage with twenty states to improve small drinking water system capability through two EPA programs, the Optimization Program and/or the Capacity Development Program.

This Priority Goal contributes to the *Strategic Plan* objective of reducing human exposure to contaminants in drinking water, fish and shellfish, and recreational waters, as well as protecting source water. More specifically, it supports the strategic measure on community drinking water systems to ensure that they meet all applicable health-based drinking water standards. Currently, more than 97% of the nation's 160,000 public drinking water systems serve fewer than 10,000 persons. Although most small systems consistently provide safe, reliable drinking water to their customers, many of these systems face problems, including aging infrastructure, workforce shortages and high employee turnover, increasing costs, and declining rate bases. Through implementation of this Priority Goal, EPA expects to improve the capacity for small drinking water systems to provide safe drinking water.

EPA's implementation strategy for accomplishing this Priority Goal is to improve the compliance and long-term sustainability of small systems with the objectives of: (1) strengthening and targeting financial support to small systems; (2) working with primacy agencies to enhance their Capacity Development Programs and capabilities, including the Optimization Program approach to prioritize efforts with those systems most in need; and, (3) identifying opportunities to promote water system partnerships (including restructuring) for systems struggling to remain viable.

To achieve gains under this Priority Goal, EPA works in partnership with states, other federal agencies, third-party technical assistance providers, and utility associations on a variety of activities including leveraging existing programs and resources, targeting coordinated funding for infrastructure needs, facilitating workforce recruitment and training, and fostering improved management practices to ensure long-term system sustainability. Additionally, EPA chairs a state-EPA workgroup focused on strengthening state Capacity Development programs.

Communities Priority Goal:

Clean up contaminated sites and make them ready for use. By September 30, 2013, an additional 22,100 sites will be ready for anticipated use.

This Priority Goal advances two objectives and several strategic measures in the *FY 2011-2015 EPA Strategic Plan* to restore land and promote sustainable communities. Uncontrolled releases of waste and hazardous substances can contaminate soil, sediment, and groundwater, threatening healthy ecosystems and posing human health and environmental concerns. EPA's Superfund, RCRA corrective action, leaking underground storage tank, and brownfields programs reduce these risks by assessing and cleaning up sites so that communities are able to maintain or reuse these assets for commercial, ecological, recreational, or other purposes.

EPA's implementation strategy for this priority goal focuses on improving the accountability, transparency, and effectiveness of EPA's cleanup programs. EPA has implemented the Integrated Clean-up Initiative to better use the most appropriate assessment and cleanup authorities to address a greater number of sites, accelerate the pace of cleanups where possible, and put those sites back into productive use while protecting human health and the environment. EPA's land cleanup programs have set long-term strategic measures toward making sites ready for anticipated use or otherwise meeting cleanup goals. There are multiple impacts from cleaning up contaminated sites: reducing mortality and morbidity risk; eliminating human exposure to contaminants; making land available for commercial, residential, industrial, or recreational reuse; and, promoting community economic development.

To achieve gains under this Priority Goal, EPA works with the private sector, states, tribes, local governments, and other federal agencies. EPA also consults with the local community to ensure that the cleanup and reuse is aligned with the community's vision for the site. In some cases, states are authorized to operate cleanup programs, while in others they are partners. Where other federal agencies or states are designated as the lead for the cleanup actions at their sites, EPA's environmental cleanup goals are subject to, and reliant on, the lead federal agencies' or states' cleanup budgets, execution, and site cleanup performance.

E-Reporting Priority Goal:

Increase transparency and reduce burden through e-Reporting. By September 30, 2013, develop a plan to convert existing paper reports into electronic reporting, establish electronic reporting in at least four key programs, and adopt a policy for including electronic reporting in new rules.

This Priority Goal advances the Agency's efforts to more efficiently protect the nation's air, water, and land under all five strategic goals in the *FY 2011-2015 EPA Strategic Plan*. As e-Reporting provides higher quality data in a more timely manner, this effort could fundamentally change compliance, enforcement, and monitoring at the Agency. Given the opportunities for e-Reporting in several environmental media (e.g., air, water, land), the effort will indirectly impact many of the Agency's strategic objectives and strategic measures. Electronic reporting will lead to more timely monitoring data enabling EPA and the states to better prioritize permitting, monitoring, and enforcement actions. It will advance transparency, allowing the public, non-governmental organizations, community groups, rate payers, and others better access to data. With facility data more readily available to government and the public, an additional incentive is created for facilities to comply with environmental requirements.

EPA's implementation strategy for accomplishing this Priority Goal focuses on work in two main areas: (1) developing an Agency-wide policy to ensure that new regulations include electronic reporting in the most efficient way; and, (2) developing and then implementing an Agency plan to convert the most important existing paper reports to electronic, while also looking for opportunities to reduce outdated paper reporting. Since this work is cross-cutting, EPA has established an Agency task force to lead and manage this work.

To achieve gains under this Priority Goal, EPA will work with its state partners as well as the regulated community to enable transmission of data electronically. State and state agencies will be engaged to identify a feasible and reasonable timeframe to revise state programs and permits to implement the new electronic reporting requirements. The public, industry, and trade associations will be informed and involved through proposed regulation comment periods, listening sessions, and websites in support of the rule. Also, EPA will encourage private sector development of reporting tools to drive innovation, reduce costs, and help regulated entities to comply.

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U.S Environmental Protection Agency

FY 2011 Annual Performance Report
FY 2013 Annual Plan

DATA QUALITY RECORDS

Beginning with the EPA's FY 2013 budget, the Agency has developed Data Quality Records (DQRs) to present validation/verification information for selected performance measures, consistent with guidance from the Office of Management and Budget. A DQR documents the management controls, responsibilities, quality procedures, and other metadata associated with the data lifecycle for an individual performance measure, and is intended to enhance the transparency, objectivity, and usefulness of the performance result.

Performance Data Quality Record (DQR)

NPO Name (ORD) Measure AC1: Percentage of products completed by Air, Climate, and Energy.

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	Office of Program Accountability and Resource Management- Planning

Performance Measure Term Definitions

A research *product* is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use."

This secondary performance measure tracks the timely completion of research products.

Sustainability Research Strategy, available from: http://epa.gov/sciencematters/april2011/truenorth.htm

http://www.epa.gov/risk_assessment/health-risk.htm

2. Data Definition and Source Reporting

2a. Original Data Source

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the research program. The actual product completion date is self-reported.

2b. Source Data Collection

Each output is assigned to a Lab or Center representative before the start of the fiscal year. This individual provides quarterly status updates via ORD's Resource Management System. Status reports are reviewed by senior management, including the Lab or Center Director and National Program Director. Overall status data is generated and reviewed by ORD's Office of Program Accountability and Resource Management.

2c. Source Data Reporting

Quarterly status updates are provided via ORD's Resource Management System.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Internal database or internal tracking system such as the Resources Management System (RMS).

3b. Data Quality Procedures

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the ACE program.

3c. Data Oversight

The National Program Director oversees the source data reporting, specifically, the process of establishing agreement with program stakeholders and senior ORD managers on the list and content of the planned products, and subsequent progress, completion, and delivery of these products.

3d. Calculation Methodology

At the end of the fiscal year, outputs are either classified as "met" or "not met". An overall percentage of planned products met by the ACE program is reported.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Office of Program Accountability and Resource Management is responsible for reporting program progress in meeting its target of completion of 100% of Ace, Climate, and Energy program planned products.

4b. Data Limitations/Qualifications

This measure does not capture directly the quality or impact of the research products.

4c. Third-Party Audits

Not applicable

Record Last Updated: 02/08/2012 09:06:44 AM

Performance Data Quality Record (DQR)

NPO Name (OA) Measure AD1: Cumulative number of major scientific models and decision support tools used in implementing environmental management programs that integrate climate change science data

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	1 - Address Climate Change
Sub-Objective Number and Title	1 - Address Climate Change
Strategic Target Code and Title	3 - EPA will integrate climate change science trend and scenario information into five major scientific
Managing Office	Office of Policy

Performance Measure Term Definitions

Consistent with this approach, EPA is defining a major scientific model and/or decision support tool as one that may influence a major agency rule or action. For example, the BASINS CAT model is a decision support tool that enhances the ability of U.S. cities and communities with combined sewer systems to meet the requirements of EPA's Combined Sewer Overflow (CSO) Control Policy [1]. In 1996, EPA estimated the cost of CSO control, consistent with the CSO Control Policy, to be $44.7 billion (1996 dollars). For this reason, the BASIN CAT model is an appropriate decision support tool to include.

A program is defined as multiple projects. For example, the Great Lakes Restoration Initiative (GLRI) is a program that includes funding for grants. This EPA-led interagency initiative targets the most significant problems in the region, including invasive aquatic species, non-point source pollution, and contaminated sediment. It has outcome-oriented performance goals and measures, many of which are climate-sensitive. To ensure the overall success of the initiative, it is imperative that consideration of climate change and climate adaptation be integrated into GLRI grants and projects. Aside from GLRI, other climate-sensitive programs across the Agency include those for land revitalization and cleanup, air quality monitoring and protection, wetlands and water protection and restoration to name a few. Greenhouse gas mitigation programs and projects would not be included in this total.

Climate change data needs to be integrated into the tool or model.

The 2011-2015 Strategic Plan is the driver for this annual measure

Here is the adaptation website: http://www.epa.gov/climatechange/effects/adaptation.html

2. Data Definition and Source Reporting

2a. Original Data Source

Data will be submitted to the Office of Policy (OP) from environmental and research programs across the Agency. The data originate from each of the National Program Offices and Regional Offices; they collect the information from their program contacts.

2b. Source Data Collection

The data are submitted to the Senior Advisor for Climate Adaptation in the Office of Policy. The climate adaptation advisor will determine whether the result meets the criteria.

2c. Source Data Reporting

The Program Offices (OAR, OW, OCSPP, OSWER, OITA) and Regional Offices will contact the climate change adaptation advisor to report this information. Tracked in a spreadsheet and maintained by the Office of Policy (OP).

3. Information Systems and Data Quality Procedures

3a. Information Systems

Performance data are tracked in a spreadsheet and maintained by the Office of Policy (OP). This is source data from the Program Offices and Regional Offices, and is summed to be entered into PERS. Information system integrity standards don't apply. BAS is the final step for data entry.

3b. Data Quality Procedures

The climate adaptation advisor verifies the information with his climate change adaptation team through conversations with the Program and Regional Offices, and then has one of his staff enter the data into BAS.

3c. Data Oversight

EPA Senior Advisor for Climate Adaptation

3d. Calculation Methodology

The “scientific models/decisions support tools” measure is calculated by assigning a numeric value of one (1) to any major scientific model or decision support tool. This is an annual, not cumulative measure. A model/tool may only be counted once.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Climate Change Adaptation Science Advisor

4b. Data Limitations/Qualifications

It is difficult to firmly define when a particular scientific model or decision-support tool has been adequately integrated into an environmental management program. Whether this has adequately been done requires verification by the climate change adaptation advisor. Some programs might not be captured in this measure. The final tabulation is a conservative count of the work completed. There is no data lag. A model/tool may only be counted once.

4c. Third-Party Audits

Not applicable

Performance Data Quality Record (DQR)

NPO Name (OA) Measure AD2: Cumulative number of major rulemakings with climate sensitive, environmental impacts, and within existing authorities, that integrate climate change science data

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	1 - Address Climate Change
Sub-Objective Number and Title	1 - Address Climate Change
Strategic Target Code and Title	4 - EPA will account for climate change by integrating climate change science trend and scenario infor
Managing Office	Office of Policy

Performance Measure Term Definitions

EPA is defining a “major” rule based upon guidelines published by the Office of Management and Budget. Specifically, a major rule is one that has an annual effect on the economy of $100 million or more. Also, the term “rule” refers to a proposed rule.

Climate change data needs to be considered and integrated into the rulemaking process.

The 2011-2015 Strategic Plan is the driver for this annual measure

Here is the adaptation website: http://www.epa.gov/climatechange/effects/adaptation.html

2. Data Definition and Source Reporting

2a. Original Data Source

Data will be submitted to the Office of Policy (OP) from environmental and research programs across the Agency. The data originate from each of the National Program Offices; they collect the information from their program contacts.

2b. Source Data Collection

The data are submitted to the Senior Advisor for Climate Adaptation in the Office of Policy. The climate change advisor will determine whether the result meets the criteria.

2c. Source Data Reporting

The programs (OAR, OW, OCSPP, OSWER) will contact the climate change adaptation advisor to report this information. The information is maintained by the Office of Policy (OP)

3. Information Systems and Data Quality Procedures

3a. Information Systems

Performance data are tracked in a spreadsheet and maintained by the Office of Policy (OP). This is source data from the programs and is summed to be entered into PERS. Information system integrity standards don't apply. BAS is the final step for data entry.

3b. Data Quality Procedures

The climate change adaptation advisor verifies the information with his climate change adaptation team through conversations with the programs and then has one of his staff enter the data into BAS.

3c. Data Oversight

EPA Senior Advisor on Climate Adaptation

3d. Calculation Methodology

The “proposed rule making” measure is calculated by assigning a numeric value of one (1) to any major rule proposed. This is an annual, not cumulative measure A rule may only be counted once.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Climate Change Adaptation Science Advisor

4b. Data Limitations/Qualifications

There are different ways for accounting for climate change in a rule making process (e.g., in the rule itself; in guidance issued for implementing the rule). Where climate change has adequately been accounted for in a rule making process requires verification by the climate change adaptation advisor. Some programs might not be captured in this measure. The final tabulation is a conservative count of the work completed. There is no data lag. A rule may only be counted once.

4c. Third-Party Audits

Not applicable

Record Last Updated: 02/08/2012 09:07:47 AM

Performance Data Quality Record (DQR)

NPO Name (OA) Measure AD3: Cumulative number of major grant, loan, contract, or technical assistance agreement programs that integrate climate science data into climate sensitive projects that have an environmental outcome

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	1 - Address Climate Change
Sub-Objective Number and Title	1 - Address Climate Change
Strategic Target Code and Title	5 - EPA will build resilience to climate change by integrating considerations of climate change impacts
Managing Office	Office of Policy

Performance Measure Term Definitions

EPA will measure the amount of grants, loans, contracts, or technical assistance agreements. The term project is defined as an individual funding agreement and a program is defined as multiple projects. For example, the Great Lakes Restoration Initiative (GLRI) is a program that includes funding for grants. This EPA-led interagency initiative targets the most significant problems in the region, including invasive aquatic species, non-point source pollution, and contaminated sediment. It has outcome-oriented performance goals and measures, many of which are climate-sensitive. To ensure the overall success of the initiative, it is imperative that consideration of climate change and climate adaptation be integrated into GLRI grants and projects. Aside from GLRI, other climate-sensitive programs across the Agency include those for land revitalization and cleanup, air quality monitoring and protection, wetlands and water protection and restoration to name a few. Greenhouse gas mitigation programs and projects would not be included in this total.

Climate change data needs to be integrated into climate-sensitive projects funded through EPA grants, loans, contracts, or technical assistance agreements.

The 2011-2015 Strategic Plan is the driver for this annual measure

Here is the adaptation website: http://www.epa.gov/climatechange/effects/adaptation.html

2. Data Definition and Source Reporting

2a. Original Data Source

Data will be submitted to the Office of Policy (OP) from environmental and research programs across the Agency. The data originate from each of the National Program Offices and Regional Offices; they collect the information from their program contacts.

2b. Source Data Collection

The data are submitted to the Senior Advisor for Climate Adaptation in the Office of Policy. The data are entered into a spreadsheet. The climate change adaptation advisor will determine whether the result meets the criteria.

2c. Source Data Reporting

The Program Offices (OAR, OW, OCSPP, OSWER, OITA) and Regional Offices will contact the climate change adaptation advisor to report this information. Tracked in a spreadsheet and maintained by the Office of Policy (OP).

3. Information Systems and Data Quality Procedures

3a. Information Systems

Performance data are tracked in a spreadsheet and maintained by the Office of Policy (OP). This is source data from the Program Offices and Regional Offices, and is summed to be entered into PERS. Information system integrity standards don't apply. BAS is the final step for data entry.

3b. Data Quality Procedures

The climate change adaptation advisor verifies the information with his climate change adaptation team through conversations with the programs and then has one of his staff enter the data into BAS.

3c. Data Oversight

EPA Senior Advisor for Climate Adaptation

3d. Calculation Methodology

The “program” measure is calculated by assigning a numeric value of one (1) to any major programs that integrate climate change data. This is an annual, not cumulative measure A program may only be counted once.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Climate Change Adaptation Science Advisor

4b. Data Limitations/Qualifications

It is difficult to firmly define when climate change data have been adequately integrated into the grants, loans, contracts, or technical assistance agreements used in an environmental management program. Whether this has adequately been done requires verification by the climate change adaptation advisor. Some programs might not be captured in this measure. The final tabulation is a conservative count of the work completed. There is no data lag.A program may only be counted once.

4c. Third-Party Audits

Not applicable

Record Last Updated: 02/08/2012 09:07:47 AM

Performance Data Quality Record (DQR)

NPO Name (OAR) Measure G02: Million metric tons of carbon equivalent (mmtco2e) of greenhouse gas reductions in the buildings sector.

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	1 - Address Climate Change
Sub-Objective Number and Title	1 - Address Climate Change
Strategic Target Code and Title	2 - Additional programs from across EPA will promote practices to help Americans save energy and conserv
Managing Office	Office of Atmospheric Programs

Performance Measure Term Definitions

Carbon equivalent of Greenhouse Gas Emissions: Carbon equivalent of Greenhouse Gas Emissions: Carbon dioxide (CO2) is the base of the global warming potential (GWP) system and has a GWP of 1. All other greenhouse gases' ability to increase global warming is expressed in terms of CO2. The CO2e for a gas is derived by multiplying the tons of the gas by that gas's GWP. Commonly expressed as "million metric tons of carbon dioxide equivalents" (MMTCO2e).

Buildings Sector: The Buildings Sector includes the following Energy Star partnerships: Energy Star Labeling, Energy Star Homes, and the Energy Star Buildings programs. In the Energy Star Labeling program, the American public continues to look to ENERGY STAR as the national symbol for energy efficiency to inform purchasing choices, save money on utility bills, and protect the environment. In 2010, Americans purchased about 200 million products that had earned the ENERGY STAR across more than 60 product categories for a cumulative total of about 3.5 billion ENERGY STAR qualified products purchased since 2000. Qualified products—including appliances, heating and cooling equipment, consumer electronics, office equipment, lighting, and more—offer consumers savings of as much as 65 percent relative to standard models while providing the features and functionality consumers expect. In the Energy Star Homes program we focus on the 17 percent of the GHGs emitted in the United States that are attributed to the energy we use to heat, cool, and light our homes, as well as power the appliances and electronics in them. By making energy-efficient choices in the construction of new homes and the improvement of existing homes, American homeowners, renters, homebuilders, and home remodelers can lower household utility bills while helping to protect the environment. Through ENERGY STAR, EPA offers an array of useful tools and resources to households and the housing industry to increase the energy efficiency of the nation's housing stock. In the the Energy Star Buildings program we focus on efforts to improve energy efficiency in commercial buildings across the country by 20 percent over the next decade. Through the ENERGY STAR program, EPA is already helping the commercial building sector improve energy efficiency in the places where consumers work, play, and learn. In turn, these efforts will help create jobs, save money, reduce dependence on foreign oil, and contribute to cleaner air and the protection of people's health. These and future efficiency efforts are of critical importance, as commercial buildings are responsible for approximately 20 percent of all energy consumption in the United States.

2. Data Definition and Source Reporting

2a. Original Data Source

Carbon emissions related to baseline energy use (e.g., business-as-usual" without the impact of EPA's voluntary climate programs) comes from the Energy Information Agency (EIA) and from EPA's Integrated Planning Model (IPM) of the U.S. electric power sector. Baseline data for non-carbon dioxide (CO_2) emissions, including nitrous oxide and other high global warming potential gases, are maintained by EPA. The non-CO2 data are compiled with input from industry and also independently from partners' information.

Data collected by EPA's voluntary programs include partner reports on facility- specific improvements (e.g. space upgraded, kilowatt-hours (kWh) reduced), national market data on shipments of efficient products, and engineering measurements of equipment power levels and usage patterns.

Additional Information:
The accomplishments of many of EPA's voluntary programs are documented in the Climate Protection Partnerships Division Annual Report. The most recent version is *ENERGY STAR and Other Climate Protection Partnerships* 2008 Annual Report.
http://www.energystar.gov/ia/partners/annualreports/annual_report_2008.pdf

2b. Source Data Collection

Avoided emissions of GHGs are determined using marginal emissions factors for CO2 equivalency based on factors established as part of the U.S. government's reporting process to the UN Framework Convention on Climate Change, as well as historical emissions data from EPA's eGRID database. For future years, EPA uses factors derived from energy efficiency scenario runs of the integrated utility dispatch model, Integrated Planning Model (IPM®).

2c. Source Data Reporting

Carbon emissions related to baseline energy use (e.g., business-as-usual" without the impact of EPA's voluntary climate programs) comes from the Energy Information Agency (EIA) and from EPA's Integrated Planning Model (IPM) of the U.S. electric power sector. Baseline data for non-carbon dioxide (CO_2) emissions, including nitrous oxide and other high global warming potential gases, are maintained by EPA. The non-CO2 data are compiled with input from industry and also independently from partners' information.

Data collected by EPA's voluntary programs include partner reports on facility- specific improvements (e.g. space upgraded, kilowatt-hours (kWh) reduced), national market data on shipments of efficient products, and engineering measurements of equipment power levels and usage patterns.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Climate Protection Partnerships Division Tracking System. The tracking system's primary purpose is to maintain a record of the annual greenhouse gas emissions reduction goals and accomplishments for the voluntary climate program using information from partners and other sources.

The Climate Protection Partnerships Division Tracking System contains transformed data.

The Climate Protection Partnerships Division Tracking System meets relevant EPA standards for information system integrity.

3b. Data Quality Procedures

ENERGY STAR program procedures for oversight, review and quality assurance include the following. To participate, product manufacturers and retailers enter into formal partnership agreements with the government and agree to adhere to the ENERGY STAR Identity Guidelines, which describe how the ENERGY STAR name and mark may be used. EPA continually monitors the use of the brand

in trade media, advertisements, and stores and on the Internet. The Agency also conducts biannual onsite store-level assessments of ENERGY STAR qualified products on the stores' shelves to ensure the products are presented properly to consumers. To ensure that ENERGY STAR remains a trusted symbol for environmental protection through superior efficiency, EPA completed comprehensive enhancements of the product qualification and verification processes. Third-party certification of ENERGY STAR products went into effect, as scheduled, on January 1, 2011. Before a product can be labeled with the ENERGY STAR under the new requirements, its performance must be certified by an EPA-recognized third party based on testing in an EPA-recognized lab. In addition, ENERGY STAR manufacturer partners must participate in verification testing programs run by the approved certification bodies. By the end of 2010, EPA had recognized 21 accreditation bodies, 132 laboratories, and 15 certification bodies.
Enforcing proper use of the ENERGY STAR mark is essential to maintaining the integrity of the program. As the result of multiple off-the-shelf testing efforts, EPA disqualified 17 products from the ENERGY STAR program in 2010 for failure to meet performance standards. Manufacturers of those products were required to discontinue use of the label and take additional steps to limit product exposure in the market. In an effort to ensure fair and consistent commitment among ENERGY STAR partners, EPA also took steps this year to suspend the partner status of manufacturers failing to comply with program requirements.

Peer-reviewed carbon-conversion factors are used to ensure consistency with generally accepted measures of greenhouse gas (GHG) emissions, and peer-reviewed methodologies are used to calculate GHG reductions from these programs.

3c. Data Oversight

The Energy Star Labeling Branch is responsible for overseeing (1) source data reporting and (2) the information systems utilized in producing the performance result for the Energy Star Labeling program. The Energy Star Residential Branch is responsible for overseeing (1) source data reporting and (2) the information systems utilized in producing the performance result for the Energy Star Homes program. The Energy Star Commercial & Industrial Branch is responsible for overseeing (1) source data reporting and (2) the information systems utilized in producing the performance result for the Energy Star Commercial Buildings program.

3d. Calculation Methodology

Explanation of Assumptions: Most of the voluntary climate programs' focus is on energy efficiency. For these programs, EPA estimates the expected reduction in electricity consumption in kilowatt-hours (kWh). Emissions prevented are calculated as the product of the kWh of electricity saved and an annual emission factor (e.g., metric tons carbon equivalent (MMTCE) prevented per kWh). Other programs focus on directly lowering greenhouse gas emissions (e.g., non-CO2 Partnership programs, Landfill Methane Outreach, and Coalbed Methane Outreach); for these, greenhouse gas emission reductions are estimated on a project-by-project basis.

Explanation of the Calculations: The Integrated Planning Model, used to develop baseline data for carbon emissions, is an important analytical tool for evaluating emission scenarios affecting the U.S. power sector.

Baseline information is discussed at length in the U.S. Climate Action Report 2002. The report includes a complete chapter dedicated to the U.S. greenhouse gas inventory (sources, industries, emissions, volumes, changes, trends, etc.). A second chapter addresses projected greenhouse gases in the future (model assumptions, growth, sources, gases, sectors, etc.) Please see http://www.gcrio.org/CAR2002 and www.epa.gov/globalwarming/publications/car/index.html

Unit of Measure: Million metric tons of carbon equivalent (MMTE) of greenhouse gas emissions

Additional information:

The IPM has an approved quality assurance project plan that is available from EPA's program office.

Background information on the IPM can be found on the website for EPA's Council for Regulatory Environmental Modeling: http://cfpub.epa.gov/crem/knowledge_base/crem_report.cfm?deid=74919

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Branch Chief, Energy Star Labeling Branch is responsible for the Energy Star Labeling program.
Branch Chief, Energy Star Residential Branch is responsible for the Energy Star Homes program.
Branch Chief, Energy Star Commercial & Industrial Branch is responsible for the Energy Star Commercial Buildings program.

4b. Data Limitations/Qualifications

These are indirect measures of GHG emissions (carbon conversion factors and methods to convert material-specific reductions to GHG emissions reductions). Although EPA devotes considerable effort to obtaining the best possible information on which to evaluate emissions reductions from its voluntary programs, errors in the performance data could be introduced through uncertainties in carbon conversion factors, engineering analyses, and econometric analyses. Comprehensive documentation regarding the IPM and uncertainties associated with it can be found at the IPM website: http://www.epa.gov/airmarkets/progsregs/epa-ipm/.
Also, the voluntary nature of the programs may affect reporting.

4c. Third-Party Audits

The Administration regularly evaluates the effectiveness of its climate programs through interagency evaluations. The second such interagency evaluation, led by the White House Council on Environmental Quality, examined the status of U.S. climate change programs. The review included participants from EPA and the Departments of State, Energy, Commerce, Transportation, and Agriculture. The results were published in the *U.S. Climate Action Report-2002* as part of the United States' submission to the Framework Convention on Climate Change (FCCC). The previous evaluation was published in the *U.S. Climate Action Report-1997* . A 1997 audit by EPA's Office of the Inspector General concluded that the climate programs examined "used good management practices" and "effectively estimated the impact their activities had on reducing risks to health and the environment..."

Record Last Updated: 02/08/2012 09:06:26 AM

Performance Data Quality Record (DQR)

NPO Name (OAR) Measure G16: Million metric tons of carbon equivalent (mmtco2e) of greenhouse gas reductions in the industry sector.

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	1 - Address Climate Change
Sub-Objective Number and Title	1 - Address Climate Change
Strategic Target Code and Title	2 - Additional programs from across EPA will promote practices to help Americans save energy and conserv
Managing Office	Office of Atmospheric Programs

Performance Measure Term Definitions

Carbon equivalent of Greenhouse Gas Emissions: Carbon dioxide (CO2) is the base of the global warming potential (GWP) system and has a GWP of 1. All other greenhouse gases' ability to increase global warming is expressed in terms of CO2. The CO2e for a gas is derived by multiplying the tons of the gas by that gas's GWP. Commonly expressed as "million metric tons of carbon dioxide equivalents" (MMTCO2e).

Industry Sector: The industrial sector is an important part of the U.S. economy: manufacturing goods valued at nearly $5.5 trillion, contributing over 11 percent to the U.S. GDP, and providing more than 12.7 million jobs paying an average of $47,500 annually. The industrial sector also generates more than a quarter of the nation's annual GHG emissions. Through EPA's voluntary programs, EPA enables the industrial sector to cost-effectively reduce GHG emissions.

2. Data Definition and Source Reporting

2a. Original Data Source

Carbon emissions related to baseline energy use (e.g., business-as-usual" without the impact of EPA's voluntary climate programs) comes from the Energy Information Agency (EIA) and from EPA's Integrated Planning Model (IPM) of the U.S. electric power sector. Baseline data for non-carbon dioxide (CO_2) emissions, including nitrous oxide and other high global warming potential gases, are maintained by EPA. The non-CO2 data are compiled with input from industry and also independently from partners' information.

Data collected by EPA's voluntary programs include partner reports on facility- specific improvements (e.g. space upgraded, kilowatt-hours (kWh) reduced), national market data on shipments of efficient products, and engineering measurements of equipment power levels and usage patterns.

Additional Information:
The accomplishments of many of EPA's voluntary programs are documented in the Climate Protection Partnerships Division Annual Report. The most recent version is *ENERGY STAR and Other Climate Protection Partnerships* 2008 Annual Report.
http://www.energystar.gov/ia/partners/annualreports/annual_report_2008.pdf

2b. Source Data Collection

See Section 3b

2c. Source Data Reporting

See Section 3b

3. Information Systems and Data Quality Procedures

3a. Information Systems

Climate Protection Partnerships Division Tracking System. The tracking system's primary purpose is to maintain a record of the annual greenhouse gas emissions reduction goals and accomplishments for the voluntary climate program using information from partners and other sources.

The Climate Protection Partnerships Division Tracking System contains transformed data.

The Climate Protection Partnerships Division Tracking System meets relevant EPA standards for information system integrity.

3b. Data Quality Procedures

The Industry sector includes a variety of programs. Data Quality procedures vary by program as follows:

The Combined Heat and Power (CHP) Partnership Partnership dismantles the market barriers stifling investment in environmentally beneficial CHP projects. Program partners such as project owners voluntarily provide project-specific information on newly operational CHP projects to EPA. These data are screened and any issues resolved. Energy savings are determined on a project-by-project basis, based on fuel type, system capacity, and operational profile. Estimates of the use of fossil and renewable fuels are developed, as well as the efficiency of thermal and electrical use or generation, as appropriate. Emissions reductions are calculated on a project-by-project basis to reflect the greater efficiency of onsite CHP. Avoided emissions of GHGs from more efficient energy generation are determined using marginal emissions factors derived from energy efficiency scenario runs of IPM, and displaced emissions from boiler-produced thermal energy are developed through engineering estimates. In addition, emissions reductions may include avoided transmission and distribution losses, as appropriate. Only the emissions reductions from projects that meet the assistance criteria for the program are included in the program benefit estimates. EPA also addresses the potential for double counting benefits between this and other partnerships by having program staff meet annually to identify and resolve any overlap issues.

The Green Power Partnership boosts supply of clean energy by helping U.S. organizations purchase electricity from eligible renewable generation sources. As a condition of partnership, program partners submit data annually on their purchases of qualifying green power products. These data are screened and any issues resolved. Avoided emissions of GHGs are determined using marginal emissions factors for CO2 derived from scenario runs of IPM. The potential for double counting, such as counting green power purchases that may be required as part of a renewable portfolio standard or may rely on resources that are already part of the system mix, is addressed through a partnership requirement that green power purchases be incremental to what is already required. EPA estimates that the vast majority of the green power purchases made by program partners are due to the partnership, as partners comply with aggressive green power procurement requirements (usually at incremental cost) to remain in the program. Further, EPA estimates that its efforts to foster a growing voluntary green power market have likely led to additional voluntary green power purchases that have not been reported through the program.

EPA's methane programs facilitate recovering methane from landfills, natural gas extraction systems, agriculture, and coal mines, as well as using methane as a clean energy resource. The expenditures used in the program analyses include the capital costs agreed to by partners to bring projects into compliance with program specifications and any additional operating costs engendered by program participation.

Within the Natural Gas STAR Program, as a condition of partnership, program partners submit implementation plans to EPA describing the emissions reduction practices they plan to implement and evaluate. In addition, partners submit progress reports detailing specific emissions reduction activities and accomplishments each year. EPA does not attribute all reported emissions reductions to Natural Gas STAR. Partners may only include actions that were undertaken voluntarily, not those reductions attributable to compliance with existing regulations. Emissions reductions are estimated by the partners either from direct before-and-after measurements or by applying peer-reviewed emissions reduction factors.

Within the Landfill Methane Outreach Program, EPA maintains a comprehensive database of the operational data on landfills and landfill gas energy projects in the United States. The data are updated frequently based on information submitted by industry, the Landfill Methane Outreach Program's (LMOP's) outreach efforts, and other sources. Reductions of methane that are the result of compliance with EPA's air regulations are not included in the program estimates. In addition, only the emissions reductions from projects that meet the LMOP assistance criteria are included in the program benefit estimates. EPA uses emissions factors that are appropriate to the project. The factors are based on research, discussions with experts in the landfill gas industry, and published references.

Within the Coalbed Methane Outreach Program, through collaboration with the U.S. Mine Safety & Health Administration, state oil and gas commissions, and the mining companies themselves, EPA collects mine-specific data annually and estimates the total methane emitted from the mines and the quantity of gas recovered and used. There are no regulatory requirements for recovering and using CMM; such efforts are entirely voluntary. EPA estimates CMM recovery attributable to its program activities on a mine-specific basis, based on the program's interaction with each mine.

Within the Voluntary Aluminum Industry Partnership program, VAIP partners agree to report aluminum production and anode effect frequency and duration in order to estimate annual FGHG emissions. Reductions are calculated by comparing current emissions to a BAU baseline that uses the industry's 1990 emissions rate. Changes in the emissions rate (per ton production) are used to estimate the annual GHG emissions and reductions that are a result of the program. The aluminum industry began making significant efforts to reduce FGHG emissions as a direct result of EPA's climate partnership program. Therefore, all reductions achieved by partners are assumed to be the result of the program.

Within the HFC-23 Emission Reduction Program, program partners report HCFC-22 production and HFC-23 emissions to a third party that aggregates the estimates and submits the total estimates for the previous year to EPA. Reductions are calculated by comparing current emissions to a BAU baseline that uses the industry's 1990 emissions rate. Changes in the emissions rate are used to estimate the annual GHG emissions and reductions that are a consequence of the program. Subsequent to a series of meetings with EPA, industry began making significant efforts to reduce HFC-23 emissions. All U.S. producers participate in the program; therefore, all reductions achieved by manufacturers are assumed to be the result of the program.

EPA's Environmental Stewardship Programs include the FGHG Partnership for the Semiconductor Industry and the SF6 Partnerships for Electric Power Systems and Magnesium Industries. Partners report emissions and emissions reductions based on jointly developed estimation methods and reporting protocols. Data collection methods are sector specific, and data are submitted to EPA either directly or through a designated third party. Reductions are calculated by comparing current emissions to a BAU baseline, using industry-wide or company-specific emissions rates in a base year. The reductions in emissions rates are used to calculate the overall GHG emissions reductions from the program. The share of the reductions attributable to EPA's programs is identified based on a detailed review of program activities and industry-specific information.

Within the Responsible Appliance Disposal (RAD) Program, as a condition of partnership, RAD partners submit annual data to EPA on their achievements. Submitted data includes the number and type of appliances collected and processed as well as the quantity and fate of the individual components. GHG reductions are calculated by measuring the emissions avoided by recovering refrigerant, foam blowing agents, and recycling durable components in addition to the energy savings from early appliance retirement from utility programs.

Within the GreenChill Partnership, partner emissions reductions are calculated both year-to-year and aggregate. Partners set annual refrigerant emissions reduction goals and submit refrigerant management plans to detail their reduction initiatives.

Peer-reviewed carbon-conversion factors are used to ensure consistency with generally accepted measures of greenhouse gas (GHG) emissions, and peer-reviewed methodologies are used to calculate GHG reductions from these programs.

3c. Data Oversight

The Non-CO2 Program Branch is responsible for overseeing (1) source data reporting and (2) the information systems utilized in producing the performance result for Methane Programs and the Voluntary Aluminum Industry Partnership program.
The Energy Supply & Industry Branch is responsible for overseeing (1) source data reporting and (2) the information systems utilized in producing the performance result for the Combined Heat and Power and Green Power Partnership programs.
The Alternatives and Emissions Reduction Branch is responsible for overseeing (1) source data reporting and (2) the information systems utilized in producing the performance result for the GreenChill Partnership, the Responsible Appliance Disposal, and the HFC-23 Emission Reduction Program.

3d. Calculation Methodology

Explanation of Assumptions: Most of the voluntary climate programs' focus is on energy efficiency. For these programs, EPA estimates the expected reduction in electricity consumption in kilowatt-hours (kWh). Emissions prevented are calculated as the product of the kWh of electricity saved and an annual emission factor (e.g., metric tons carbon equivalent (MMTCE) prevented per kWh). Other programs focus on directly lowering greenhouse gas emissions (e.g., non-CO2 Partnership programs, Landfill Methane Outreach, and Coalbed Methane Outreach); for these, greenhouse gas emission reductions are estimated on a project-by-project basis.

Explanation of the Calculations: The Integrated Planning Model, used to develop baseline data for carbon emissions, is an important analytical tool for evaluating emission scenarios affecting the U.S. power sector.

Baseline information is discussed at length in the U.S. Climate Action Report 2002. The report includes a complete chapter dedicated to the U.S. greenhouse gas inventory (sources, industries, emissions, volumes, changes, trends, etc.). A second chapter addresses projected greenhouse gases in the future (model assumptions, growth, sources, gases, sectors, etc.) Please see http://www.gcrio.org/CAR2002 and www.epa.gov/globalwarming/publications/car/index.html

Unit of Measure: Million metric tons of carbon equivalent (MMTE) of greenhouse gas emissions

Additional information:

The IPM has an approved quality assurance project plan that is available from EPA's program office.

Background information on the IPM can be found on the website for EPA's Council for Regulatory Environmental Modeling: http://cfpub.epa.gov/crem/knowledge_base/crem_report.cfm?deid=74919

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Branch Chief, Non-CO2 Program Branch is responsible for overseeing final reporting for Methane Programs and the Voluntary Aluminum Industry Partnership program.

Branch Chief, Energy Supply & Industry Branch is responsible for overseeing final reporting for the Combined Heat and Power and Green Power Partnership programs.

Branch Chief, Alternatives and Emissions Reduction Branch is responsible for overseeing final reporting for the GreenChill Partnership, the Responsible Appliance Disposal, and the HFC-23 Emission Reduction Program.

4b. Data Limitations/Qualifications

These are indirect measures of GHG emissions (carbon conversion factors and methods to convert material-specific reductions to GHG emissions reductions). Although EPA devotes considerable effort to obtaining the best possible information on which to evaluate emissions reductions from its voluntary programs, errors in the performance data could be introduced through uncertainties in carbon conversion factors, engineering analyses, and econometric analyses. Comprehensive documentation regarding the IPM and uncertainties associated with it can be found at the IPM website: http://www.epa.gov/airmarkets/progsregs/epa-ipm/. Also, the voluntary nature of the programs may affect reporting.

4c. Third-Party Audits

The Administration regularly evaluates the effectiveness of its climate programs through interagency evaluations. The second such interagency evaluation, led by the White House Council on Environmental Quality, examined the status of U.S. climate change programs. The review included participants from EPA and the Departments of State, Energy, Commerce, Transportation, and Agriculture. The results were published in the *U.S. Climate Action Report-2002* as part of the United States' submission to the Framework Convention on Climate Change (FCCC). The previous evaluation was published in the *U.S. Climate Action Report-1997* . A 1997 audit by EPA's Office of the Inspector General concluded that the climate programs examined "used good management practices" and "effectively estimated the impact their activities had on reducing risks to health and the environment..."

Record Last Updated: 02/08/2012 09:06:26 AM

Performance Data Quality Record (DQR)

NPO Name (OAR) Measure G06: Million metric tons of carbon equivalent (mmtco2e) of greenhouse gas reductions in the transportation sector.

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	1 - Address Climate Change
Sub-Objective Number and Title	1 - Address Climate Change
Strategic Target Code and Title	2 - Additional programs from across EPA will promote practices to help Americans save energy and conserv
Managing Office	Office of Transportation and Air Quality

Performance Measure Term Definitions

Carbon equivalent of Greenhouse Gas Emissions: Carbon dioxide (CO2) is the base of the global warming potential (GWP) system and has a GWP of 1. All other greenhouse gases' ability to increase global warming is expressed in terms of CO2. The CO2e for a gas is derived by multiplying the tons of the gas by that gas's GWP. Commonly expressed as "million metric tons of carbon dioxide equivalents" (MMTCO2e)

Transportation Sector: Mobile Sources

2. Data Definition and Source Reporting

2a. Original Data Source

Carbon emissions related to baseline energy use (e.g., business-as-usual" without the impact of EPA's voluntary climate programs) comes from the Energy Information Agency (EIA) and from EPA's Integrated Planning Model (IPM) of the U.S. electric power sector. Baseline data for non-carbon dioxide (CO_2) emissions, including nitrous oxide and other high global warming potential gases, are maintained by EPA. The non-CO2 data are compiled with input from industry and also independently from partners' information.

Data collected by EPA's voluntary programs include partner reports on facility- specific improvements (e.g. space upgraded, kilowatt-hours (kWh) reduced), national market data on shipments of efficient products, and engineering measurements of equipment power levels and usage patterns.

Additional Information:
The accomplishments of many of EPA's voluntary programs are documented in the Climate Protection Partnerships Division Annual Report. The most recent version is *ENERGY STAR and Other Climate Protection Partnerships* 2008 Annual Report.
http://www.energystar.gov/ia/partners/annualreports/annual_report_2008.pdf

2b. Source Data Collection

Partners provide information on freight transportation activity. Data Collection is ongoing, as new partners join and existing partners are retained.

2c. Source Data Reporting

Data is submitted through the use of EPA-provided assessment tools. Data is submitted annually and entered into a program data base.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Climate Protection Partnerships Division Tracking System. The tracking system's primary purpose is to maintain a record of the annual greenhouse gas emissions reduction goals and accomplishments for the voluntary climate program using information from partners and other sources.

The data base contains source data from partners.

3b. Data Quality Procedures

Partners do contribute *actual* emissions data biannually after their facility-specific improvements but these emissions data are not used in tracking the performance measure. EPA, however, validates the estimates of greenhouse gas reductions based on the actual emissions data received.

For transportation emissions, data is calculated from operation activity (fuel use, miles driven, etc). Partner activity metrics were developed and peer reviewed according to EPA peer review requirements. Peer-reviewed carbon-conversion factors are used to ensure consistency with generally accepted measures of greenhouse gas (GHG) emissions, and peer-reviewed methodologies are used to calculate GHG reductions from these programs.

3c. Data Oversight

Supervisory EPS, Transportation and Climate Division (TCD) is program manager, with overall oversight responsibility.
Environmental Scientist, TCD is responsible for maintaining data results and program goals and results.
Environmental Engineer, TCD is responsible for maintaining the information systems (partner forms and data base.)

3d. Calculation Methodology

Explanation of Assumptions: Most of the voluntary climate programs' focus is on energy efficiency. For these programs, EPA estimates the expected reduction in electricity consumption in kilowatt-hours (kWh). Emissions prevented are calculated as the product of the kWh of electricity saved and an annual emission factor (e.g., metric tons carbon equivalent (MMTCE) prevented per kWh). Other programs focus on directly lowering greenhouse gas emissions (e.g., non-CO2 Partnership programs, Landfill Methane Outreach, and Coalbed Methane Outreach); for these, greenhouse gas emission reductions are estimated on a project-by-project basis. Other programs focused on transportation (e.g., SmartWay) calculate emissions reductions as the product of fuel saved and an annual emission factor (e.g., metric tons carbon equivalent (MMTCE) prevented per gallon of fuel saved).

Explanation of the Calculations: The Integrated Planning Model, used to develop baseline data for carbon emissions, is an important analytical tool for evaluating emission scenarios affecting the U.S. power sector.

Baseline information is discussed at length in the U.S. Climate Action Report 2002. The report includes a complete chapter dedicated to the U.S. greenhouse gas inventory (sources, industries, emissions, volumes, changes, trends, etc.). A second chapter addresses projected greenhouse gases in the future (model assumptions, growth, sources, gases, sectors, etc.) Please see http://www.gcrio.org/CAR2002 and www.epa.gov/globalwarming/publications/car/index.html

Unit of Measure: Million metric tons of carbon equivalent (MMTE) of greenhouse gas emissions

Additional information:

The IPM has an approved quality assurance project plan that is available from EPA's program office.

Background information on the IPM can be found on the website for EPA's Council for Regulatory Environmental Modeling: http://cfpub.epa.gov/crem/knowledge_base/crem_report.cfm?deid=74919

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Program Analyst, Planning & Budget Office, Office of Transportation and Air Quality oversees the reporting process.

4b. Data Limitations/Qualifications

These are indirect measures of GHG emissions (carbon conversion factors and methods to convert material-specific reductions to GHG emissions reductions). Although EPA devotes considerable effort to obtaining the best possible information on which to evaluate emissions reductions from its voluntary programs, errors in the performance data could be introduced through uncertainties in carbon conversion factors, engineering analyses, and econometric analyses. Comprehensive documentation regarding the IPM and uncertainties associated with it can be found at the IPM website: http://www.epa.gov/airmarkets/progsregs/epa-ipm/. Also, the voluntary nature of the programs may affect reporting.

4c. Third-Party Audits

The Administration regularly evaluates the effectiveness of its climate programs through interagency evaluations. The second such interagency evaluation, led by the White House Council on Environmental Quality, examined the status of U.S. climate change programs. The review included participants from EPA and the Departments of State, Energy, Commerce, Transportation, and Agriculture. The results were published in the *U.S. Climate Action Report-2002* as part of the United States' submission to the Framework Convention on Climate Change (FCCC). The previous evaluation was published in the *U.S. Climate Action Report-1997* . A 1997 audit by EPA's Office of the Inspector General concluded that the climate programs examined "used good management practices" and "effectively estimated the impact their activities had on reducing risks to health and the environment..."

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Performance Data Quality Record (DQR)

NPO Name (OAR) Measure 001: Cumulative percentage reduction in tons of toxicity-weighted (for cancer risk) emissions of air toxics from 1993 baseline.

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	2 - Improve Air Quality
Sub-Objective Number and Title	2 - Reduce Air Toxics
Strategic Target Code and Title	1 - By 2015, reduce toxicity-weighted (for cancer) emissions of air toxics
Managing Office	Office of Air Quality Planning and Standards

Performance Measure Term Definitions

Toxicity-weighted emissions: Toxicity-weighted emissions are an approach to normalize the mass of the HAP release (in tons per year) by a toxicity factor. The toxicity factors are based on either the HAPs cancer potency or noncancer potency. The more toxic the HAP the more "weight" it receives.

Air toxics: Air toxics, also known as hazardous air pollutants, are those pollutants emitted into the air that are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. As defined by the Section 112 of the Clean Air Act; the EPA currently regulates 187 air toxics released into the environment

Cancer risk: The probability of contracting cancer over the course of a lifetime (assumed to be 70 years for the purposes of most risk characterization). A risk level of "N" in a million implies a likelihood that up to "N" people, out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the specific concentration over 70 years (an assumed lifetime). This risk would be an excess cancer risk that is in addition to any cancer risk borne by a person not exposed to these air toxics.

2. Data Definition and Source Reporting

2a. Original Data Source

Emissions inventories are from many primary sources.

The baseline National Toxics Inventory (for base years 1990 - 1993) is based on data collected during the development of Maximum Achievable Control Technology (MACT) standards, state and local data, Toxics Release Inventory (TRI) data, and emissions estimates using accepted emission inventory methodologies.

The primary source of data in the 1996 and 1999 toxics emissions inventories are state and local air pollution control agencies and Tribes. These data vary in completeness, format, and quality. EPA evaluates these data and supplements them with data gathered while developing Maximum Achievable Control Technology (MACT) and residual risk standards, industry data, and Toxics Release Inventory data.

The health risk data were obtained from various data sources including EPA, the U.S. Agency for Toxic Substances and Disease Registry, California Environmental Protection Agency, and the International Agency for Research on Cancer. The numbers from the health risk database are used for estimating the risk of contracting cancer and the level of hazard associated with adverse health effects other than cancer.

2b. Source Data Collection

Source Data Collection Methods: Field monitoring; estimation

Date/time intervals covered by source data: Each inventory year provides an annual emissions sum for that year

EPA QA requirements/guidance governing collection: The overarching QA requirements and guidance are covered in the OAQPS Quality Assurance Project Plan [insert reference].

EPA's uniform data standards relevant to the NEI for HAPs are the: SIC/NAICS, Latitude/Longitude, Chemical Identification, Facility Identification, Date, Tribal and Contact Data Standards.

For more information on compliance of the NEI for HAPs with EPA's Information Quality Guidelines and new EPA data standards, please refer to the following web site for a paper presented at the 2003 Emission Inventory Conference in San Diego. "The Challenge of Meeting New EPA Data Standards and Information Quality Guidelines in the Development of the 2002 NEI Point Source Data for HAPs", Anne Pope, et al. www.epa.gov/ttn/chief/conference/ei12/dm/pope.pdf.

Geographical Extent of Source Data: National

Spatial Detail Covered By the Source Data: 2002 and2005 NEI data—by facility address. Earlier—by county

Emissions Data: The National Emissions Inventory (NEI) for Hazardous Air Pollutants (HAPs) includes emissions from large and small industrial sources inventoried as point sources, smaller stationary area and other sources, such as fires inventoried as non-point sources, and mobile sources.

Prior to the 1999 NEI for HAPs, there was the National Toxics Inventory (NTI). The baseline NTI (for base years 1990 - 1993) includes emissions information for 188 hazardous air pollutants from more than 900 stationary sources and from mobile sources. The baseline NTI contains county level emissions data and cannot be used for modeling because it does not contain facility specific data.

The 2002 NEI and a slightly modified/updated 2005 NEI for HAPs contain stationary and mobile source estimates. These inventories also contain estimates of facility-specific HAP emissions and their source specific parameters such as location (latitude and longitude) and facility characteristics (stack height, exit velocity, temperature, etc.). Furthermore for 2005, a 2005 inventory was developed for the National Air Toxics Assessment (NATA) http://www.epa.gov/nata2005/, which provides the most updated source of air toxics emissions for 2005.

The 2008 NEI contains HAP emissions reported by state, local, and tribal agencies as well as data from the 2008 TRI and EPA data developed as part of MACT regulation development. Detailed documentation including QA procedures is underdevelopment as of January, 2012.

Information on EPA's Health Criteria Data for Risk Characterization:
http://www.epa.gov/ttn/atw/toxsource/summary.html
Contents: Tabulated dose response values for long-term (chronic) inhalation and oral exposures; and values for short term (acute) inhalation exposure

EPA's Health Criteria Data for Risk Characterization is a compendium of cancer and noncancer health risk criteria used to develop a risk metric. This compendium includes tabulated values for long-term (chronic) inhalation for many of the 188 hazardous air pollutants.

Audience: Public

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: During the development of the 1999 National Emission Inventory (NEI) for Hazardous Air Pollutants (HAPs), all primary data submitters and reviewers were required to submit their data and revisions to EPA in a standardized format using the Agency's Central Data Exchange (CDX). For more information on CDX, please go the following web site: www.epa.gov/ttn/chief/nif/cdx.html.

This approach was also used for the 2002 and 2005 NEI. Starting with the 2008 NEI, a new CDX-based mechanism was used called the Emissions Inventory System (EIS). http://www.epa.gov/ttn/chief/eis/gateway/index.html. The data are transmitted automatically through CDX into the EIS data system.

Timing and frequency of reporting: Other [NEI data are calculated every 3 years]

3. Information Systems and Data Quality Procedures

3a. Information Systems

The NEI data and documentation are available at the following sites:

Emissions Inventory System (EIS): http://www.epa.gov/ttn/chief/eis/gateway/index.html
Available inventories: 2002 NEI, 2005 NEI, 2008 NEI
Contents: Detailed raw final inventories
Audience: EPA staff and state/local/tribal reporting agencies

The EIS is the interface for state, local, and tribal agencies to upload their emissions inventory data. It works using the Central Data Exchange (CDX) network to directly transfer data from external agencies to EPA. EIS also allows EPA inventory development staff to upload data to augment inventories, particularly for HAP emissions, which the states are not required to submit to EPA. EIS includes a "Quality Assurance Environment" that allows states to quality assure their data before submitting to EPA. During this phase of use, EIS runs hundreds of quality assurance checks on the data to ensure that the format (e.g., required data fields) and content (e.g., data codes, range checks) of the data are valid. After using the QA environment, states submit using the production environment, which also runs the QA checks. EIS further allows reporting agencies to make changes as needed to correct any data that passed the QA checks but is not correct. EIS allows both data submitters and all EPA staff to view the data. EIS reports facilitate the QA and augmentation of the data by EPA inventory preparation staff. EIS facilitates EPA's automatic compilation of all agency data and EPA data using a hierarchical selection process, but which EPA staff define the order of precedence for using datasets when multiple emissions values exist from more than one group (for example, state data versus EPA estimated data).

Clearinghouse for Inventories and Emission Factors (CHIEF):
-Contents: Modeling data files for each state, summary data files for the nation, documentation, and README file
-Audience: State/local/Tribal agencies, industry, EPA, and the public.
-1999 NEI: http://www.epa.gov/ttn/chief/net/1999inventory.html
Contents: 1999 NEI for HAPs data development materials;
1999 Data Incorporation Plan - describes how EPA compiled the 1999 NEI for HAPs; QC tool for data submitters; Data Augmentation Memo describes procedures EPA will use to augment data; 99 NTI Q's and A's provides answers to frequently asked questions; NIF (Input Format) files and descriptions; CDX Data Submittal Procedures - instructions on how to submit data using CDX; Training materials on development of HAP emission inventories; and Emission factor documents, databases, and models.
-2002 NEI: http://www.epa.gov/ttn/chief/net/2002inventory.html#inventorydata
-2005 NEI: http://www.epa.gov/ttn/chief/net/2005inventory.html#inventorydata
-2005 NATA: http://www.epa.gov/ttn/atw/nata2005/methods.html#emissions
-2008 NEI: http://www.epa.gov/ttn/chief/net/2008inventory.html

Additional information:

3b. Data Quality Procedures

Starting with the 2008 NEI, EPA has used the Emissions Inventory System (EIS) for collecting and compiling the National Emissions Inventory (NEI). EIS includes a "Quality Assurance Environment" that allows states to quality assure their data before submitting to EPA. During this phase of use, EIS runs hundreds of quality assurance checks (~650 as of January 2012) on the data to ensure that the format (e.g., required data fields) and content (e.g., data codes, emissions range checks, duplicate prevention) of the data are valid. After using the QA environment, states submit using the production environment, which also runs the QA checks. QA checks are partly documented in Appendix 5 of the 2008 NEI Implementation Plan available at http://www.epa.gov/ttn/chief/net/neip/index.html and fully documented on the EIS gateway at https://eis.epa.gov/eis-system-web/content/qaCheck/search.html. Data submitters are given feedback reports containing errors for missed requirements and warnings for non-required checks, such as emissions range checks. After data are compiled, EPA inventory preparation staff perform numerous procedures on the data that are not yet automated. In many cases, EPA further consulted with the data external data providers to obtain revised data submissions to correct issues identified. These checks and data improvements included:

- Comparison to past inventories including 2005 NATA to identify missing data (facilities, pollutants), particularly for facilities identified in past efforts as high risk
- Comparison of latitude longitude locations to county boundaries
- Augmentation of HAP emissions data with TRI
- Augmentation of HAP emissions data using emission factor ratios
- Augmentation of HAP emissions with EPA data developed for MACT and RTR standards
- Outlier analysis

Detailed documentation including QA procedures is underdevelopment as of January, 2012.

Prior to 2008, EIS was unavailable and so many of the data techniques used by EIS were done in a more manual fashion. The EPA performed extensive quality assurance/quality control (QA/QC) activities, including checking data provided by other organizations to improve the quality of the emission inventory. Some of these activities include: (1) the use of an automated format QC tool to identify potential errors of data integrity, code values, and range checks; (2) use of geographical information system (GIS) tools to verify facility locations; and (3) automated content analysis by pollutant, source category and facility to identify potential problems with emission

estimates such as outliers, duplicate sites, duplicate emissions, coverage of a source category, etc. The content analysis includes a variety of comparative and statistical analyses. The comparative analyses help reviewers prioritize which source categories and pollutants to review in more detail based on comparisons using current inventory data and prior inventories. The statistical analyses help reviewers identify potential outliers by providing the minimum, maximum, average, standard deviation, and selected percentile values based on current data. Documentation on procedures used prior to 2008 is most readily available in the documentation for the 2002 NEI, available at http://www.epa.gov/ttn/chief/net/2002inventory.html.

The NTI database contains data fields that indicate if a field has been augmented and identifies the augmentation method. After performing the content analysis, the EPA contacts data providers to reconcile potential errors. The draft NTI is posted for external review and includes a README file, with instructions on review of data and submission of revisions, state-by-state modeling files with all modeled data fields, and summary files to assist in the review of the data. One of the summary files includes a comparison of point source data submitted by different organizations. During the external review of the data, state and local agencies, Tribes, and industry provide external QA of the inventory. The EPA evaluates proposed revisions from external reviewers and prepares memos for individual reviewers documenting incorporation of revisions and explanations if revisions were not incorporated. All revisions are tracked in the database with the source of original data and sources of subsequent revision.

The external QA and the internal QC of the inventory have resulted in significant changes in the initial emission estimates, as seen by comparison of the initial draft NEI for HAPs and its final version. For more information on QA/QC of the NEI for HAPs, please refer to the following web site for a paper presented at the 2002 Emission Inventory Conference in Atlanta: "QA/QC - An Integral Step in the Development of the 1999 National Emission Inventory for HAPs", Anne Pope, et al. www.epa.gov/ttn/chief/conference/ei11/qa/pope.pdf

The tables used in the EPA's Health Criteria Data for Risk Characterization (found at www.epa.gov/ttn/atw/toxsource/summary.html) are compiled assessments from various sources for many of the 188 substances listed as hazardous air pollutants under the Clean Air Act of 1990. The data are reviewed to make sure they support hazard identification and dose-response assessment for chronic exposures as defined in the National Academy of Sciences (NAS) risk assessment paradigm (www.epa.gov/ttn/atw/toxsource/paradigm.html). Because the health criteria data were obtained from various sources they are prioritized for use (in developing the performance measure, for example) according to 1) conceptual consistency with EPA risk assessment guidelines and 2) various levels of scientific peer review. The prioritization process is aimed at incorporating the best available scientific data.

3c. Data Oversight

Source Data: Air Quality Assessment Division, Emissions Inventory Assessment Group
Information Systems: Health & Environmental Impacts Division, Air Toxics Assessment Group

3d. Calculation Methodology

Explanation of the Calculations: As the NEI is only developed every three years, EPA utilizes an emissions modeling system to project inventories for "off-years" and to project the inventory into the future. This model, the EMS-HAP (Emissions Modeling System for Hazardous Air Pollutants), can project future emissions, by adjusting stationary source emission data to account for growth and emission reductions resulting from emission reduction scenarios such as the implementation of the Maximum Achievable Control Technology (MACT) standards.

Information on the Emissions Modeling System for Hazardous Air Pollutants (EMS-HAP):
http://www.epa.gov/scram001/userg/other/emshapv3ug.pdf
http://www.epa.gov/ttn/chief/emch/projection/emshap.html
Contents: 1996 NTI and 1999 NEI for HAPs Audience: public

Explanation of Assumptions: Once the EMS-HAP process has been performed, the EPA would tox-weight the inventory by "weighting" the emissions for each pollutant with the appropriate health risk criteria. This would be accomplished through a multi-step process. Initially, pollutant by pollutant values would be obtained from the NEI for the current year and the baseline year (1990/93). Conversion of actual tons for each pollutant for the current year and the baseline year to "toxicity-weighted" tons would be accomplished by multiplying the appropriate values from the health criteria database such as the unit risk estimate (URE) or lifetime cancer risk (defined at http://www.epa.gov/ttn/atw/toxsource/summary.html) to get the noncancer tons. These toxicity-weighted values act as a surrogate for risk and allow EPA to compare the toxicity-weighted values against a 1990/1993 baseline of toxicity-weighted values to determine the percentage reduction in risk on an annual basis.

Information on EPA's Health Criteria Data for Risk Characterization (Health Criteria Data):
http://www.epa.gov/ttn/atw/toxsource/summary.html
Contents: Tabulated dose
response values for
long-term (chronic) inhalation
and oral exposures; and values for
short-term (acute) inhalation
exposure.
Audience: Public

Identification of Unit of Measure and Timeframe: Cumulative percentage reduction in tons of toxicity-weighted emissions as a surrogate for actual risks reduction to the public.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Oversight of Final Reporting: OAQPS will update the actual toxicity-weighted emissions approximately every three years to coincide with updated toxic inventories.

Timing of Results Reporting: Annually. NEI data are calculated every three years; in years when NEI data are not calculated, the annual measure is reported based upon modeled results.

4b. Data Limitations/Qualifications

While emissions estimating techniques have improved over the years, broad assumptions about the behavior of sources and serious data limitations still exist. The NTI and the NEI for HAPs contain data from other primary references. Because of the different data sources, not all information in the NTI and the NEI for HAPs has been developed using identical methods. Also, for the same reason, there are likely some geographic areas with more detail and accuracy than others.

The 1996 NTI and 1999 NEI for HAPs are a significant improvement over the baseline NTI because of the added facility-level detail (e.g., stack heights, latitude/longitude locations), making it more useful for dispersion model input.

For further discussion of the data limitations and the error estimates in the 1999 NEI for HAPs, please refer to the discussion of Information Quality Guidelines in the documentation at: www.epa.gov/ttn/chief/net/index.html#haps99

The tables used in the EPA's Health Criteria Data for Risk Characterization (found at www.epa.gov/ttn/atw/toxsource/summary.html) are compiled assessments from various sources for many of the 188 substances listed as hazardous air pollutants under the Clean Air Act of 1990. Because different sources developed these assessments at different times for purposes that were similar but not identical, results are not totally consistent. To resolve these discrepancies and ensure the validity of the data, EPA applied a consistent priority scheme consistent with EPA risk assessment guidelines and various levels of scientific peer review. These risk assessment guidelines can be found at http://www.epa.gov/risk/guidance.htm.

While the Agency has made every effort to utilize the best available science in selecting appropriate health criteria data for toxicity-weighting calculations, there are inherent limitations and errors (uncertainties) associated with this type of data. Most of the agencies health criteria are derived from response models and laboratory experiments involving animals. The parameter used to convert from exposure to cancer risk (i.e. the Unit Risk Estimate or URE) is based on default science policy processes used routinely in EPA assessments. First, some air toxics are known to be carcinogens in animals but lack data in humans. These have been assumed to be human carcinogens. Second, all the air toxics in this assessment were assumed to have linear relationships between exposure and the probability of cancer (i.e. effects at low exposures were extrapolated from higher, measurable, exposures by a straight line). Third, the URE used for some air toxics compounds represents a maximum likelihood estimate, which might be taken to mean the best scientific estimate. For other air toxics compounds, however, the URE used was an "upper bound" estimate, meaning that it probably leads to an overestimation of risk if it is incorrect. For these upper bound estimates, it is assumed that the URE continues to apply even at low exposures. It is likely, therefore, that this linear model over-predicts the risk at exposures encountered in the environment. The cancer weighting-values for this approach should be considered "upper bound" in the science policy sense.

All of the noncancer risk estimates have a built-in margin of safety. All of the Reference Concentrations (RfCs) used in toxicity-weighting of noncancer are conservative, meaning that they represent exposures which probably do not result in any health effects, with a margin of safety built into the RfC to account for sources of uncertainty and variability. Like the URE used in cancer weighting the values are, therefore, considered "upper bound" in the science policy sense. Further details on limitations and uncertainties associated with the agencies health data can be found at: www.epa.gov/ttn/atw/nata/roy/page9.html#L10.

4c. Third-Party Audits

In 2004, the Office of the Inspector General (OIG) released a final evaluation report on "EPA's Method for Calculating Air Toxics Emissions for Reporting Results Needs Improvement" (report can be found at www.epa.gov/oig/reports/2004/20040331-2004-p-00012.pdf). The report stated that although the methods used have improved substantially, unvalidated assumptions and other limitations underlying the NTI continue to impact its use as a GPRA performance measure. As a result of this evaluation and the OIG recommendations for improvement, EPA prepared an action plan and is looking at ways to improve the accuracy and reliability of the data. EPA will meet bi-annually with OIG to report on its progress in completing the activities as outlined in the action plan.

EPA staff, state and local agencies, Tribes, industry and the public review the NTI and the NEI for HAPs. To assist in the review of the 1999 NEI for HAPs, the EPA provided a comparison of data from the three data sources (MACT/residual risk data, TRI, and state, local and Tribal inventories) for each facility. For the 1999 NEI for HAPs, two periods were available for external review - October 2001 - February 2002 and October 2002 - March 2003. The final 1999 NEI was completed and posted on the Agency website in the fall of 2003.

The EMS-HAP has been subjected to the scrutiny of leading scientists throughout the country in a process called "scientific peer review". This ensures that EPA uses the best available scientific methods and information. In 2001, EPA's Science Advisory Board (SAB) reviewed the EMS-HAP model as part of the 1996 national-scale assessment. The review was generally supportive of the assessment purpose, methods, and presentation; the committee considers this an important step toward a better understanding of air toxics. Additional

information is available on the Internet: www.epa.gov/ttn/atw/nata/peer.html.

Record Last Updated: 02/08/2012 09:06:11 AM

Performance Data Quality Record (DQR)

NPO Name (OAR) Measure M9: Cumulative percentage reduction in population-weighted ambient concentration of ozone in monitored counties from 2003 baseline.

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	2 - Improve Air Quality
Sub-Objective Number and Title	1 - Reduce Criteria Pollutants and Regional Haze
Strategic Target Code and Title	1 - By 2015, concentrations of ozone (smog) in monitored counties will decrease to .073 ppm
Managing Office	Office of Air Quality Planning and Standards

Performance Measure Term Definitions

Population-weighted: Multiply (or weight) these concentrations by the number of people living in the county where the monitor is located. The population estimates are from the U.S. Census Bureau (2000 decennial census).

Ambient concentration: EPA tracks improvements in air quality on an annual basis by measuring the change in ambient air quality concentrations of 8-hour ozone in counties with monitoring data weighted by the number of people living in these counties. This measure makes use of actual, observed changes in ambient ozone levels over time to determine NAAQS program effectiveness. Three year averages of the 4th highest daily maximum ozone values (i.e., design values) are used to help mitigate the influence of meteorology which would otherwise confound measurement of actual program progress. Other than this that I pulled from the attached, I could add that ambient air is the air we breathe vs emitted air from a pollution source, and a concentration is measured at a monitor.

Ozone: Ozone (O_3) is a gas composed of three oxygen atoms. It is not usually emitted directly into the air, but at ground-level is created by a chemical reaction between oxides of nitrogen (NOx) and volatile organic compounds (VOC) in the presence of sunlight. Ozone has the same chemical structure whether it occurs miles above the earth or at ground-level and can be "good" or "bad," depending on its location in the atmosphere.

Monitored counties: Calculate 8-hour ozone design values for 2001-2003 for every county with adequate monitoring data. A monitoring site's design value for 8-hour ozone is expressed as the average of the fourth-highest daily maximum 8-hour average ozone concentration for each of three consecutive years. A county's design value is the highest of these site-level design values. The national ozone monitoring network conforms to uniform criteria for monitor siting, instrumentation, and quality assurance.

2. Data Definition and Source Reporting

2a. Original Data Source

State and local agency data are from State and Local Air Monitoring Stations (SLAMS). Population data are from the Census Bureau/Department of Commerce (2000 Census)

2b. Source Data Collection

Source Data Collection Methods: Field monitoring; survey (2000 Census)

Date/time intervals covered by source data: 2003 to present (for air pollution data). 2000 (for census data)

EPA QA requirements/guidance governing collection: To ensure quality data, the SLAMS are required to meet the following: 1) each site must meet network design and site criteria; 2) each site must provide adequate QA assessment, control, and corrective action functions according to minimum program requirements; 3) all sampling methods and equipment must meet EPA reference or equivalent requirements; 4) acceptable data validation and record keeping procedures must be followed; and 5) data from SLAMS must be summarized and reported annually to EPA. Finally, there are system audits that regularly review the overall air quality data collection activity for any needed changes or corrections. Further information is available on the Internet at http://www.epa.gov/cludygxb/programs/namslam.html and through United States EPA's Quality Assurance Handbook (EPA-454/R-98-004 Section 15).

Geographical Extent of Source Data: National

Spatial Detail Covered By the Source Data: State, Local and Tribal air pollution control agencies

2c. Source Data Reporting

State, Local and Tribal air pollution control agencies submit data within 30 days after the end of each calendar quarter. The data can be submitted in one of three different formats, and is submitted using an Exchange Network Node or the agency's Central Data Exchange web interface. The submitted data are then quality assured and loaded into the AQS database.

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Air Quality Subsystem (AQS) stores ambient air quality data used to evaluate an area's air quality levels relative to the National Ambient Air Quality Standards (NAAQS).

AQS has been enhanced to comply with the Agency's data standards (*e.g.*, latitude/longitude, chemical nomenclature).

AQS stores the as-submitted source data and data that are aggregated to the daily, monthly, quarterly and annual values by the system.

3b. Data Quality Procedures

AQS: The QA/QC of the national air monitoring program has several major components: the Data Quality Objective (DQO) process, reference and equivalent methods program, EPA's National Performance Audit Program (NPAP), system audits, and network reviews. Please see www.epa.gov/ttn/amtic/npaplist.html for more information.

The AQS QA/QC process also involves participation in the EPA's National Performance Audit Program (NPAP), system audits, and network reviews. Please see www.epa.gov/ttn/amtic/npaplist.html for more information. Under NPAP, all agencies required to report gaseous criteria pollutant data from their ambient air monitoring stations to EPA's Air Quality System (AQS) for comparison to the National Ambient Air Quality Standard (NAAQS) are required to participate in EPA's NPAP TTP program. Guidance for participating in this program requires NPAP audits of at least 20% of a Primary Quality Assurance Organization's (PQAO's) sites each year; and all sites in 5 years.

3c. Data Oversight

Team Member, Central Operations and Resources Staff, OAQPS

3d. Calculation Methodology

Decision Rules for Selecting Data:

All available air quality measurement data is included in the Design Value calculations except as indicated below:.

1. Individual measurements that are flagged as being exceedances caused by "Exceptional Events" (as defined in 40 CFR Part 50.14) and that are concurred by the EPA Regional Office are excluded.

Definitions of Variables:

For each AQS monitor, the following variables are calculated:

8-Hour Average: Arithmetic mean of eight consecutive hourly measurements, with the time for the average defined to be the begin hour. (There will be 24 8-hour averages for each day.) Missing values (measurements for a specifc hour) are handled as follows: If there are less than 6 measurements in the 8-hour period, ½ of the Method Detection Limit for the method is used in place of the missing value.

Daily Maximum: The maximum 8-hour average for the calendar day.

Annual 4th Maximum: The fourth highest daily maximum for the year.

Three-Year Design Value: The average of the annual 4th maxima for the three year period.

Explanation of Calculations: Air quality levels are evaluated relative to the baseline level and the design value. The change in air quality concentrations is then multiplied by the number of people living in the county.

Explanation of Assumptions: Design values are calculated for every county with adequate monitoring data. The design value is the mathematically determined pollutant concentration at a particular site that must be reduced to, or maintained at or below the National Ambient Air Quality Standards (NAAQS) in order to assure attainment. The design value may be calculated based on ambient measurements observed at a local monitor in a 3-year period or on model estimates. The design value varies from year to year due to both the pollutant emissions and natural variability such as meteorological conditions, wildfires, dust storms, volcanic activities etc. For more information on design values, including a definition, see www.epa.gov/ttn/oarpg/t1/memoranda/cdv.pdf. This analysis assumes that the populations of the areas are held constant at 2000 Census levels. Data comparisons over several years allow assessment of the air program's success.

Unit of analysis: Cumulative percent reduction in population-weighted ambient concentration

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Director, Central Operations and Resources Staff, OAQPS

4b. Data Limitations/Qualifications

There is uncertainty in the projections and near term variations in air quality (due to meteorological conditions, for example).

4c. Third-Party Audits

2008 OIG system audit 2010 System Risk Assessment

Record Last Updated: 02/08/2012 09:06:26 AM

Performance Data Quality Record (DQR)

NPO Name (OAR) Measure M91: Cumulative percentage reduction in population-weighted ambient concentration of fine particulate matter (PM-2.5) in all monitored counties from 2003 baseline.

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	2 - Improve Air Quality
Sub-Objective Number and Title	1 - Reduce Criteria Pollutants and Regional Haze
Strategic Target Code and Title	2 - By 2015,concentrations of inhalable fine particles in monitored counties will decrease to 10.5 µg/m3
Managing Office	Office of Air Quality Planning and Standards

Performance Measure Term Definitions

Population-weighted: The ambient concentration multiplied by total county population, using constant population values for all years.

Ambient concentration: The highest reported site-level annual standard design value; i.e., the 3-year average annual mean 24-hour average concentration of PM-2.5.

Fine particulate matter (PM 2.5): Particles with a diameter of 5 microns or less.

Monitored counties: The counties in the current time-frame with at least one site meeting completeness criteria that also were present in the base period (i.e., contained at least one complete site in the period 2001-2003).

2. Data Definition and Source Reporting

2a. Original Data Source

State and local agency data are from State and Local Air Monitoring Stations (SLAMS). Population data are from the Census Bureau/Department of Commerce (2000 Census)

2b. Source Data Collection

Source Data Collection Methods: Field monitoring; survey (2000 Census)

Date/Time Intervals Covered by Source Data: 2003 to present (for air pollution data). 2000 (for census data)

EPA QA Requirements/Guidance Governing Collection: To ensure quality data, the SLAMS are required to meet the following: 1) each site must meet network design and site criteria; 2) each site must provide adequate QA assessment, control, and corrective action functions according to minimum program requirements; 3) all sampling methods and equipment must meet EPA reference or equivalent requirements; 4) acceptable data validation and record keeping procedures must be followed; and 5) data from SLAMS must be summarized and reported annually to EPA. Finally, there are system audits that regularly review the overall air quality data collection activity for any needed changes or corrections. Further information is available on the Internet at http://www.epa.gov/cludygxb/programs/namslam.html and through United States EPA's Quality Assurance Handbook (EPA-454/R-98-004

Section 15).

Geographical Extent of Source Data: National

Spatial Detail Covered By the Source Data: 437 counties in the 48 continental States plus D.C.

2c. Source Data Reporting

Agencies submit air quality data to AQS thru the Agency's Central Data Exchange (CDX).

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Air Quality Subsystem (AQS) stores ambient air quality data used to evaluate an area's air quality levels relative to the National Ambient Air Quality Standards (NAAQS).

AQS has been enhanced to comply with the Agency's data standards (*e.g.*, latitude/longitude, chemical nomenclature).

All annual mean concentration data used in the performance analysis were extracted from the AQS. Population data were obtained from the Bureau of the Census.

Additional information:
In January 2002, EPA completed the reengineering of AQS to make it a more user friendly, Windows-based system. As a result, air quality data are more easily accessible via the Internet.

Beginning in July 2003, agencies submitted air quality data to AQS thru the Agency's Central Data Exchange (CDX). CDX is intended to be the portal through which all environmental data coming to or leaving the Agency will pass.

3b. Data Quality Procedures

The AQS QA/QC process also involves participation in the EPA's National Performance Audit Program (NPAP), system audits, and network reviews. Please see www.epa.gov/ttn/amtic/npaplist.html for more information. Under NPAP, all agencies required to report gaseous criteria pollutant data from their ambient air monitoring stations to EPA's Air Quality System (AQS) for comparison to the National Ambient Air Quality Standard (NAAQS) are required to participate in EPA's NPAP TTP program. Guidance for participating in this program requires NPAP audits of at least 20% of a Primary Quality Assurance Organization's (PQAO's) sites each year; and all sites in 5 years.

3c. Data Oversight

National Air Data Group [Outreach and Information Division, OAQPS] oversees operations of the Air Quality System, the database used to store and deliver the source data.

Air Quality Monitoring Group [Air Quality Assessment Division (AQAD), OAQPS] oversees the monitoring and quality assurance of the source data.

Air Quality Analysis Group (AQAG) [AQAD, OAQPS] oversees the transformation and data reporting aspects associated with the Calculation of this performance measure.

3d. Calculation Methodology

Explanation of Calculations: Air quality levels are evaluated relative to the baseline level and the design value. The change in air quality concentrations is then multiplied by the number of people living in the county.

Explanation of Assumptions: Design values are calculated for every county with adequate monitoring data. The design value is the mathematically determined pollutant concentration at a particular site that must be reduced to, or maintained at or below the National Ambient Air Quality Standards (NAAQS) in order to assure attainment. The design value may be calculated based on ambient measurements observed at a local monitor in a 3-year period or on model estimates. The design value varies from year to year due to both the pollutant emissions and natural variability such as meteorological conditions, wildfires, dust storms, volcanic activities etc. For more information on design values, including a definition, see www.epa.gov/ttn/oarpg/t1/memoranda/cdv.pdf. This analysis assumes that the populations of the areas are held constant at 2000 Census levels. Data comparisons over several years allow assessment of the air program's success.

Unit of analysis: Cumulative percent reduction in population-weighted ambient concentration

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Air Quality Assessment Group, OAQPS, OAR is directly responsible for the calculations associated with this performance measure.

4b. Data Limitations/Qualifications

There is uncertainty in the projections and near term variations in air quality (due to meteorological conditions, for example).

4c. Third-Party Audits

Design Values used in this performance measure are vetted with the State and Local data reporting agencies.

Record Last Updated: 02/08/2012 09:06:26 AM

Performance Data Quality Record (DQR)

NPO Name (OAR) Measure A01: Annual emissions of sulfur dioxide (SO2) from electric power generation sources.

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	2 - Improve Air Quality
Sub-Objective Number and Title	1 - Reduce Criteria Pollutants and Regional Haze
Strategic Target Code and Title	1 - By 2015, concentrations of ozone (smog) in monitored counties will decrease to .073 ppm
Managing Office	Office of Atmospheric Programs

Performance Measure Term Definitions

Emissions of SO_2: Sulfur dioxide (also sulphur dioxide) is the chemical compound with the formula SO_2.

Electric power generation sources: The Acid Rain Program, established under Title IV of the Clean Air Act Amendments of 1990, requires major reductions in sulfur dioxide (SO_2) and nitrogen oxide (NO_x) emissions from the U.S. electric power generation industry. The program implements Title IV by continuing to measure, quality assure, and track emissions for SO_2 and/or NO_x from Continuous Emissions Monitoring Systems (CEMS) or equivalent direct measurement methods at over 3,600 affected electric generation units in the U.S.

2. Data Definition and Source Reporting

2a. Original Data Source

More than 3,400 fossil fuel-fired utility units affected under the Title IV Acid Rain Program collect hourly measurements of SO_2, NO_x, volumetric flow, CO_2, and other emission-related parameters using certified continuous emission monitoring systems (CEMS) or equivalent continuous monitoring methods.

For a description of EPA's Acid Rain Program, see the program's website at http://www.epa.gov/acidrain/index.html, and the electronic Code of Federal Regulations at http://www.epa.gov/docs/epacfr40/chapt-I.info/subch-C.html (40 CFR parts 72-78.)

2b. Source Data Collection

Source Data Collection Methods: Field monitoring using certified continuous emission monitoring systems (CEMS) or equivalent continuous monitoring methods, collected hourly.

EPA QA requirements/guidance governing collection: Promulgated QA/QC requirements dictate performing a series of quality assurance tests of CEMS performance. For these tests, emissions data are collected under highly structured, carefully designed testing conditions, which involve either high quality standard reference materials or multiple instruments performing simultaneous emission measurements. The resulting data are screened and analyzed using a battery of statistical procedures, including one that tests for systematic bias. If a CEM fails the bias test, indicating a potential for systematic underestimation of emissions, the source of the error must be identified and corrected or the data are adjusted to minimize the bias. Each affected plant is required to maintain a written QA plan documenting performance of these procedures and tests.

The ETS provides instant feedback to sources on data reporting problems, format errors, and inconsistencies. The electronic data file QA checks are described at http://www.epa.gov/airmarkets/business/report-emissions.html

Geographical Extent of Source Data: National

Spatial Detail Covered By the Source Data: Spatial detail for SO2 emissions can be obtained at the following website: http://camddataandmaps.epa.gov/gdm/index.cfm?fuseaction=emissions.wizard This website allows access to current and historical emissions data via Quick Reports. Annual, quarterly, monthly, daily and hourly data are available at the unit level and the monitoring location level.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: Beginning with the first quarter of 2009, and quarterly thereafter, all industry sources regulated under the Acid Rain and Clean Air Interstate Rule (CAIR) programs are required use the Emissions Collection and Monitoring Plan System (ECMPS) to submit their monitoring plan, QA/cert test, and emissions data to the EPA.

The new XML file format allows the data to be organized based on dates and hours instead of pollutant type.

See also the ECMPS Reporting Instructions Emissions document:
http://www.epa.gov/airmarkets/business/ecmps/docs/ECMPSEMRI2009Q2.pdf

Timing and frequency of reporting: Emissions data are submitted to the ECMPS and represent hourly values for measured parameters, calculated hourly emissions values, instrument calibration data, and aggregated summary data. An emissions file contains one calendar quarter of hourly and aggregate emissions measurements for a specified unit or group of related units, including stacks and pipes.

Each unit that is required to submit emissions data for a particular calendar quarter must be included in one and only one emissions file for that quarter. Each emissions file should contain all relevant operating, daily quality assurance, and emissions data for all units, common stacks, multiple stacks, or common pipes that were in a common monitoring configuration for any part of the quarter.

You must submit an emissions file for each quarter or, for ozone season only reporters, for the second and third calendar quarters of each year.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Emissions Tracking System (ETS) /
Emissions Collection and Monitoring Plan System (ECMPS)

Additional information:
EPA's Clean Air Markets Division (CAMD) has undertaken a project to re-engineer the process and data systems associated with emissions, monitoring plan, and certification data. As part of the project, CAMD reviewed how monitoring plan information, certification/ recertification applications, on-going quality assurance data, and emissions data are maintained, quality assured and submitted. CAMD also

reviewed the tools available for checking and submitting data on a quarterly and ozone season basis. Once the review was complete, CAMD developed a number of goals for the ECMPS project. They include:

- Creating a single client tool for all users to check and submit data.
- Providing users with the ability to quality assure data prior to submission.
- Providing users with one set of feedback.
- Allowing for seamless updates to the client tool.
- Providing direct access to EPA's database through the client tool.
- Maintaining select data outside of the electronic data report.
- Creating new XML file format.
- Developing new security requirements.

Adding flexibility to the process is one of the main reasons for changing how monitoring and emissions data are quality assured and submitted. There are several changes to the process that will involve adding flexibility:

- Monitoring plans will no longer be required as part of the quarterly file.
- On-going quality assurance test data may be submitted after the tests are performed—users will not have to wait to submit the data as part of a quarterly report.

[Source: http://www.epa.gov/airmarkets/business/ecmps/index.html]

The ECMPS contain source data.

The ECMPS meets relevant EPA standards for information system integrity.

3b. Data Quality Procedures

EPA analyzes all quarterly reports to detect deficiencies and to identify reports that must be resubmitted to correct problems. EPA also identifies reports that were not submitted by the appropriate reporting deadline. Revised quarterly reports, with corrected deficiencies found during the data review process, must be obtained from sources by a specified deadline. All data are reviewed, and preliminary and final emissions data reports are prepared for public release and compliance determination.

For a review of the ETS data audit process, see: http://www.epa.gov/airmarkets/presentations/docs/epri06/epri_electronic_audit_revised.ppt.

3c. Data Oversight

Branch Chief, Emissions Monitoring Branch is responsible for source data reporting.

Branch Chief, Market Operations Branch is responsible for the information systems utilized in producing the performance result.

3d. Calculation Methodology

Definition of variables: The ECMPS Reporting Instructions Emissions document at http://www.epa.gov/airmarkets/business/ecmps/docs/ECMPSEMRI2009Q2.pdf is the data dictionary for the ECMPS.

Explanation of Calculations: Promulgated methods are used to aggregate emissions data across all United States' utilities for each pollutant and related source operating parameters such as heat inputs.The ECMPS Reporting Instructions Emissions document at http://www.epa.gov/airmarkets/business/ecmps/docs/ECMPSEMRI2009Q2.pdf provides the methods used to aggregate emissions data across all United States' utilities.

Unit of analysis: Tons of emission

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Branch Chief, Assessment And Communications Branch, oversees final reporting by the National Program Office.

4b. Data Limitations/Qualifications

None

4c. Third-Party Audits

In July of 2010, the Quality Staff of the Office of Environmental Information completed a Quality System Assessment (QSA) for the Office of Atmospheric Programs. The results of the assessment were summarized as follows: "Please note that there are no findings requiring corrective action. Review of QA requirements and interviews with management and staff revealed no weaknesses in the overall Quality System management for OAP. Controls appear to be in place, the QA structure appears effective, there is project-level planning QA documentation (QAPPs, QARFs) in place as well as the appropriate training and records management practices".

Record Last Updated: 02/08/2012 09:06:17 AM

Performance Data Quality Record (DQR)

NPO Name (OAR) Measure O34: Cumulative millions of tons of Nitrogen Oxides (NOx) reduced since 2000 from mobile sources

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	2 - Improve Air Quality
Sub-Objective Number and Title	1 - Reduce Criteria Pollutants and Regional Haze
Strategic Target Code and Title	3 - By 2015, reduce emissions of nitrogen oxides (NOx)
Managing Office	Office of Transportation and Air Quality

Performance Measure Term Definitions

Mobile sources: Includes onroad cars/trucks, nonroad engines such as farm/construction, locomotives, commercial marine and aircraft. Nitrogen oxide: NO2 (nitrogen dioxide) is a combustion product formed from the reaction of nitrogen (in the ambient air) and fuel (gasoline, diesel fuel, - or - for stationary sources - coal) as defined by the EPA National Ambient Air Quality Standard and measurement methods.

2. Data Definition and Source Reporting

2a. Original Data Source

Estimates for on-road and off-road mobile source emissions are built from inventories fed into the relevant models.

Data for the models are from many sources, including Vehicle Miles Traveled (VMT) estimates by state (Federal Highway Administration), the mix of VMT by type of vehicle (Federal Highway Administration), temperature, gasoline properties, and the designs of Inspection/Maintenance (I/M) programs.

2b. Source Data Collection

Source Data Collection Methods: Emission tests for engines/vehicles come from EPA, other government agencies (including state/local governments), academic institutions and industry. The data come from actual emission tests measuring HC (HydroCarbon), CO (Carbon Monoxide), NOx (Nitrogen Oxides), and PM (Particulate Matter). It is important to note that total oxides of nitrogen (NO and NO2) are both measured with emission standards applying to the sum of both oxides. Usage survyes for vehicle miles traveled are obtained from DOT surveys and fuel usage for nonroad vehicles/engines are obtained from a variety of sources such as DOE.

Geographical Extent of Source Data: National

Spatial Detail Covered By the Source Data: County

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: EPA develops and receives emission data in a g/mile or g/unit Work (or unit fuel consumed) basis.

Timing and frequency of reporting: The inputs to MOVES/MOBILE 6 and NONROAD 2008 and other models are reviewed and

updated, sometimes on an annual basis for some parameters. Generally, Vehicle Miles Traveled (VMT), the mix of VMT by type of vehicle (Federal Highway Administration (FHWA)-types), temperature, gasoline properties, and the designs of Inspection/Maintenance (I/M) programs are updated each year.

Emission factors for all mobile sources and activity estimates for non-road sources are revised at the time EPA's Office of Transportation and Air Quality provides new information.

Updates to the inputs to the models means the emissions inventories will change.

3. Information Systems and Data Quality Procedures

3a. Information Systems

National Emissions Inventory Database. Obtained by modeling runs using MOBILE/MOVES, NONROAD, and other models.

Please see: http://www.epa.gov/ttnchie1/trends/ for a summary of national emission inventories and how the numbers are obtained in general.

The emission inventory contains source test data as well as usage information compiled from other sources. Also, for consistency from year to year and to provide a baseline over time, the emission inventories are updated for these performance measures only when it is essential to do so. The source data (emissions and usage) are "transformed" into emission inventories.

The models and input undergo peer review receiving scientific input from a variety of sources including academic institutions and public comments.

3b. Data Quality Procedures

The emissions inventories are reviewed by both internal and external parties, including the states, locals and industries. EPA works with all of these parties in these reviews. Also EPA reviews the inventories comparing them to others derived in earlier years to assure that changes in inputs provide reasonable changes in the inventories themselves.

3c. Data Oversight

EPA emission inventories for the performance measures are reviewed by various OTAQ Center directors in the Assessment and Standards Division. The Center Directors are responsible for vehicle, engine, fuel, and modeling data used in various EPA programs.

3d. Calculation Methodology

Explanation of the Calculations:

EPA uses models to estimate mobile source emissions, for both past and future years. The emission inventory estimate is detailed down to the county level and with over 30 line items representing mobile sources.

The MOVES (Motor Vehicle Emission Simulator) model replacing the earlier MOBILE6 vehicle emission factor model is a software tool for predicting gram per mile emissions of hydrocarbons, carbon monoxide, oxides of nitrogen, carbon dioxide, particulate matter, and toxics from cars, trucks, and motorcycles under various conditions. Inputs to the model include fleet composition, activity, temporal information, and control program characteristics. For more information on the MOBILE6 model, please visit http://www.epa.gov/otaq/m6.htm.

The NONROAD 2008 emission inventory model replacing an earlier version of NONROAD is a software tool for predicting emissions of hydrocarbons, carbon monoxide, oxides of nitrogen, particulate matter, and sulfur dioxides from small and large off road vehicles, equipment, and engines. Inputs to the model include fleet composition, activity and temporal information. For more information on the NONROAD model, please visit http://www.epa.gov/oms/nonrdmdl.htm.

Over the years, improved emission and usage data have led to updated emission inventories more consistent with air quality data.

Additional information:
To keep pace with new analysis needs, new modeling approaches, and new data, EPA is currently working on a new modeling system termed the Multi-scale Motor Vehicles and Equipment Emission System (MOVES). This new system will estimate emissions for on road and off road sources, cover a broad range of pollutants, and allow multiple scale analysis, from fine scale analysis to national inventory estimation. When fully implemented, MOVES will serve as the replacement for MOBILE6 and NONROAD. The new system will not necessarily be a single piece of software, but instead will encompass the necessary tools, algorithms, underlying data and guidance necessary for use in all official analyses associated with regulatory development, compliance with statutory requirements, and national/regional inventory projections. Additional information is available on the Internet at http://www.epa.gov/otaq/ngm.htm

Unit of analysis: tons of emissions, vehicle miles traveled and hours (or fuel) used

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The director for Health Effects, Toxics and Benefits Center, Director of the Air Quality and Modeling Center and the Associate Director of the Assessment and Standards Division are ultimately responsible for the performance measures. These individuals, as well as the other Center Directors, are responsible for assuring that the emission inventory and reduction numbers used in EPA regulatory and other programs are accurate and have obtained extensive academic, public and other review.]

4b. Data Limitations/Qualifications

The limitations of the inventory estimates for mobile sources come from limitations in the modeled emission factors (based on emission factor testing and models predicting overall fleet emission factors in g/mile) and also in the estimated vehicle miles traveled for each vehicle class (derived from Department of Transportation data)..

For nonroad emissions, the estimates come from a model using equipment populations, emission factors per hour or unit of work, and an estimate of usage. This nonroad emissions model accounts for over 200 types of nonroad equipment. Any limitations in the input data will carry over into limitations in the emission inventory estimates.

Additional information about data integrity for the MOVES/MOBILE6 and NONROAD models is available on the Internet at http://www.epa.gov/otaq/m6.htm and http://www.epa.gov/oms/nonrdmdl.htm, respectively.

When the method for estimating emissions changes significantly, older estimates of emissions in years prior to the most recent year are usually revised to avoid a sudden discontinuity in the apparent emissions trend may be revised to be consistent with teh new methodology when possible.

Methods for estimating emission inventories are frequently updated to reflected the most up-to-date inputs and assumptions. Past emission

estimates that inform our performance measures frequently do not keep pace with the changing inventories associated with more recent EPA rulemakings. EPA developed the initial numbers for these perfromance measures in 2002, making both current and future year projections for on-road and nonroad. The emission estimates have been updated numerous times since then for rulemaking packages and will be updated for these performance measures.

4c. Third-Party Audits

All of the inputs for the models, the models themselves and the resultant emission inventories are reviewed as appropriate by academic experts and also by state and local governments which use some of this information for their State Implementation Plans to meet the National Ambient Air Quality Standards.

Record Last Updated: 02/08/2012 09:06:27 AM

Performance Data Quality Record (DQR)

NPO Name (OAR) Measure P34: Cumulative tons of PM-2.5 reduced since 2000 from mobile sources

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	2 - Improve Air Quality
Sub-Objective Number and Title	1 - Reduce Criteria Pollutants and Regional Haze
Strategic Target Code and Title	5 - By 2015, reduce emissions of direct particulate matter (PM)
Managing Office	Office of Transportation and Air Quality

Performance Measure Term Definitions

Mobile sources: Includes onroad cars/trucks, nonroad engines such as farms/construction, locomotives, commercial marine, and aircraft.

Particulate matter (PM-2.5): Solid material 2.5 microns or smaller as defined by the EPA National Ambient Air Quality Standard and measurement methods.

2. Data Definition and Source Reporting

2a. Original Data Source

Estimates for on-road and off-road mobile source emissions are built from inventories fed into the relevant models.

Data for the models are from many sources, including Vehicle Miles Traveled (VMT) estimates by state (Federal Highway Administration), the mix of VMT by type of vehicle (Federal Highway Administration), temperature, gasoline properties, and the designs of Inspection/Maintenance (I/M) programs. Usage data for nonroad comes largely from fuel consumption information from DOE.

2b. Source Data Collection

Source Data Collection Methods: Emission tests for engines/vehicles come from EPA, other government agencies (including state/local governments). academic institutions, and industry. The data come from actual emission tests measuring HC, CO, NOx , and PM emissions. Usage surveys for vehicle miles traveled are obtained from DOT surveys and fuel usage for nonroad vehicles/engines are obtained from a variety of sources such as DOE.

Geographical Extent of Source Data: National and state level

Spatial Detail Covered By the Source Data: County level data

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: EPA develops and receives emission data in a g/mile or g/unit work (or unit fuel consumed) basis.

Timing and frequency of reporting: The inputs to MOVES/MOBILE 6 and NONROAD 2008 and other models are reviewed and updated, sometimes on an annual basis for some parameters. Generally, Vehicle Miles Traveled (VMT), the mix of VMT by type of vehicle

(Federal Highway Administration (FHWA)-types), temperature, gasoline properties, and the designs of Inspection/Maintenance (I/M) programs are updated each year.

Emission factors for all mobile sources and activity estimates for non-road sources are revised at the time EPA's Office of Transportation and Air Quality provides new information.

Updates to the inputs to the models means the emissions inventories will change.

3. Information Systems and Data Quality Procedures

3a. Information Systems

National Emissions Inventory Database. Obtained by modeling runs using MOBILE/MOVES, NONROAD, and other models.

Please see: http://www.epa.gov/ttn/chief/trends/ for a summary of national emission inventories and how the numbers are obtained in general.

The emission inventory contains source test data as well as usage information compiled from other sources. Also, for consistency from year to year and to provide a baseline over time, the emission inventories are updated for these performance measure only when it is essential to do so. The source data (emissions and usage) are "transformed" into emission inventories.

The models and input undergo peer review receiving scientific input from a variety of sources including academic institutions and public comments.

3b. Data Quality Procedures

The emissions inventories are reviewed by both internal and external parties, including the states, locals and industries. EPA works with all of these parties in these reviews. Also, EPA reviews the inventories comparing them to other derived in earlier years to assure that changes in inputs provide reasonable changes in the inventories themselves

3c. Data Oversight

EPA emission inventories for the performance measure are reviewed by various OTAQ Center Directors in the Assessment and Standards Division. The Center Directors are responsible for vehicle, engine, fuel, and modeling data used in various EPA programs.

3d. Calculation Methodology

Explanation of the Calculations:

EPA uses models to estimate mobile source emissions, for both past and future years. The emission inventory estimate is detailed down to the county level and with over 30 line items representing mobile sources.

The MOVES (Motor Vehicle Emission Simulator) model replacing the earlier MOBILE6 vehicle emission factor model is a software tool for predicting gram per mile emissions of hydrocarbons, carbon monoxide, oxides of nitrogen, carbon dioxide, particulate matter, and toxics from cars, trucks, and motorcycles under various conditions. Inputs to the model include fleet composition, activity, temporal information, and control program characteristics. For more information on the MOBILE6 model, please visit http://www.epa.gov/otaq/m6.htm.

The NONROAD 2008 emission inventory model replacing earlier versions of NONROAD is a software tool for predicting emissions of

hydrocarbons, carbon monoxide, oxides of nitrogen, particulate matter, and sulfur dioxides from small and large off road vehicles, equipment, and engines. Inputs to the model include fleet composition, activity and temporal information. For more information on the NONROAD model, please visit http://www.epa.gov/oms/nonrdmdl.htm.

Additional information:
To keep pace with new analysis needs, new modeling approaches, and new data, EPA is currently working on a new modeling system termed the Multi-scale Motor Vehicles and Equipment Emission System (MOVES). This new system will estimate emissions for on road and off road sources, cover a broad range of pollutants, and allow multiple scale analysis, from fine scale analysis to national inventory estimation. When fully implemented, MOVES will serve as the replacement for MOBILE6 and NONROAD. The new system will not necessarily be a single piece of software, but instead will encompass the necessary tools, algorithms, underlying data and guidance necessary for use in all official analyses associated with regulatory development, compliance with statutory requirements, and national/regional inventory projections. Additional information is available on the Internet at http://www.epa.gov/otaq/ngm.htm

Unit of analysis: tons of emissions, vehicle miles traveled, and hours (or fuel) used]

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Team Member, Planning and Budget Office, OTAQ

4b. Data Limitations/Qualifications

The limitations of the inventory estimates for mobile sources come from limitations in the modeled emission factors (based on emission factor testing and models predicting overall fleet emission factors in g/mile) and also in the estimated vehicle miles traveled for each vehicle class (derived from Department of Transportation data)..

For nonroad emissions, the estimates come from a model using equipment populations, emission factors per hour or unit of work, and an estimate of usage. This nonroad emissions model accounts for over 200 types of nonroad equipment. Any limitations in the input data will carry over into limitations in the emission inventory estimates.

Additional information about data integrity for the MOVES/MOBILE6 and NONROAD models is available on the Internet at http://www.epa.gov/otaq/m6.htm and http://www.epa.gov/oms/nonrdmdl.htm, respectively.

When the method for estimating emissions changes significantly, older estimates of emissions in years prior to the most recent year may be revised to be consistent with the new methodology when possible.

Methods for estimating emission inventories are frequently updated to reflect the most up-to-date inputs and assumptions. Past emission estimates that inform our performance measure frequently do not keep pace with the changing inventories associated with more measures in 2002, making both current and future year projections for on-road and nonroad. The emission estimates have been updated numerous times since then for rulemaking packages and will be updated for these performance measures.

4c. Third-Party Audits

All of the inputs for the models, the models themselves, and the resultant emission inventories are reviewed as appropriate by academic experts and, also, by state/local governments which use some of this information for their State Implementation Plans to meet the National Ambient Air Quality Standards.

Record Last Updated: 02/08/2012 09:06:27 AM

Performance Data Quality Record (DQR)

NPO Name (OAR) Measure S01: Remaining US Consumption of hydrochlorofluorocarbons (HCFCs), chemicals that deplete the Earth's protective ozone layer, measured in tons of Ozone Depleting Potential (ODP).

1. Measure and DQR Metadata	
Goal Number and Title	1 - Taking Action on Climate Change and Improving Air Quality
Objective Number and Title	3 - Restore the Ozone Layer
Sub-Objective Number and Title	1 - Reduce Consumption of Ozone-depleting Substances
Strategic Target Code and Title	1 - By 2015, U.S. reduce consumption of hydrochlorofluorocarbons (HCFCs), chemicals
Managing Office	Office of Atmospheric Programs

Performance Measure Term Definitions

Remaining: The term "Remaining" is defined as that which remains, especially after something else has been removed.

US consumption: Class II controlled substances are compounds that have an ozone depletion potential (ODP) less than 0.2, and are all hydrochlorofluorocarbons (HCFCs). HCFCs were developed as transitional substitutes for Class I substances and are subject to a later phaseout schedule than Class I substances.

Although there are currently 34 controlled HCFCs, only a few are commonly used. The most widely used have been HCFC-22 (usually a refrigerant), HCFC-141b (a solvent and foam-blowing agent), and HCFC-142b (a foam-blowing agent and component in refrigerant blends).

As a Party to the Montreal Protocol, the U.S. must incrementally decrease HCFC consumption and production, culminating in a complete HCFC phaseout in 2030. The major milestones that are upcoming for developed countries are a reduction in 2010 to at least 75 percent below baseline HCFC levels and a reduction in 2015 to at least 90 percent below baseline.

Section 605 of the Clean Air Act sets the U.S. phaseout targets for Class II substances. In 1993, the EPA established the phaseout framework and the "worst-first" approach that focused first on HCFC-22, HCFC-141b, and HCFC-142b because these three HCFCs have the highest ODPs of all HCFCs. To meet the required 2004 reduction, the EPA phased out HCFC-141b in 2003 and froze the production and consumption of HCFC-22 and HCFC-142b. In 2009, EPA reduced the production and import of virgin HCFC-22 and HCFC-142b and limited the use of those compounds to meet the Montreal Protocol's 2010 milestones.

EPA ensures that HCFC consumption in the U.S. is 75% below the U.S. baseline (as required under the Montreal Protocol) by issuing allowances to producers and importers of HCFCs. The "2010 HCFC Allocation Rule" allocated allowances for each year between 2010 and 2014. To meet the stepdown, the number of allowances for HCFC-22 and HCFC-142b were less than for the 2003-2009 control periods. EPA also issued allowances for HCFC-123, HCFC-124, HCFC-225ca, and HCFC-225cb. The rules also limited the use of virgin HCFC-22 and HCFC-142b to existing refrigeration and air-conditioning equipment. The "Pre-Charted Appliances Rule" banned the sale or distribution of air-conditioning and refrigeration products containing HCFC-22, HCFC-142b, or blends containing one or both of these substances, beginning January 1, 2010.

The "2010 HCFC Allocation Rule" was challenged in the U.S. Court of Appeals for the D.C. Circuit in *Arkema v EPA* . In August, 2010, the court decided against EPA. EPA interprets the Court's decision as vacating the portion of the rule that establishes company-by-company production and consumption baselines and calendar-year allowances for HCFC-22 and HCFC-142b. All other aspects of the rule are intact. On August 5, 2011, EPA issued an interim final rule that establishes new company-by-company HCFC-22 and HCFC-142b baselines and allocates production and consumption allowances for 2011.

EPA is developing regulations that will issue allowances for the 2012-2014 control periods in response to the court's decision in *Arkema v EPA* .

Hydrochlorofluorocarbon (HCFC): a compound consisting of hydrogen, chlorine, fluorine, and carbon
The HCFCs are one class of chemicals being used to replace the chlorofluorocarbons (CFCs). They contain chlorine and thus deplete stratospheric ozone, but to a much lesser extent than CFCs. HCFCs have ozone depletion potentials (ODPs) ranging from 0.01 to 0.1.

Class II Ozone-Depleting Substance (ODS): a chemical with an ozone-depletion potential of less than 0.2
Currently, all of the HCFCs are class II substances, and the only Class II substances are HCFCs.

Ozone Depletion Potential (ODP): a number that refers to the amount of ozone depletion caused by a substance
The ODP is the ratio of the impact on ozone of a chemical compared to the impact of a similar mass of CFC-11. Thus, the ODP of CFC-11 is defined to be 1.0. Other CFCs and HCFCs have ODPs that range from 0.01 to 1.0.

Tons of Ozone Depleting Potential: metric tons of ODS weighted by their Ozone Depletion Potential (ODP), otherwise referred to as ODP tons.

See http://www.epa.gov/ozone/desc.html for additional information on ODSs. See http://www.epa.gov.ozone/intpol/index.html for additional information about the Montreal Protocol. See http://www.unmfs.org/ for more information about the Multilateral Fund.

2. Data Definition and Source Reporting

2a. Original Data Source

US Companies Producing, Importing and Exporting ODS. Progress on restricting domestic exempted consumption of Class II HCFCs is tracked by monitoring industry reports of compliance with EPA's phase-out regulations. Data are provided by U.S. companies producing, importing, and exporting ODS. Corporate data are typically submitted as quarterly reports. Specific requirements, as outlined in the Clean Air Act, are available on the Internet at: http://www.epa.gov/ozone/title6/index.html.

The International Trade Commission also provides monthly information on US production, imports, and exports.

2b. Source Data Collection

Source Data Collection Methods: § 82.24 Recordkeeping and reporting requirements for class II controlled substances.
a) *Recordkeeping and reporting.* Any person who produces, imports, exports, transforms, or destroys class II controlled substances must comply with the following recordkeeping and reporting requirements:
(1) Reports required by this section must be mailed to the Administrator within 30 days of the end of the applicable reporting period, unless otherwise specified.
(2) Revisions of reports that are required by this section must be mailed to the Administrator within 180 days of the end of the applicable

reporting period, unless otherwise specified.
(3) Records and copies of reports required by this section must be retained for three years.
(4) Quantities of class II controlled substances must be stated in terms of kilograms in reports required by this section.
(5) Reports and records required by this section may be used for purposes of compliance determinations. These requirements are not intended as a limitation on the use of other evidence admissible under the Federal Rules of Evidence. Failure to provide the reports, petitions and records required by this section and to certify the accuracy of the information in the reports, petitions and records required by this section, will be considered a violation of this subpart. False statements made in reports, petitions and records will be considered violations of Section 113 of the Clean Air Act and under 18 U.S.C. 1001.
(b) *Producers.* Persons ("producers") who produce class II controlled substances during a control period must comply with the following recordkeeping and reporting requirements:
(1) *Reporting—Producers.* For each quarter, each producer of a class II controlled substance must provide the Administrator with a report containing the following information:
(i) The quantity (in kilograms) of production of each class II controlled substance used in processes resulting in their transformation by the producer and the quantity (in kilograms) intended for transformation by a second party;
(ii) The quantity (in kilograms) of production of each class II controlled substance used in processes resulting in their destruction by the producer and the quantity (in kilograms) intended for destruction by a second party;
(iii) The expended allowances for each class II controlled substance;
(iv) The producer's total of expended and unexpended production allowances, consumption allowances, export production allowances, and Article 5 allowances at the end of that quarter;
(v) The quantity (in kilograms) of class II controlled substances sold or transferred during the quarter to a person other than the producer for use in processes resulting in their transformation or eventual destruction;
(vi) A list of the quantities and names of class II controlled substances, exported by the producer to a Party to the Protocol, that will be transformed or destroyed and therefore were not produced expending production or consumption allowances;
(vii) For transformation in the U.S. or by a person of another Party, one copy of a transformation verification from the transformer for a specific class II controlled substance and a list of additional quantities shipped to that same transformer for the quarter;
(viii) For destruction in the U.S. or by a person of another Party, one copy of a destruction verification as required in paragraph (e) of this section for a particular destroyer, destroying the same class II controlled substance, and a list of additional quantities shipped to that same destroyer for the quarter;
(ix) In cases where the producer produced class II controlled substances using export production allowances, a list of U.S. entities that purchased those class II controlled substances and exported them to a Party to the Protocol;
(x) In cases where the producer produced class II controlled substances using Article 5 allowances, a list of U.S. entities that purchased those class II controlled substances and exported them to Article 5 countries; and
(xi) A list of the HCFC 141b-exemption allowance holders from whom orders were received and the quantity (in kilograms) of HCFC-141b requested and produced.
(2) *Recordkeeping—Producers.* Every producer of a class II controlled substance during a control period must maintain the following records:
(i) Dated records of the quantity (in kilograms) of each class II controlled substance produced at each facility;
(ii) Dated records of the quantity (in kilograms) of class II controlled substances produced for use in processes that result in their transformation or for use in processes that result in their destruction;
(iii) Dated records of the quantity (in kilograms) of class II controlled substances sold for use in processes that result in their transformation or for use in processes that result in their destruction;
(iv) Dated records of the quantity (in kilograms) of class II controlled substances produced with export production allowances or Article 5 allowances;

(v) Copies of invoices or receipts documenting sale of class II controlled substances for use in processes that result in their transformation or for use in processes that result in their destruction;
(vi) Dated records of the quantity (in kilograms) of each class II controlled substance used at each facility as feedstocks or destroyed in the manufacture of a class II controlled substance or in the manufacture of any other substance, and any class II controlled substance introduced into the production process of the same class II controlled substance at each facility;
(vii) Dated records of the quantity (in kilograms) of raw materials and feedstock chemicals used at each facility for the production of class II controlled substances;
(viii) Dated records of the shipments of each class II controlled substance produced at each plant;
(ix) The quantity (in kilograms) of class II controlled substances, the date received, and names and addresses of the source of used materials containing class II controlled substances which are recycled or reclaimed at each plant;
(x) Records of the date, the class II controlled substance, and the estimated quantity of any spill or release of a class II controlled substance that equals or exceeds 100 pounds;
(xi) Transformation verification in the case of transformation, or the destruction verification in the case of destruction as required in paragraph (e) of this section showing that the purchaser or recipient of a class II controlled substance, in the U.S. or in another country that is a Party, certifies the intent to either transform or destroy the class II controlled substance, or sell the class II controlled substance for transformation or destruction in cases when allowances were not expended;
(xii) Written verifications from a U.S. purchaser that the class II controlled substance was exported to a Party in accordance with the requirements in this section, in cases where export production allowances were expended to produce the class II controlled substance;
(xiii) Written verifications from a U.S. purchaser that the class II controlled substance was exported to an Article 5 country in cases where Article 5 allowances were expended to produce the class II controlled substance;
(xiv) Written verifications from a U.S. purchaser that HCFC-141b was manufactured for the express purpose of meeting HCFC-141b exemption needs in accordance with information submitted under §82.16(h), in cases where HCFC-141b exemption allowances were expended to produce the HCFC-141b.
(3) For any person who fails to maintain the records required by this paragraph, or to submit the report required by this paragraph, the Administrator may assume that the person has produced at full capacity during the period for which records were not kept, for purposes of determining whether the person has violated the prohibitions at §82.15.
(c) *Importers.* Persons ("importers") who import class II controlled substances during a control period must comply with the following recordkeeping and reporting requirements:
(1) *Reporting—Importers.* For each quarter, an importer of a class II controlled substance (including importers of used class II controlled substances) must submit to the Administrator a report containing the following information:
(i) Summaries of the records required in paragraphs (c)(2)(i) through (xvi) of this section for the previous quarter;
(ii) The total quantity (in kilograms) imported of each class II controlled substance for that quarter;
(iii) The commodity code for the class II controlled substances imported, which must be one of those listed in Appendix K to this subpart;
(iv) The quantity (in kilograms) of those class II controlled substances imported that are used class II controlled substances;
(v) The quantity (in kilograms) of class II controlled substances imported for that quarter and totaled by chemical for the control period to date;
(vi) For substances for which EPA has apportioned baseline production and consumption allowances, the importer's total sum of expended and unexpended consumption allowances by chemical as of the end of that quarter;
(vii) The quantity (in kilograms) of class II controlled substances imported for use in processes resulting in their transformation or destruction;
(viii) The quantity (in kilograms) of class II controlled substances sold or transferred during that quarter to each person for use in processes resulting in their transformation or eventual destruction; and
(ix) Transformation verifications showing that the purchaser or recipient of imported class II controlled substances intends to transform

those substances or destruction verifications showing that the purchaser or recipient intends to destroy the class II controlled substances (as provided in paragraph (e) of this section).
(x) [Reserved]
(xi) A list of the HCFC 141b-exemption allowance holders from whom orders were received and the quantity (in kilograms) of HCFC-141b requested and imported.
(2) *Recordkeeping—Importers*. An importer of a class II controlled substance (including used class II controlled substances) must maintain the following records:
(i) The quantity (in kilograms) of each class II controlled substance imported, either alone or in mixtures, including the percentage of each mixture which consists of a class II controlled substance;
(ii) The quantity (in kilograms) of those class II controlled substances imported that are used and the information provided with the petition where a petition is required under paragraph (c)(3) of this section;
(iii) The quantity (in kilograms) of class II controlled substances other than transhipments or used substances imported for use in processes resulting in their transformation or destruction;
(iv) The quantity (in kilograms) of class II controlled substances other than transhipments or used substances imported and sold for use in processes that result in their destruction or transformation;
(v) The date on which the class II controlled substances were imported;
(vi) The port of entry through which the class II controlled substances passed;
(vii) The country from which the imported class II controlled substances were imported;
(viii) The commodity code for the class II controlled substances shipped, which must be one of those listed in Appendix K to this subpart;
(ix) The importer number for the shipment;
(x) A copy of the bill of lading for the import;
(xi) The invoice for the import;
(xii) The quantity (in kilograms) of imports of used class II controlled substances;
(xiii) The U.S. Customs entry form;
(xiv) Dated records documenting the sale or transfer of class II controlled substances for use in processes resulting in their transformation or destruction;
(xv) Copies of transformation verifications or destruction verifications indicating that the class II controlled substances will be transformed or destroyed (as provided in paragraph (e) of this section).
(xvi) Written verifications from a U.S. purchaser that HCFC-141b was imported for the express purpose of meeting HCFC-141b exemption needs in accordance with information submitted under §82.16(h), and that the quantity will not be resold, in cases where HCFC-141b exemption allowances were expended to import the HCFC-141b.
(3) *Petition to import used class II controlled substances and transhipment-Importers.* For each individual shipment over 5 pounds of a used class II controlled substance as defined in §82.3 for which EPA has apportioned baseline production and consumption allowances, an importer must submit directly to the Administrator, at least 40 working days before the shipment is to leave the foreign port of export, the following information in a petition:
(i) The name and quantity (in kilograms) of the used class II controlled substance to be imported;
(ii) The name and address of the importer, the importer ID number, the contact person, and the phone and fax numbers;
(iii) Name, address, contact person, phone number and fax number of all previous source facilities from which the used class II controlled substance was recovered;
(iv) A detailed description of the previous use of the class II controlled substance at each source facility and a best estimate of when the specific controlled substance was put into the equipment at each source facility, and, when possible, documents indicating the date the material was put into the equipment;
(v) A list of the name, make and model number of the equipment from which the material was recovered at each source facility;

(vi) Name, address, contact person, phone number and fax number of the exporter and of all persons to whom the material was transferred or sold after it was recovered from the source facility;
(vii) The U.S. port of entry for the import, the expected date of shipment and the vessel transporting the chemical. If at the time of submitting a petition the importer does not know the U.S. port of entry, the expected date of shipment and the vessel transporting the chemical, and the importer receives a non-objection notice for the individual shipment in the petition, the importer is required to notify the Administrator of this information prior to the actual U.S. Customs entry of the individual shipment;
(viii) A description of the intended use of the used class II controlled substance, and, when possible, the name, address, contact person, phone number and fax number of the ultimate purchaser in the United States;
(ix) The name, address, contact person, phone number and fax number of the U.S. reclamation facility, where applicable;
(x) If someone at the source facility recovered the class II controlled substance from the equipment, the name and phone and fax numbers of that person;
(xi) If the imported class II controlled substance was reclaimed in a foreign Party, the name, address, contact person, phone number and fax number of any or all foreign reclamation facility(ies) responsible for reclaiming the cited shipment;
(xii) An export license from the appropriate government agency in the country of export and, if recovered in another country, the export license from the appropriate government agency in that country;
(xiii) If the imported used class II controlled substance is intended to be sold as a refrigerant in the U.S., the name and address of the U.S. reclaimer who will bring the material to the standard required under subpart F of this part, if not already reclaimed to those specifications; and
(xiv) A certification of accuracy of the information submitted in the petition.
(4) *Review of petition to import used class II controlled substances and transhipments—Importers*. Starting on the first working day following receipt by the Administrator of a petition to import a used class II controlled substance, the Administrator will initiate a review of the information submitted under paragraph (c)(3) of this section and take action within 40 working days to issue either an objection-notice or a non-objection notice for the individual shipment to the person who submitted the petition to import the used class II controlled substance.
(i) The Administrator may issue an objection notice to a petition for the following reasons:
(A) If the Administrator determines that the information is insufficient, that is, if the petition lacks or appears to lack any of the information required under paragraph (c)(3) of this section;
(B) If the Administrator determines that any portion of the petition contains false or misleading information, or the Administrator has information from other U.S. or foreign government agencies indicating that the petition contains false or misleading information;
(C) If the transaction appears to be contrary to provisions of the Vienna Convention on Substances that Deplete the Ozone Layer, the Montreal Protocol and Decisions by the Parties, or the non-compliance procedures outlined and instituted by the Implementation Committee of the Montreal Protocol;
(D) If the appropriate government agency in the exporting country has not agreed to issue an export license for the cited individual shipment of used class II controlled substance;
(E) If reclamation capacity is installed or is being installed for that specific class II controlled substance in the country of recovery or country of export and the capacity is funded in full or in part through the Multilateral Fund.
(ii) Within ten (10) working days after receipt of the objection notice, the importer may re-petition the Administrator, only if the Administrator indicated “insufficient information” as the basis for the objection notice. If no appeal is taken by the tenth working day after the date on the objection notice, the objection shall become final. Only one re-petition will be accepted for any original petition received by EPA.
(iii) Any information contained in the re-petition which is inconsistent with the original petition must be identified and a description of the reason for the inconsistency must accompany the re-petition.
(iv) In cases where the Administrator does not object to the petition based on the criteria listed in paragraph (c)(4)(i) of this section, the

Administrator will issue a non-objection notice.
(v) To pass the approved used class II controlled substances through U.S. Customs, the petition and the non-objection notice issued by EPA must accompany the shipment through U.S. Customs.
(vi) If for some reason, following EPA's issuance of a non-objection notice, new information is brought to EPA's attention which shows that the non-objection notice was issued based on false information, then EPA has the right to:
(A) Revoke the non-objection notice;
(B) Pursue all means to ensure that the class II controlled substance is not imported into the U.S.; and
(C) Take appropriate enforcement actions.
(vii) Once the Administrator issues a non-objection notice, the person receiving the non-objection notice is permitted to import the individual shipment of used class II controlled substance only within the same control period as the date stamped on the non-objection notice.
(viii) A person receiving a non-objection notice from the Administrator for a petition to import used class II controlled substances must maintain the following records:
(A) A copy of the petition;
(B) The EPA non-objection notice;
(C) The bill of lading for the import; and
(D) U.S. Customs entry documents for the import that must include one of the commodity codes from Appendix K to this subpart.
(5) Recordkeeping for transhipments—Importers. Any person who tranships a class II controlled substance must maintain records that indicate:
(i) That the class II controlled substance shipment originated in a foreign country;
(ii) That the class II controlled substance shipment is destined for another foreign country; and
(iii) That the class II controlled substance shipment will not enter interstate commerce within the U.S.
(d) *Exporters.* Persons (“exporters”) who export class II controlled substances during a control period must comply with the following reporting requirements:
(1) *Reporting—Exporters.* For any exports of class II controlled substances not reported under §82.20 (additional consumption allowances), or under paragraph (b)(2) of this section (reporting for producers of class II controlled substances), each exporter who exported a class II controlled substance must submit to the Administrator the following information within 30 days after the end of each quarter in which the unreported exports left the U.S.:
(i) The names and addresses of the exporter and the recipient of the exports;
(ii) The exporter's Employer Identification Number;
(iii) The type and quantity (in kilograms) of each class II controlled substance exported and what percentage, if any of the class II controlled substance is used;
(iv) The date on which, and the port from which, the class II controlled substances were exported from the U.S. or its territories;
(v) The country to which the class II controlled substances were exported;
(vi) The quantity (in kilograms) exported to each Article 5 country;
(vii) The commodity code for the class II controlled substances shipped, which must be one of those listed in Appendix K to this subpart;
(viii) For persons reporting transformation or destruction, the invoice or sales agreement containing language similar to the transformation verifications that the purchaser or recipient of imported class II controlled substances intends to transform those substances, or destruction verifications showing that the purchaser or recipient intends to destroy the class II controlled substances (as provided in paragraph (e) of this section).
(2) *Reporting export production allowances—Exporters.* In addition to the information required in paragraph (d)(1) of this section, any exporter using export production allowances must also provide the following to the Administrator:
(i) The Employer Identification Number on the Shipper's Export Declaration Form or Employer Identification Number of the shipping

agent shown on the U.S. Customs Form 7525;
(ii) The exporting vessel on which the class II controlled substances were shipped; and
(iii) The quantity (in kilograms) exported to each Party.
(3) *Reporting Article 5 allowances—Exporters*. In addition to the information required in paragraph (d)(1) of this section, any exporter using Article 5 allowances must also provide the following to the Administrator:
(i) The Employer Identification Number on the Shipper's Export Declaration Form or Employer Identification Number of the shipping agent shown on the U.S. Customs Form 7525; and
(ii) The exporting vessel on which the class II controlled substances were shipped.
(4) *Reporting used class II controlled substances—Exporters*. Any exporter of used class II controlled substances must indicate on the bill of lading or invoice that the class II controlled substance is used, as defined in §82.3.
(e) *Transformation and destruction*. Any person who transforms or destroys class II controlled substances must comply with the following recordkeeping and reporting requirements:
(1) *Recordkeeping—Transformation and destruction*. Any person who transforms or destroys class II controlled substances produced or imported by another person must maintain the following:
(i) Copies of the invoices or receipts documenting the sale or transfer of the class II controlled substances to the person;
(ii) Records identifying the producer or importer of the class II controlled substances received by the person;
(iii) Dated records of inventories of class II controlled substances at each plant on the first day of each quarter;
(iv) Dated records of the quantity (in kilograms) of each class II controlled substance transformed or destroyed;
(v) In the case where class II controlled substances were purchased or transferred for transformation purposes, a copy of the person's transformation verification as provided under paragraph (e)(3)of this section.
(vi) Dated records of the names, commercial use, and quantities (in kilograms) of the resulting chemical(s) when the class II controlled substances are transformed; and
(vii) Dated records of shipments to purchasers of the resulting chemical(s) when the class II controlled substances are transformed.
(viii) In the case where class II controlled substances were purchased or transferred for destruction purposes, a copy of the person's destruction verification, as provided under paragraph (e)(5) of this section.
(2) *Reporting—Transformation and destruction*. Any person who transforms or destroys class II controlled substances and who has submitted a transformation verification ((paragraph (e)(3) of this section) or a destruction verification (paragraph (e)(5) of this section) to the producer or importer of the class II controlled substances, must report the following:
(i) The names and quantities (in kilograms) of the class II controlled substances transformed for each control period within 45 days of the end of such control period; and
(ii) The names and quantities (in kilograms) of the class II controlled substances destroyed for each control period within 45 days of the end of such control period.
(3) *Reporting—Transformation*. Any person who purchases class II controlled substances for purposes of transformation must provide the producer or importer with a transformation verification that the class II controlled substances are to be used in processes that result in their transformation.
(i) The transformation verification shall include the following:
(A) Identity and address of the person intending to transform the class II controlled substances;
(B) The quantity (in kilograms) of class II controlled substances intended for transformation;
(C) Identity of shipments by purchase order number(s), purchaser account number(s), by location(s), or other means of identification;
(D) Period of time over which the person intends to transform the class II controlled substances; and
(E) Signature of the verifying person.
(ii) [Reserved]
(4) *Reporting—Destruction*. Any person who destroys class II controlled substances shall provide EPA with a one-time report containing

the following information:
(i) The destruction unit's destruction efficiency;
(ii) The methods used to record the volume destroyed;
(iii) The methods used to determine destruction efficiency;
(iv) The name of other relevant federal or state regulations that may apply to the destruction process;
(v) Any changes to the information in paragraphs (e)(4)(i), (ii), and (iii) of this section must be reflected in a revision to be submitted to EPA within 60 days of the change(s).
(5) *Reporting—Destruction.* Any person who purchases or receives and subsequently destroys class II controlled substances that were originally produced without expending allowances shall provide the producer or importer from whom it purchased or received the class II controlled substances with a verification that the class II controlled substances will be used in processes that result in their destruction.
(i) The destruction verification shall include the following:
(A) Identity and address of the person intending to destroy class II controlled substances;
(B) Indication of whether those class II controlled substances will be completely destroyed, as defined in §82.3, or less than completely destroyed, in which case the destruction efficiency at which such substances will be destroyed must be included;
(C) Period of time over which the person intends to destroy class II controlled substances; and
(D) Signature of the verifying person.
(ii) [Reserved]
(f) *Heels-Recordkeeping and reporting*. Any person who brings into the U.S. a rail car, tank truck, or ISO tank containing a heel, as defined in §82.3, of class II controlled substances, must take the following actions:
(1) Indicate on the bill of lading or invoice that the class II controlled substance in the container is a heel.
(2) Report within 30 days of the end of the control period the quantity (in kilograms) brought into the U.S. and certify:
(i) That the residual quantity (in kilograms) in each shipment is no more than 10 percent of the volume of the container;
(ii) That the residual quantity (in kilograms) in each shipment will either:
(A) Remain in the container and be included in a future shipment;
(B) Be recovered and transformed;
(C) Be recovered and destroyed; or
(D) Be recovered for a non-emissive use.
(3) Report on the final disposition of each shipment within 30 days of the end of the control period.
(g) *HCFC 141b exemption allowances—Reporting and recordkeeping*. (1) Any person allocated HCFC-141b exemption allowances who confers a quantity of the HCFC-141b exemption allowances to a producer or import and places an order for the production or import of HCFC-141b with a verification that the HCFC-141b will only be used for the exempted purpose and not be resold must submit semi-annual reports, due 30 days after the end of the second and fourth respectively, to the Administrator containing the following information:
(i) Total quantity (in kilograms) HCFC-141b received during the 6 month period; and
(ii) The identity of the supplier of HCFC-141b on a shipment-by-shipment basis during the 6 month period.
(2) Any person allocated HCFC-141b exemption allowances must keep records of letters to producers and importers conferring unexpended HCFC-141b exemption allowances for the specified control period in the notice, orders for the production or import of HCFC-141b under those letters and written verifications that the HCFC-141b was produced or imported for the express purpose of meeting HCFC-141b exemption needs in accordance with information submitted under §82.16(h), and that the quantity will not be resold.
[68 FR 2848, Jan. 21, 2003, as amended at 71 FR 41172, July 20, 2006

EPA QA requirements/guidance governing collection*:* Reporting and record-keeping requirements are published in 40 CFR Part 82, Subpart A, Sections 82.9 through 82.13. These sections of the Stratospheric Ozone Protection Rule specify the required data and accompanying documentation that companies must submit or maintain on-site to demonstrate their compliance with the regulations.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: Data can be submitted on paper form or via EPA's Central Data Exchange. Complete information on reporting options/format can be found at: http://www.epa.gov/ozone/record/index.html

Timing and frequency of reporting: Quarterly (EPA's regulations specify a quarterly reporting system for U.S. companies) and monthly (for the International Trade Commission).

Quarterly Schedule for US Companies
Quarter 1: January 1 - March 31
Quarter 2: April 1 - June 30
Quarter 3: July 1 - Sept. 30
Quarter 4: October 1 - Dec. 31

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Allowance Tracking System (ATS) database is maintained by the Stratospheric Protection Division (SPD). ATS is used to compile and analyze quarterly information from companies on U.S. production, imports, exports, transformations, and allowance trades of ozone-depleting substances (ODS), as well as monthly information on domestic production, imports, and exports from the International Trade Commission.

The Allowance Tracking System contains transformed data.

The Allowance Tracking System meets relevant EPA standards for information system integrity.

3b. Data Quality Procedures

The ATS is programmed to ensure consistency of the data elements reported by companies. The tracking system flags inconsistent data for review and resolution by the tracking system manager. This information is then cross-checked with compliance data submitted by reporting companies. SPD maintains a user's manual for the ATS that specifies the standard operating procedures for data entry and data analysis.

The data are subject to an annual quality assurance review, coordinated by Office of Air and Radiation (OAR) staff separate from those on the team normally responsible for data collection and maintenance.

Regional inspectors also perform inspections and audits on-site at the producers', importers', and exporters' facilities. These audits verify the accuracy of compliance data submitted to EPA through examination of company records.

The ATS data are subject to a Quality Assurance Plan (Quality Assurance Plan, USEPA Office of Atmospheric Programs, July 2002).

3c. Data Oversight

Branch Chief, Stratospheric Program Implementation Program, OAP, OAR

3d. Calculation Methodology

Explanation of Calculations: Data are aggregated across all U.S. companies for each individual ODS to analyze U.S. total consumption and production.

Unit of analysis: Tons of ODP

4. Reporting and Oversight
4a. Oversight and Timing of Results Reporting
Branch Chief, Stratospheric Program Implementation Program, OAP, OAR
4b. Data Limitations/Qualifications
None, since companies are required by the Clean Air Act to report data.
4c. Third-Party Audits
The Government Accounting Office (GAO) completed a review of U.S. participation in five international environmental agreements, and analyzed data submissions from the U.S. under the Montreal Protocol on Substances the Deplete the Ozone Layer. No deficiencies were identified in their January 2003 report. The report may be found at the following website: http://www.gao.gov/new.items/d02960t.pdf

Record Last Updated: 02/08/2012 09:06:27 AM

Performance Data Quality Record (DQR)

NPO Name (ORD) Measure SW1: Percentage of planned research products completed on time by the Safe and Sustainable Water Resources research program.

1. Measure and DQR Metadata	
Goal Number and Title	2 - Protecting America's Waters
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	Office of Program Accountability and Resource Management- Planning

Performance Measure Term Definitions

A research *product* is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use."

This secondary performance measure tracks the timely completion of research products.

Sustainability Research Strategy, available from: http://epa.gov/sciencematters/april2011/truenorth.htm

http://www.epa.gov/risk_assessment/health-risk.htm

2. Data Definition and Source Reporting

2a. Original Data Source

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the research program. The actual product completion date is self-reported.

2b. Source Data Collection

Each output is assigned to a Lab or Center representative before the start of the fiscal year. This individual provides quarterly status updates via ORD's Resource Management System. Status reports are reviewed by senior management, including the Lab or Center Director and National Program Director. Overall status data is generated and reviewed by ORD's Office of Program Accountability and Resource Management.

2c. Source Data Reporting

Quarterly status updates are provided via ORD's Resource Management System.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Internal database or internal tracking system such as the Resources Management System (RMS).

3b. Data Quality Procedures

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the program.

3c. Data Oversight

The National Program Director oversees the source data reporting, specifically, the process of establishing agreement with program stakeholders and senior ORD managers on the list and content of the planned products, and subsequent progress, completion, and delivery of these products.

3d. Calculation Methodology

At the end of the fiscal year, outputs are either classified as "met" or "not met". An overall percentage of planned products met by the program is reported.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Office of Program Accountability and Resource Management is responsible for reporting program progress in meeting its target of completion of 100% of program planned products.

4b. Data Limitations/Qualifications

This measure does not capture directly the quality or impact of the research products.

4c. Third-Party Audits

Not applicable

Record Last Updated: 02/08/2012 09:06:44 AM

Performance Data Quality Record (DQR)

NPO Name (OW) Measure dw2: Percent of person months during which community water systems provide drinking water that meets all applicable health-based standards.

1. Measure and DQR Metadata	
Goal Number and Title	2 - Protecting America's Waters
Objective Number and Title	1 - Protect Human Health
Sub-Objective Number and Title	1 - Water Safe to Drink
Strategic Target Code and Title	1 - By 2015,provide drinking water that meets applicable health-based drinking standards for communities
Managing Office	Office of Ground Water and Drinking Water

Performance Measure Term Definitions

Community water systems --The U.S. Environmental Protection Agency (EPA) defines a community water system (CWS) as a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. CWSs provide water to more than 280 million persons in the United States. They are a tremendously diverse group. CWSs range from very small, privately owned systems whose primary business is not supplying drinking water (e.g., mobile home parks) to very large publicly owned systems that serve millions of customers.
2006 Community Water System Survey Volume I: Overview
http://water.epa.gov/aboutow/ogwdw/upload/cwssreportvolumeI2006.pdf

Person months – All persons served by CWSs times 12 months (3,525.1 million for FY2011). This measure is calculated by multiplying the number of months in the most recent four quarter period in which health-based violations overlap by the retail population served.

Health-based standards -- exceedances of a maximum contaminant level (MCL) and violations of a treatment technique
Effective treatment

2. Data Definition and Source Reporting

2a. Original Data Source

Data are provided by agencies with primacy (primary enforcement authority) for the Public Water System Supervision (PWSS) program. These agencies are either: States, EPA for non-delegated states or territories, and the Navajo Nation Indian tribe, the only tribe with primacy. Primacy agencies collect the data from the regulated water systems, determine compliance, and report a subset of the data to EPA (a subset of the inventory data and summary violations).

2b. Source Data Collection

State certified laboratories report contaminant occurrence to states that, in turn, determine exceedances of maximum contaminant levels or non-compliance with treatment techniques and report these violations to EPA.

Under the drinking water regulations, water systems must use approved analytical methods for testing for contaminants.

2c. Source Data Reporting

Public Water Sanitary System (PWSS) Regulation-Specific Reporting Requirements Guidance. Available on the Internet at

http://www.epa.gov/safewater/regs.html
System, user, and reporting requirements documents can be found on the EPA web site, http://www.epa.gov/safewater/.

States may choose to use electronic Data Verification (eDV) tool to help improve data quality.

3. Information Systems and Data Quality Procedures

3a. Information Systems

SDWIS/STATE, a software information system jointly designed by states and EPA, to support states as they implement the drinking water program. SDWIS/STATE is an optional data base application available for use by states and EPA regions to support implementation of their drinking water programs. [from 3.d]: SDWIS/STATE is an optional data base application available for use by states and EPA regions to support implementation of their drinking water programs.

U.S. EPA, Office of Ground Water and Drinking Water. Data and Databases. Drinking Water Data & Databases – SDWIS/STATE, July 2002. Information available on the Internet: http://www.epa.gov/safewater/sdwis_st/current.html

SDWIS/FED User and System Guidance Manuals (includes data entry instructions, data On-line Data Element Dictionary-a database application, Error Code Data Base (ECDB) - a database application, users guide, release notes, etc.) Available on the Internet at http://www.epa.gov/safewater/sdwisfed/sdwis.htm

System and user documents are accessed via the database link http://www.epa.gov/safewater/databases.html, and specific rule reporting requirements documents are accessed via the regulations, guidance, and policy documents link http://www.epa.gov/safewater/regs.html.

Documentation is also available at the Association of State Drinking Water Administrators web site at www.ASDWA.org.

SDWIS/Fed does not have a Quality Assurance Project Plan. The SDWIS/FED equivalent is the Data Reliability Action Plan [2006 Drinking Water Data Reliability Analysis and Action Plan, EPA-816-R-07-010 March 2008] The DRAP contains the processes and procedures and major activities to be employed and undertaken for assuring the data in SDWIS meet required data quality standards. This plan has three major components: assurance, assessment, and control.

Office of Water Quality Management Plan, available at http://www.epa.gov/water/info.html

3b. Data Quality Procedures

The Office of Ground Water and Drinking Water is modifying its approach to data quality review based on the recommendations of the Data Quality Workgroup and on the Drinking Water Strategy for monitoring data.

There are quality assurance manuals for states and Regions, which provide standard operating procedures for conducting routine assessments of the quality of the data, including timely corrective action(s).

Reporting requirements can be found on the EPA web site, http://www.epa.gov/safewater/.
SDWIS/FED edit checks built into the software to reject erroneous data
EPA offers to reduce reporting and database errors:
1) training to states on data entry, data retrieval, compliance determination, reporting requirements and error correction, 2) user and system documentation produced with each software release and maintained on EPA's web site, 3) Specific error correction and reconciliation support through a troubleshooter's guide, 4) a system-generated summary with detailed reports documenting the results of each data submission, 5) an error code database for states to use when they have questions on how to enter or correct data, and 6) User support

hotline available 5 days a week.

3c. Data Oversight

The Infrastructure Branch Chief is responsible for overseeing source data reporting.

The Associate Director of Drinking Water Protection is responsible for overseeing information systems utilized in producing performance results.

3d. Calculation Methodology

Person months – All persons served by CWSs times 12 months (3,525.1 million for FY2011). This measure is calculated by multiplying the number of months in the most recent four quarter period in which health-based violations overlap by the retail population served.

SDWIS contains basic water system information, population served, and detailed records of violations of the Safe Drinking Water Act and the statute's implementing health-based drinking water regulations.

SDWIS/FED data On-line Data Element Dictionary-a database application Available on the Internet at http://www.epa.gov/safewater/sdwisfed/sdwis.htm

Additional information: Several improvements are underway.

First, EPA will continue to work with states to implement the DRAP, which has already improved the completeness, accuracy, timeliness, and consistency of the data in SDWIS/FED through: 1) training courses for specific compliance determination and reporting requirements, 2) state-specific technical assistance, 3) targeted data audits conducted each year to better understand challenges with specific rules and 4) assistance to regions and states in the identification and reconciliation of missing, incomplete, or conflicting data.

Second, more states (as of January 2011, 55 States, Tribes, and territories are using SDWIS/STATE) will use SDWIS/STATE, SDWIS/STATE is an optional data base application available for use by states and EPA regions to support implementation of their drinking water programs.
U.S. EPA, Office of Ground Water and Drinking Water. Data and Databases. Drinking Water Data & Databases – SDWIS/STATE, July 2002. Information available on the Internet: http://www.epa.gov/safewater/sdwis_st/current.html a software information system jointly designed by states and EPA, to support states as they implement the drinking water program.

Third, in 2006 EPA modified SDWIS/FED to (1) simplify the database, (2) minimize data entry options resulting in complex software, (3) enforce Agency data standards, and (4) ease the flow of data to EPA through a secure data exchange environment incorporating modern technologies, all of which will improve the accuracy of the data. Data are stored in a data warehouse system that is optimized for analysis, data retrieval, and data integration from other data sources. It has improved the program's ability to more efficiently use information to support decision-making and effectively manage the program.

EPA has also begun a multi-year effort to develop the next generation information system to replace SDWIS/State. In addition to reducing the total cost of ownership to EPA, a high priority goal of this effort is to support improved data quality through the evaluation of all public water system monitoring data.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Deputy Director for the Office of Groundwater and Drinking Water and the Evaluation and Accountability Team Leader for the Office

of Water are responsible for coordinating the reporting of all measures for the Office of Water.

4b. Data Limitations/Qualifications

Recent state data verification and other quality assurance analyses indicate that the most significant data quality problem is under-reporting by the states of monitoring and health-based standards violations and inventory characteristics. The most significant under-reporting occurs in monitoring violations. Even though those are not covered in the health based violation category, which is covered by the performance measure, failures to monitor could mask treatment technique and MCL violations. Such under-reporting of violations limits EPA's ability to: 1) accurately portray the percent of people affected by health-based violations, 2) target enforcement oversight, 3) target program assistance to primacy agencies, and 4) provide information to the public on the safety of their drinking water facilities

4c. Third-Party Audits

N/A

Record Last Updated: 02/08/2012 09:06:11 AM

Performance Data Quality Record (DQR)

NPO Name (OW) Measure E: Percent of the population in Indian country served by community water systems that receive drinking water that meets all applicable health-based drinking water standards

1. Measure and DQR Metadata	
Goal Number and Title	2 - Protecting America's Waters
Objective Number and Title	1 - Protect Human Health
Sub-Objective Number and Title	1 - Water Safe to Drink
Strategic Target Code and Title	2 - By 2015, drinking water that meets health-based drinking water standards for Indian countries
Managing Office	Office of Groundwater and Drinking Water

Performance Measure Term Definitions

The definition of Indian country used by the US Department of Justice can be found at this web link:
http://www.justice.gov/usao/eousa/foia_reading_room/usam/title9/crm00677.htm

Community water systems --The U.S. Environmental Protection Agency (EPA) defines a community water system (CWS) as a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. In FY2011 737 CWSs in Indian country regulated by the EPA and Navajo Nation provided water to more than 918 thousand persons.

Health-based drinking water standards-- exceedances of a maximum contaminant level (MCL) and violations of a treatment technique

2. Data Definition and Source Reporting

2a. Original Data Source

EPA excepts for community water systems serving the Navajo Nation, were the tribe has primacy responsibility for implementing the Safe Drinking Water Act.

2b. Source Data Collection

The EPA Office of Ground Water and Drinking Water (Headquarters) calculates this measure using data reported in the Safe Drinking Water Information System-Federal (SDWIS-FED) and provides the results to EPA Regions and the Navajo Nation.

This measure includes federally-regulated contaminants of the following violation types: Maximum Contaminant Level, Maximum Residual Disinfection Limit, and Treatment Technique violations. It includes any violations from currently open and closed community water systems (CWSs) that overlap any part of the most recent four quarters.

2c. Source Data Reporting

Public Water Sanitary System (PWSS) Regulation-Specific Reporting Requirements Guidance. Available on the Internet at http://www.epa.gov/safewater/regs.html
System, user, and reporting requirements documents can be found on the EPA web site, http://www.epa.gov/safewater/.

3. Information Systems and Data Quality Procedures

3a. Information Systems

SDWIS/STATE, a software information system jointly designed by states and EPA, to support states and EPA Regions as they implement the drinking water program. SDWIS/STATE is an optional data base application available for use by states and EPA regions to support implementation of their drinking water programs. EPA Region 9 utilize an access database system (DIME) to collect and report on tribal community water systems in Region 9.

SDWIS/FED User and System Guidance Manuals (includes data entry instructions, data On-line Data Element Dictionary-a database application, Error Code Data Base (ECDB) - a database application, users guide, release notes, etc.) Available on the Internet at http://www.epa.gov/safewater/sdwisfed/sdwis.htm

System and user documents are accessed via the database link http://www.epa.gov/safewater/databases.html, and specific rule reporting requirements documents are accessed via the regulations, guidance, and policy documents link http://www.epa.gov/safewater/regs.html.

SDWIS/Fed does not have a Quality Assurance Project Plan. The SDWIS/FED equivalent is the Data Reliability Action Plan [2006 Drinking Water Data Reliability Analysis and Action Plan, EPA-816-R-07-010 March 2008] The DRAP contains the processes and procedures and major activities to be employed and undertaken for assuring the data in SDWIS meet required data quality standards. This plan has three major components: assurance, assessment, and control.

Office of Water Quality Management Plan, available at http://www.epa.gov/water/info.html

3b. Data Quality Procedures

The Office of Ground Water and Drinking Water is modifying its approach to data quality review based on the recommendations of the Data Quality Workgroup and on the Drinking Water Strategy for monitoring data.

There are quality assurance manuals for states and Regions, which provide standard operating procedures for conducting routine assessments of the quality of the data, including timely corrective action(s).

Reporting requirements can be found on the EPA web site, http://www.epa.gov/safewater/.
SDWIS/FED edit checks built into the software to reject erroneous data
EPA offers to reduce reporting and database errors:
1) training to states on data entry, data retrieval, compliance determination, reporting requirements and error correction, 2) user and system documentation produced with each software release and maintained on EPA's web site, 3) Specific error correction and reconciliation support through a troubleshooter's guide, 4) a system-generated summary with detailed reports documenting the results of each data submission, 5) an error code database for states to use when they have questions on how to enter or correct data, and 6) User support hotline available 5 days a week.

3c. Data Oversight

The Drinking Water Protection Division Director oversees the source data reporting and the information systems producing the performance result.

3d. Calculation Methodology

SDWIS/STATE, a software information system jointly designed by states and EPA, to support states as they implement the drinking water program. SDWIS/STATE is an optional data base application available for use by states and EPA regions to support implementation of

their drinking water programs. [from 3.d]: SDWIS/STATE is an optional data base application available for use by states and EPA regions to support implementation of their drinking water programs.
U.S. EPA, Office of Ground Water and Drinking Water. Data and Databases. Drinking Water Data & Databases – SDWIS/STATE, July 2002. Information available on the Internet: http://www.epa.gov/safewater/sdwis_st/current.html

SDWIS/FED User and System Guidance Manuals (includes data entry instructions, data On-line Data Element Dictionary-a database application, Error Code Data Base (ECDB) - a database application, users guide, release notes, etc.) Available on the Internet at http://www.epa.gov/safewater/sdwisfed/sdwis.htm

System and user documents are accessed via the database link http://www.epa.gov/safewater/databases.html, and specific rule reporting requirements documents are accessed via the regulations, guidance, and policy documents link http://www.epa.gov/safewater/regs.html.

Documentation is also available at the Association of State Drinking Water Administrators web site at www.ASDWA.org.

SDWIS/Fed does not have a Quality Assurance Project Plan. The SDWIS/FED equivalent is the Data Reliability Action Plan [2006 Drinking Water Data Reliability Analysis and Action Plan, EPA-816-R-07-010 March 2008] The DRAP contains the processes and procedures and major activities to be employed and undertaken for assuring the data in SDWIS meet required data quality standards. This plan has three major components: assurance, assessment, and control.

Office of Water Quality Management Plan, available at http://www.epa.gov/water/info.html

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Evaluation and Accountability Team Leader is responsible for overseeing the final reporting for the Office of Water

4b. Data Limitations/Qualifications

Recent state and EPA Regional data verification and other quality assurance analyses indicate that the most significant data quality problem is under-reporting by the states of monitoring and health-based standards violations and inventory characteristics. The most significant under-reporting occurs in monitoring violations. Even though those are not covered in the health based violation category, which is covered by the performance measure, failures to monitor could mask treatment technique and MCL violations. Such under-reporting of violations limits EPA's ability to: 1) accurately portray the percent of people affected by health-based violations, 2) target enforcement oversight, 3) target program assistance to primacy agencies, and 4) provide information to the public on the safety of their drinking water facilities

4c. Third-Party Audits

N/A

Performance Data Quality Record (DQR)

NPO Name (OW) Measure bps: Number of TMDLs that are established or approved by EPA [Total TMDL] on a schedule consistent with national policy (cumulative). [A TMDL is a technical plan for reducing pollutants in order to attain water quality standards. The terms "approved" and "established" refer to the completion and approval of the TMDL itself.]

1. Measure and DQR Metadata	
Goal Number and Title	2 - Protecting America's Waters
Objective Number and Title	2 - Protect and Restore Watersheds and Aquatic Ecosystems
Sub-Objective Number and Title	1 - Improve Water Quality on a Watershed Basis
Strategic Target Code and Title	1 - Attain water quality standards for all pollutants and impairments in more than 3,360 water bodies id
Managing Office	Office of Wetlands Oceans and Watersheds

Performance Measure Term Definitions

TMDL: A Total Daily Maximum Load (TMDL) is a calculation of the maximum amount of a pollutant that a waterbody can receive and still safely meet water quality standards. A TMDL is a technical plan for reducing pollutants in order to attain water quality standards. For the purposes of this measure, each individual pollutant for which an allocation has been established/approved is counted as a TMDL. The development of TMDLs for an impaired waterbody is a critical step toward meeting water restoration goals.
TMDLs focus on clearly defined environmental goals and establish a pollutant budget, which is then implemented via permit requirements or a wide variety of state, local, and federal programs (which may be regulatory, non-regulatory, or incentive-based, depending on the program), as well as voluntary action by citizens.

TMDLs established/approved: The terms “approved” and “established” refer to the completion and approval of the TMDL itself. While the majority of TMDLs are developed by states, territories, or authorized tribes, EPA in some instances may establish a TMDL if:
· EPA disapproves TMDLs submitted by states, territories, or authorized tribes,
· States, territories, or authorized tribes do not submit TMDLs in a timely manner,
· EPA is required to do so pursuant to litigation settlements or judicial orders, or
· States ask EPA to establish TMDLs for particular water bodies.

Schedule consistent with national policy: National policy states that TMDLs are typically established and approved within 8 to 13 years of the water having been listed as impaired under Clean Water Act Section 303(d). The “state pace” is the number of TMDLs needing to be completed in a given state in a given fiscal year (these TMDLs may eventually be developed by either the state and approved by EPA or established by EPA). State pace is based on state litigation or other schedules or straight-line rates that ensure that national policy is met. Regions collaborate with States to set targets for the number of TMDLs projected to be completed in a given fiscal year. EPA policy has been that targets should be within 80 to 100% of the pace.

Cumulative trend information:

Background:

- EPA and States have developed more than 49,000 TMDLs thru FY 2011.
- Projecting state TMDL production numbers several months in advance continues to be a challenge as resource constraints and technical and legal challenges still exist. There has also been a notable shift toward the development of more difficult TMDLs that take more time and resources.
- As TMDLs and other watershed-related activities are developed and implemented, waterbodies that were once impaired will meet water quality standards. Thus these TMDL measures are closely tied to the program assessment measures WQ-SP10.N11 and WQ-SP-11, "Number of waterbody segments identified by States in 2002 as not attaining standards, where water quality standards are now fully attained," and "remove the specific causes of waterbody impairment identified by states in 2002."
- The number of TMDLs needed to address outstanding causes of impairment changes with each 303(d) list cycle; therefore, a baseline as such is not appropriate for these measures.
- For more information, please visit http://www.epa.gov/owow/tmdl/

2. Data Definition and Source Reporting

2a. Original Data Source

State-submitted and EPA-approved TMDLs or EPA-established TMDLs

2b. Source Data Collection

State-submitted and EPA-approved TMDLs and EPA-established TMDLs are publicly reviewed during their development. Electronic and hard copies of state-submitted and EPA-approved TMDLs are made available by states and often linked to EPA Web sites. The Watershed Assessment, Tracking, and Environmental ResultS system allows search for TMDL documents at http://www.epa.gov/waters/tmdl/tmdl_document_search.html.

Explanation:

Office of Water Quality Management Plan. EPA requires that organizations prepare a document called a QMP that: documents the organization's quality policy; describes its quality system; and identifies the environmental programs to which the quality system applies (e.g., those programs involved in the collection or use of environmental data).

2c. Source Data Reporting

Relevant information from each TMDL is entered into the Assessment and Total Maximum Daily Load (TMDL) Tracking And ImplementatioN System (ATTAINS) data entry system and made available to the public via the web reports. See http://www.epa.gov/waters/ir.

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Assessment and Total Maximum Daily Load (TMDL) Tracking And ImplementatioN System (ATTAINS) is the database which captures water quality information related to this measure. ATTAINS is an integrated system that documents and manages the connections between state assessment and listing decisions reported under sections 305(b) and 303(d) (i.e., integrated reporting) and completed TMDLs. This system holds information about assessment decisions and restoration actions across reporting cycles and over time until water quality standards are attained. Annual TMDL totals by state, fiscal year, and pollutant are available at http://iaspub.epa.gov/waters10/attains_nation_cy.control?p_report_type=T#APRTMDLSand TMDL document searches can be conducted at http://www.epa.gov/waters/tmdl/tmdl_document_search.html. More information about ATTAINS can be found at http://www.epa.gov/waters/data/prog.html and http://www.epa.gov/waters/ir/about_integrated.html.

The Watershed Assessment, Tracking, and Environmental Results System (WATERS) is used to provide water program information and display it spatially using a geographic information system (National Hydrography Dataset (NHD)) integrated with several of EPA's existing databases. These databases include the STOrage and RETrieval (STORET) database, the Assessment TMDL Tracking and ImplementatioN System (ATTAINS), the Water Quality Standards Database (WQSDB), and the Grants Tracking and Reporting System (GRTS). This water quality information was previously available only from several independent and unconnected databases. General information about WATERS is available at: http://www.epa.gov/waters/, a system architecture diagram is available at: http://www.epa.gov/waters/about/arch.html, and information about WATERS geographic data is available at: http://www.epa.gov/waters/about/geography.html.

3b. Data Quality Procedures

QA/QC of data is provided by EPA Regional staff and through cross-checks of ATTAINS information regarding impaired water listings, consistent with the Office of Water Quality Management Plan (QMP). EPA requires that organizations prepare a document called a QMP that: documents the organization's quality policy; describes its quality system; and identifies the environmental programs to which the quality system applies (e.g., those programs involved in the collection or use of environmental data).

3c. Data Oversight

The Assessment and Watershed Protection Division Director is responsible for overseeing the source data reporting and information systems.

3d. Calculation Methodology

Additional information: Internal reviews of data quality revealed some inconsistencies in the methodology of data entry between EPA Regional Offices. In 2005 and 2006, EPA convened a meeting of NTTS users to discuss how to improve the database. As a result, data field definitions were clarified, the users' group was reinstituted, several training sessions were scheduled, and an ATTAINS design made the necessary database upgrades. One of the issues raised included the methodology used to count TMDLs. Previous methodology generated a TMDL "count" based on the causes of impairment removed from the 303(d) impaired waters list as well as the TMDL pollutant. EPA proposed to change the counting methodology to directly reflect only the pollutants given allocations in TMDLs. During a recent EPA Office of the Inspector General review they concurred with this recommendation. This proposed change was vetted during the TMDL Program's annual meeting in March 2007 and implemented in August 2007, resulting in a cumulative net reduction of 1,577 TMDLs.

Guidance:
Detailed measure guidance reporting can be found under the water quality sub-objective (WQ-8a) at
http://water.epa.gov/resource_performance/planning/FY-2012-NWPG-Measure-Definitions-Water-Quality.cfm

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Headquarters point of contact for this measure works with Regions to address any questions and to ensure the TMDL information is correctly entered into and made available to the public in ATTAINS.

Branch Chief for Watershed Branch (WB) is responsible for tracking and reporting on this measure.

4b. Data Limitations/Qualifications

To meet the increasing need for readily accessible CWA information, EPA continues to improve the database and oversee quality review of

existing data. Data quality has been improving and will continue to improve as existing data entry requirements and procedures are being re-evaluated and communicated with data entry practitioners.

4c. Third-Party Audits

USEPA, Office of the Inspector General. 2007. *Total Maximum Daily Load Program Needs Better Data and Measures to Demonstrate Environmental Results*. Available at http://www.epa.gov/oig/reports/2007/20070919-2007-P-00036.pdf.

USEPA, Office of the Inspector General. 2005. *Sustained Commitment Needed to Further Advance the Watershed Approach*. Available at http://www.epa.gov/oig/reports/2005/20050921-2005-P-00025.pdf.

National Research Council, Committee to Assess the Scientific Basis of the Total Maximum Daily Load Approach to Water Pollution Reduction. 2001. *Assessing the TMDL Approach to Water Quality Management*. Washington, DC: National Academy Press. http://www.nap.edu/openbook.php?isbn=0309075793

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Performance Data Quality Record (DQR)

NPO Name (OW) Measure L: Number of waterbody segments identified by States in 2002 as not attaining standards, where water quality standards are now fully attained (cumulative).

1. Measure and DQR Metadata	
Goal Number and Title	2 - Protecting America's Waters
Objective Number and Title	2 - Protect and Restore Watersheds and Aquatic Ecosystems
Sub-Objective Number and Title	1 - Improve Water Quality on a Watershed Basis
Strategic Target Code and Title	1 - Attain water quality standards for all pollutants and impairments in more than 3,360 water bodies id
Managing Office	Office of Wetlands Oceans and Watersheds

Performance Measure Term Definitions

Waterbody segments: A geographically defined portion of navigable waters, waters of the contiguous zone, and ocean waters under the jurisdiction of the United States, including segments of rivers, streams, lakes, wetlands, coastal waters and ocean waters.

Identified by States in 2002 as not attaining standards: In 2002, an estimated 39,503 water bodies were identified by states or EPA as not meeting water quality standards. These water bodies and water body segments were identified in state-submitted section 303(d) lists, section 305(b) reports, and Integrated Reports, for the 2002 reporting cycle. (See EPA's guidance for such reporting under "303(d) Listing of Impaired Waters Guidance" at http://www.epa.gov/owow/tmdl/guidance.html.) Impairments identified after 2002 are not considered in counting waters under this measure; such impairments may be considered when revising this measure for future updates of the Strategic Plan.

The universe for this measure, the estimated 39,503 water bodies identified by states or EPA as not meeting water quality standards in 2002, is sometimes referred to as the "fixed base" or "SP-10 baseline." The universe includes all waters in categories 5, 4a, 4b, and 4c in 2002. Of these waters, 1,703 are impaired by multiple pollutants including mercury, and 6,501 are impaired by mercury alone.

States: All 50 states.

Water quality standards are now fully attained: Attaining water quality standards means that the water body is no longer impaired for any of the causes identified in 2002, as reflected in subsequent state-submitted assessments and EPA-approved 303(d) lists. Impairment refers to an "impairment cause" in state- or EPA-reported data, stored in ATTAINS (Assessment Total Maximum Daily Load (TMDL) Tracking and Implementation System) or its predecessors NTTS (National TMDL Tracking System) or ADB (Assessment Database). (Any water body listed as impaired in these data bases must have an impairment cause entered.) There are several reasons why EPA or states may determine that specific waterbodies listed as impaired in 2002, the baseline year, are no longer impaired in the current reporting year. For example, water quality might improve due to EPA or state actions to reduce point and nonpoint source discharges of pollutants. In other cases, a state or EPA might conduct more robust monitoring studies and use these data to complete more accurate assessments of water quality conditions. In some cases, a state might modify its water quality standards, in accordance with EPA's regulations, to update scientific criteria or to better reflect the highest attainable conditions for its waters. Each of these examples represents a case where an impaired water

may no longer exceed water quality standards. Any such removals of waterbody impairments will be recorded based on reports from states scheduled every two years through 2012.

Background:

• This is a cumulative measure, and it was first tracked in FY 2007. The FY 2007 target was 1,166; actual results were 1,409. The FY 2008 target was 1,550; actual results were 2,165. The FY 2009 target for this measure was 2,270; the actual result was 2,505. The FY 2010 target for this measure was 2,809; the actual result was 2,909. The FY 2011 target for this measure was 3,073; the actual results were 3,119.

2. Data Definition and Source Reporting

2a. Original Data Source

Regional EPA staff, who review and approve states' 303(d) lists.

2b. Source Data Collection

Approval and Review of 303(d) lists by regional EPA staff: EPA reviews and approves state determinations that water by segments have fully attained standards. The primary data source is state 303(d) lists of their impaired waterbodies needing development of TMDLs, and required submittals of monitoring information pursuant to section 305(b) of the Clean Water Act. These lists/reports are submitted each biennial reporting cycle. EPA regional staffs interact with the states during the process of approval of the lists to ensure the integrity of the data, consistent with the Office of Water Quality Management Plan (QMP). [EPA review and approval is governed by the Office of Water Quality Management Plan (QMP).]

State 303(d) submissions:

States submit 303(d) lists of impaired waterbodies needing development of TMDLs and monitoring information pursuant to section 305(b) of the Clean Water Act. States prepare lists/reports using actual water quality monitoring data, probability-based monitoring information, and other existing and readily available information and knowledge the state has, in order to make comprehensive determinations addressing the total extent of the state's waterbody impairments. States exercise considerable discretion in using monitoring data and other available information to make decisions about which waters meet their designated uses in accordance with state water quality standards.

States employ various analytical methods of data collection, compilation, and reporting including:
1) Direct water samples of chemical, physical, and biological parameters;
2) Predictive models of water quality standards attainment;
3) Probabilistic models of pollutant sources; and
4) Compilation of data from volunteer groups, academic interests and others. EPA-supported models include BASINS, QUAL2E, AQUATOX, and CORMIX. (Descriptions of these models and instructions for their use can be found at http://www.epa.gov/waterscience/models/.)

Most states have provided this information in Integrated Reports, pursuant to EPA guidance. An Integrated Report is a biennial state submittal that includes the state's findings on the status of all its assessed waters (as required under section 305(b) of the Clean Water Act), a listing of its impaired waters and the causes of impairment, and the status of actions being taken to restore impaired waters (as required under section 303(d)).

QA/QC of data provided by states pursuant to individual state 303(d) lists (under CWA Section 303(d)) and/or Integrated 305(b)/303(d) Reports) is dependent on individual state procedures. EPA enhanced two existing data management tools (STORET and the National Assessment Database) so that they include documentation of data quality information.

EPA released the Water Quality Exchange (WQX) which provides data exchange capability to any organization that generates data of documented quality and would like to contribute that data to the national STORET data warehouse so that their data may be used in combination with other sources of data to track improvements in individual watersheds. Currently data providers must transmit data and required documentation through their own Exchange Network node. EPA rolled out a web data entry tool called WQXweb for users who have not invested in the node technology.

2c. Source Data Reporting

Once EPA approves a state's 303(d) list, the information is entered into EPA's Assessment, TMDL Tracking, and Implementation System ATTAINS. After approving a state's 303(d) list, EPA reviews waterbodies in the 2002 universe to determine progress in achieving annual commitments for this measure (coded as SP-10). A waterbody may be counted under this measure when it attains water quality standards for all impairments identified in the 2002 reporting cycle, as reflected in subsequent Integrated Reports. Impairments that are identified in later Integrated Reports are not considered for this measure.

Waters that are delisted for the following reasons can be counted toward meeting this measure:

Delisting Reason in ATTAINS	Can Removal of Impairment Cause Be Used in Reporting Under SP-10?
8. Applicable WQS attained; due to restoration activities	YES
9. Applicable WQS attained; due to change in WQS	YES
10. Applicable WQS attained; according to new assessment method.	YES
11. Applicable WQS attained; threatened water no longer threatened.	YES
12. Applicable WQS attained; reason for recovery unspecified.	YES
13. Applicable WQS attained; original basis for listing was incorrect.	YES
14. Data and/or information lacking to determine water quality status; original basis for listing was incorrect.	YES

Results for this performance measure are then entered by the EPA Regional Offices into EPA's Annual Commitment System (ACS).

Guidance Documents

- The Office of Water has been working with states to improve the guidance under which 303(d) lists are prepared. In 2005, EPA issued listing guidance entitled *Guidance for 2006 Assessment, Listing, and Reporting Requirements Pursuant to Sections 303(d), 305(b), and 314 of the Clean Water Act*. This document provided a comprehensive compilation of relevant guidance EPA had issued to date regarding the Integrated Report. It included some specific changes from the 2004 guidance. For example, the 2006 *Integrated Report Guidance* provided greater clarity on the content and format of those components of the Integrated Report that are recommended and required under Clean Water Act sections 303(d), 305(b), and 314. The guidance also gave additional clarity and flexibility on reporting alternatives to TMDLs for attaining water quality standards (e.g., utilization of reporting Category 4b). Available at: http://www.epa.gov/owow/tmdl/2006IRG.
- In 2008, USEPA's Office of Water published *Information Concerning 2008 Clean Water Act Sections 303(d), 305(b), and 314 Integrated Reporting and Listing Decisions*. Available at http://www.epa.gov/owow/tmdl/2008_ir_memorandum.html.
- In May 2009 EPA released *Information Concerning 2010 Clean Water Act Sections 303(d), 305(b), and 314 Integrated Reporting and Listing Decisions*. www.epa.gov/owow/tmdl/guidance/final5**2009**.pdf
- EPA issued a 2010 Integrated Report clarification memo (released May 5, 2009 available at http://www.epa.gov/owow/tmdl/guidance/final52009.html) which includes suggestions for the use of the rotating basin approach and Category 3, circumstances and expectation for "partial approval/further review pending" determinations, and using and reporting on Statewide Statistical Survey Data in ATTAINS and the *National Water Quality Inventory Report to Congress* .
- The *Consolidated Assessment and Listing Methodology – Toward a Compendium of Best Practices* (released on the Web July 31, 2002, at www.epa.gov/owow/monitoring/calm.html) intended to facilitate increased consistency in monitoring program design and the data and decision criteria used to support water quality assessments.

The Office of Water (OW) and EPA's Regional Offices have developed the *Elements of a State Water Monitoring and Assessment Program* (March 2008). This guidance describes ten elements that each state water quality monitoring program should contain and directs states to develop monitoring strategies that propose time-frames for implementing all ten elements.

- Reporting guidelines for this measure can be found under the water quality sub-objective (SP-10 code) at: http://water.epa.gov/resource_performance/planning/FY-2012-NWPG-Measure-Definitions-Water-Quality.cfm#Measure%20Code_%20WQ_SP10_N11

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Assessment and Total Maximum Daily Load (TMDL) Tracking And ImplementatioN System (ATTAINS) is the database which captures water quality information related to this measure. ATTAINS is an integrated system that documents and manages the connections between state assessment and listing decisions reported under sections 305(b) and 303(d) (i.e., integrated reporting) and completed TMDLs. This system holds information about assessment decisions and restoration actions across reporting cycles and over time until water quality standards are attained. Annual TMDL totals by state, fiscal year, and pollutant are available at http://iaspub.epa.gov/waters10/attains_nation_cy.control?p_report_type=T#APRTMDLSand TMDL document searches can be conducted at http://www.epa.gov/waters/tmdl/tmdl_document_search.html. More information about ATTAINS can be found at http://www.epa.gov/waters/data/prog.html and http://www.epa.gov/waters/ir/about_integrated.html.

The Watershed Assessment, Tracking, and Environmental Results System (WATERS) is used to provide water program information and display it spatially using a geographic information system (National Hydrography Dataset (NHD)) integrated with several of EPA's existing databases. These databases include the STOrage and RETrieval (STORET) database, the Assessment TMDL Tracking and ImplementatioN System (ATTAINS), the Water Quality Standards Database (WQSDB), and the Grants Tracking and Reporting System

(GRTS). This water quality information was previously available only from several independent and unconnected databases. General information about WATERS is available at: http://www.epa.gov/waters/, a system architecture diagram is available at: http://www.epa.gov/waters/about/arch.html, and information about WATERS geographic data is available at: http://www.epa.gov/waters/about/geography.html.

3b. Data Quality Procedures

Water Management Divisions in EPA Regional Offices have responsibility for oversight, review and quality assurance of the performance data reported to EPA by the original data source which is the individual states.

3c. Data Oversight

(1) Source Data Reporting: Water Management Divisions in the EPA Regional Offices. (2) Information Systems Oversight: System Manager for ATTAINS; System Manager for WATERS

3d. Calculation Methodology

While ATTAINS is the repository for 303(d) lists and 305(b) reports, it is not yet used for tracking performance and success for this measure. EPA is continuing to work to address discrepancies between Regional data records and ATTAINS.

USEPA, 2008, *EPA's 2008 Report on the Environment (Final Report)* http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=190806

USEPA. 2003. *Draft Report on the Environment 2003* . EPA 260-R-02-006. Available at http://nepis.epa.gov/Exe/ZyNET.exe/500001GN.TXT?ZyActionD=ZyDocument&Client=EPA&Index=2000+Thru+2005&File=D%3A%5CZYFILES%5CINDEX+DATA%5C00THRU05%5CTXT%5C00000006%5C500001GN.TXT&User=anonymous&Password=anonymous&ImageQuality=r85g16%2Fr85g16%2Fx150y150g16%2Fi500&Display=hpfrw&Back=ZyActionS&MaximumPages=5&Query=fname%3D%22500001GN.TXT%22

USEPA, Office of the Chief Financial Officer. 2003. *2003-2008 Strategic Plan: Direction for the Future* . This and other past Strategic plans can be found at: http://epa.gov/planandbudget/archive.html.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Deputy Director of the Assessment and Watershed Protection Division is responsible for overseeing final reporting of measure.

4b. Data Limitations/Qualifications

Delays are often encountered in state 303(d) lists and 305(b) submissions, and in EPA's approval of the 303(d) portion of these biennial submissions. EPA encourages states to effectively assess their waters and make all necessary efforts to ensure the timely submittal of required Clean Water Act Section 303(d) impaired waters lists. EPA will continue to work with states to facilitate accurate, comprehensive, and georeferenced data submissions. Also, EPA is heightening efforts to ensure expeditious review of the 303(d) list submissions with national consistency. Timely submittal and EPA review of integrated reports is important to demonstrate state and EPA success in accomplishing Strategic Plan goals for water quality.

Data may not precisely represent the extent of impaired waters because states do not employ a monitoring design that monitors all their waters. States, territories and tribes collect data and information on only a portion of their waterbodies. States do not use a consistent suite of water quality indicators to assess attainment of water quality standards. For example, indicators of aquatic life use support range from

biological community assessments to levels of dissolved oxygen to concentrations of toxic pollutants. These variations in state practices limit how the CWA Sections 305(b) reports and the 303(d) lists provided by states can be used to describe water quality at the national level. There are also differences among sampling techniques and standards.

State assessments of water quality may include uncertainties associated with derived or modeled data. Differences in monitoring designs among and within states prevent the agency from aggregating water quality assessments at the national level with known statistical confidence. States, territories, and authorized tribes monitor to identify problems and typically lag times between data collection and reporting can vary by state.

Additionally, states exercise considerable discretion in using monitoring data and other available information to make decisions about which waters meet their designated uses in accordance with state water quality standards. EPA then aggregates these various state decisions to generate national performance measures.

Impact of Supplemental Funding. In FY 2010 and CR 2011, the program which this measure supports receives funding from the American Recovery and Reinvestment Act (ARRA). Results from that funding will be reflected in this measure, because it cannot easily be separated from results related to other EPA funding.

4c. Third-Party Audits

Independent reports have cited the ways in which weaknesses in monitoring and reporting of monitoring data undermine EPA's ability to depict the condition of the Nation's waters and to support scientifically sound water program decisions. The most recent reports include the following:

- USEPA, Office of the Inspector General. 2009. *EPA Needs to Accelerate Adoption of Numeric Nutrient Water Quality Standards.* Available at www.epa.gov/oig/reports/2009/20090826-09-P-0223.pdf.
- USEPA, Office of the Inspector General. 2007. *Total Maximum Daily Load Program Needs Better Data and Measures to Demonstrate Environmental Results.* Available at http://www.epa.gov/oig/reports/2007/20070919-2007-P-00036.pdf.
- Government Accountability Office. 2003. *Water Quality: Improved EPA Guidance and Support Can Help States Develop Standards That Better Target Cleanup Efforts* . GAO-03-308. Washington, DC. www.gao.gov/new.items/d03308.pdf.
- Government Accountability Office. 2002. *Water Quality: Inconsistent State Approaches Complicate Nation's Efforts to Identify its Most Polluted W* aters. GAO-02-186. Washington, DC. www.epa.gov/waters/doc/gaofeb02.pdf
- Government Accountability Office. 2000. *Water Quality: Key EPA and State Decisions Limited by Inconsistent and Incomplete Data* . GAO-RCED-00-54. Washington, DC. www.gao.gov/products/RCED-00-54

In response to these evaluations, EPA has been working with states and other stakeholders to improve: 1) data coverage, so that state reports reflect the condition of all waters of the state; 2) data consistency to facilitate comparison and aggregation of state data to the national level; and 3) documentation so that data limitations and discrepancies are fully understood by data users. EPA has taken several steps in an effort to make these improvements:

First, EPA enhanced two existing data management tools (STORET and the National Assessment Database) so that they include documentation of data quality information.

Second, EPA has developed a GIS tool called WATERS that integrates many databases including STORET, ATTAINS, and a water quality standards database. These integrated databases facilitate comparison and understanding of differences among state standards, monitoring activities, and assessment results.

Third, EPA and states have developed guidance. The 2006 Integrated Report Guidance (released August 3, 2005 at http://www.epa.gov/owow/tmdl/2006IRG) provides comprehensive direction to states on fulfilling reporting requirements of Clean Water Act sections 305(b) and 303(d). EPA also issued a 2010 Integrated Report clarification memo (released May 5, 2009 available at http://www.epa.gov/owow/tmdl/guidance/final52009.html) which includes suggestions for the use of the rotating basin approach and Category 3, circumstances and expectation for "partial approval/further review pending" determinations, and using and reporting on Statewide Statistical Survey Data in ATTAINS and the *National Water Quality Inventory Report to Congress*.

Also, the *Consolidated Assessment and Listing Methodology – Toward a Compendium of Best Practices* (released on the Web July 31, 2002, at www.epa.gov/owow/monitoring/calm.html) intended to facilitate increased consistency in monitoring program design and the data and decision criteria used to support water quality assessments.

Fourth, the Office of Water (OW) and EPA's Regional Offices have developed the *Elements of a State Water Monitoring and Assessment Program* (March 2008). This guidance describes ten elements that each state water quality monitoring program should contain and directs states to develop monitoring strategies that propose time-frames for implementing all ten elements. (USEPA, Office of Water. 2003. *Elements of a State Water Monitoring and Assessment Program*. EPA 841-B-03-003. Washington, DC. Available at www.epa.gov/owow/monitoring/elements/.)

Record Last Updated: 02/08/2012 09:06:26 AM

Performance Data Quality Record (DQR)

NPO Name (ORD) Measure HC1: Percentage of planned research products completed on time by the Safe and Healthy Communities research program.

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	Office of Program Accountability and Resource Management- Planning

Performance Measure Term Definitions

A research *product* is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use."

This secondary performance measure tracks the timely completion of research products.

Sustainability Research Strategy, available from: http://epa.gov/sciencematters/april2011/truenorth.htm

http://www.epa.gov/risk_assessment/health-risk.htm

2. Data Definition and Source Reporting

2a. Original Data Source

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the research program. The actual product completion date is self-reported.

2b. Source Data Collection

Each output is assigned to a Lab or Center representative before the start of the fiscal year. This individual provides quarterly status updates via ORD's Resource Management System. Status reports are reviewed by senior management, including the Lab or Center Director and National Program Director. Overall status data is generated and reviewed by ORD's Office of Program Accountability and Resource Management.

2c. Source Data Reporting

Quarterly status updates are provided via ORD's Resource Management System.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Internal database or internal tracking system such as the Resources Management System (RMS).

3b. Data Quality Procedures

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the program.

3c. Data Oversight

The National Program Director oversees the source data reporting, specifically, the process of establishing agreement with program stakeholders and senior ORD managers on the list and content of the planned products, and subsequent progress, completion, and delivery of these products.

3d. Calculation Methodology

At the end of the fiscal year, outputs are either classified as "met" or "not met". An overall percentage of planned products met by the program is reported.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Office of Program Accountability and Resource Management is responsible for reporting program progress in meeting its target of completion of 100% of program planned products.

4b. Data Limitations/Qualifications

This measure does not capture directly the quality or impact of the research products.

4c. Third-Party Audits

Not applicable

Record Last Updated: 02/08/2012 09:06:44 AM

Performance Data Quality Record (DQR)

NPO Name (OSWER) Measure B29: Brownfield properties assessed.

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	1 - Promote Sustainable and Livable Communities
Sub-Objective Number and Title	2 - Assess and Cleanup Brownfields
Strategic Target Code and Title	1 - By 2015, conduct environmental assessments at 20,600 (cumulative) brownfield properties
Managing Office	Brownfields

Performance Measure Term Definitions

Properties Assessed -- Number of properties that have been environmentally assessed for the first time using EPA Brownfields funding.

A property will be counted for this measure if the property has not previously been counted for this annual performance measure as a result of other assessments completed with regular EPA Brownfields funding.

A "property" is defined as a contiguous piece of land under unitary ownership. A property may contain several smaller components, parcels or areas.

"Assessments" can consist of a Phase I assessment, Phase II assessment, and/or supplemental assessments. Assessments are deemed complete when the reports for those assessments are deemed complete.

A **Phase I** assessment report is final when an environmental professional or state official has signed and dated the report as required in the final rule (see 40 CFR 312.21 (c).

For **Phase II,** the report is final when an environmental professional or state official has prepared an environmental assessment report that has been accepted by the grant recipient.
For a **supplemental assessment,** the report is considered final when it has been accepted by the cooperative agreement recipient.

For additional information: http://www.epa.gov/brownfields/index.html

2. Data Definition and Source Reporting

2a. Original Data Source

Assessments are funded either through cooperative agreements, or through EPA contracts (for Targeted Brownfields Assessments (TBAs)). Cooperative agreement recipients (or sub-recipients) and contractors submit performance data to EPA in quarterly reports, and property profile reports. On a limited basis EPA personnel are allowed to update or supplement information when a cooperative agreement has been closed and outcomes have been reported to EPA.

2b. Source Data Collection

Field sampling is utilized during the assessment process to determine cleanup needs and to develop assessment reports. Formal completion of assessment reports is tabulated for this measure. Data collection is ongoing as projects are implemented. Reporting instructions indicate that accomplishments are to be recorded as they occur.

Assessment Pathways – Assessments meeting this definition can be completed by using funds via an Assessment Award, a Targeted Brownfields Assessment (TBA) or by completing activities funded by 128(a) awards.

Geographic Detail: As of FY12 ACRES leverages a Google Maps application within the system to assign geocoordinates based on address information. Any deviation from these coordinated requires a manual override by the reporting party.

All the Brownfields cooperative agreements have a QA term and condition. Project-level QA documents (i.e. QAPPs) are a minimum requirement for EPA funding of Brownfields activities which include environmental data collection. The program prepares and provides the QA term and condition to the regional offices and requires them to include it in the cooperative agreements. The QA term and condition for Brownfields Assessment cooperative agreements reads as follows:

*"**B. Quality Assurance (QA) Requirement.** 1. When environmental samples are collected as part of the brownfields assessment, the CAR shall comply with 40 CFR Part 31.45 requirements to develop and implement quality assurance practices sufficient to produce data adequate to meet project objectives and to minimize data loss. State law may impose additional QA requirements."*

EPA contractors conducting Targeted Brownfiels Assessment should develop site-specific Quality Assurance Project Plans (QAPP) for environmental assessment activities or a site-specific QAPP addendum if a Generic QAPP has already been approved for assessment activities. The EPA requires all environmental monitoring and measurement efforts be conducted in accordance with approved QAPPs. The purpose of the QAPP is to document the project planning process, enhance the credibility of sampling results, produce data of known quality, and potentially save time and money by gathering data that meets the needs of the project and intended use of the data. The QAPP is a formal document describing in comprehensive detail the necessary QA/QC and other technical activities that must be conducted to ensure the results of the work performed will satisfy performance criteria and can be used for their intended purposes. All QA/QC procedures shall be in accordance with applicable professional technical standards, EPA requirements, government regulations and guidelines, and specific project goals and requirements.

OSWER has available the following guidance: "Quality Assurance Guidance for Conducting Brownfields Assessments." EPA 540-R-98-038. 1998.

Quality Assurance Guidance for Conducting Brownfields Assessments 1998.pdf

2c. Source Data Reporting

Cooperative agreement recipients (or sub-recipients) and contractors submit performance data to EPA in quarterly reports, and property profile reports. A Property Profile Form (PPF) collects information (environmental, historical, physical) from a property-specific investigation funded under the Brownfields Program.

Contract Agreement recipients have 3 submission options: complete and submit the Property Profile Form (PPF) in online format

connected to the Assessment, Cleanup and Redevelopment Exchange System (ACRES) database; fill out a PPF version in Microsoft Excel format and submit it via e-mail or regular mail to the EPA Regional Representative; or for multiple properties (more than ten properties) fill out a multi-property Excel spreadsheet and submit it via email; or regular mail to the EPA Regional Representative. Any paper forms are entered into ACRES via EPA contractor.

The Property Profile Form is an approved OMB form - OMB No. 2050-0192. Online forms available to registered users here: http://www.epa.gov/brownfields/pubs/index.html.
EPA contractors conducting TBAs provide the assessment report to the EPA Region, who in turn enters the data into ACRES. In some cases, the contractor will also provide a filled-out PPF.

In accordance with the Terms and Conditions of the Brownfields Cooperative Agreements, all Brownfields cooperative agreement recipients (CARs) must report accomplishments to EPA on a quarterly basis. Quarterly reports are due 30 days from the end of the federal fiscal quarter.

2009_multiple_ppf_template_external.xls 2009_property_profile_form_instructions.pdf

2009_property_profile_form.xls

3. Information Systems and Data Quality Procedures

3a. Information Systems

Assessment, Cleanup, and Redevelopment Exchange System (ACRES). This database is the master database of all data supporting OBLR measures. Recipients and EPA report directly into ACRES. It includes source data and transformed data (e.g., data aggregated into Regional totals). http://www.epa.gov/brownfields/pubs/acres/index.htm provides more information about this database.

ACRES quality is assured by adherence to a security plan and quality management plan:
-- *Security plan.* The latest version of the security plan for ACRES is dated 11/2009. Contact Ryan Smith in OSWER for a copy of the security plan.

-- *Quality Management Plan.* ACRES operates under its own Quality Management Plan (*Data Quality Management Plan for the Assessment, Cleanup, and Redevelopment Exchange System, Version 1.02*), which is updated annually, has been updated as of 2/2010. Contact Ryan Smith for the most recent copy of the QMP.

OSWER Performance Assessment Tool (PAT). This tool serves as the primary external servicing resource for organizing and reporting OSWER's performance data, which collects information from OSWER program systems, and conforms it for uniform reporting and data provisioning. PAT captures data from CERCLIS; replicates business logic used by CERCLIS for calculating measures; delivers that data to EPA staff and managers via a business intelligence dashboard interface for analytic and reporting use; ; and transmits data to BAS. No current system specifications document is currently available for PAT, but will be provided when available. Contact Lisa Jenkins in OSWER regarding questions about PAT.

PAT operates under the OSWER Quality Management Plan (QMP), attached.

OSWER QMP printed 2010-03-23.pdf

PAT has a security certification confirming that a security policy is not necessary because no sensitive data are handled and PAT is built upon the Oracle-based business intelligence system. PAT's security certification indicates that it follows all security guidelines for EPA's Oracle Portal and that PAT is (1) not defined as a “Major Application” according to NIST Special Publication 800-18, Guide for Developing Security Plans for Information Technology Systems, section 2.3.1; (2) does not store, process, or transmit information that the degree of sensitivity is assessed as high by considering the requirements for availability, integrity, and confidentiality according to NIST Special Publication 800-18, Guide for Developing Security Plans for Information Technology Systems, section 3.7.2. (3) is not covered by EPA Order 2100.2A1 Information Technology Capital Planning and Investment Control (CPIC). The security certification, attached, was submitted on 9/11/2008.

PAT SecurityCertificationNIST.doc

Budget Automation System (BAS). BAS is the final repository of the performance values.

3b. Data Quality Procedures

Data reported by cooperative award agreement recipients are reviewed by EPA Regional grant managers for accuracy, to verify activities and accomplishments, and to ensure appropriate interpretation of performance measure definitions.

Step 1. Performance measure data entered into ACRES by recipients and/or EPA HQ contractor (for data submitted by recipients in an alternate format, such as hard copy). For each cooperative agreement recipient,, all data entered are signed off by the EPA Regional Representative (Regional Project Officer) identified in the terms and conditions of the cooperative agreement. For contractors, the EPA Regional COR/WAM signs off on the data.

Step 2. Each Region conducts Regional level review of data from the ACRES system. Rejected data must be edited by the original data source. Approved data proceed to Step 3.

Step 3. HQ conducts National level review (EPA HQ contractors) of data approved by regions. Rejected data must be edited by the region (Step 2). Approved data is stored in ACRES.

Step 4. Each quarter, OSWER Performance Assessment Tool (PAT) database pulls the approved data (performance measure) from ACRES.

Step 5. Headquarters approves PAT results, and PAT pushes results into ACS/Measures Central.

Step 6. ACS/Measures Central aggregates Regional data into a national total. OBLR reporting lead reviews and confirms result

3c. Data Oversight

Headquarters-level oversight is provided by maintained by the EPA Contract Officer Technical Representative (COTR)

There is a Regional Project Officer assigned to each cooperative agreement. That Regional Project Officer is responsible for reviewing for completeness and correctness all data provided by cooperative agreement recipients and data related to Targeted Brownfields Assessment (TBA) contracts; their data is reviewed at the Headquarters level. A list of Regional Project Officers is maintained by the Regional Brownfields Coordinator in each region.

Each region also has a data manager (some Regions have a SEE Employee as their data manager). The responsibility of the data manager is to disseminate information about ACRES updates and accomplishments updates. This person serves as the regional point of contact for data related issues.

3d. Calculation Methodology

"Number of Brownfields properties assessed" is an aggregate of properties assessed using funding from Assessment Grants, Regional TBA funds, and State and Tribal 128 Voluntary Response Program funding.

The unit of measure is "Properties"

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The ACRES Project Manager is responsible for reporting accomplishments and program results recorded via ACRES.

4b. Data Limitations/Qualifications

There are some known limitations related to the nature of much of the data being recipient-reported. Regional Project Officers review data to minimize errors (as described above), but some known quality issues remain. Most pertinent to this measure is that outcome data are sometimes not reported by recipients, in the event that the EPA funding expires before the work is complete (for instance, if EPA funding is only part of the funding used for an assessment for cleanup).

Given the reporting cycle and the data entry/QA period, there is typically a several month data lag getting reported data into ACRES.

4c. Third-Party Audits

No external reviews.

Record Last Updated: 02/08/2012 09:06:17 AM

Performance Data Quality Record (DQR)

NPO Name (OSWER) Measure B33: Acres of Brownfields properties made ready for reuse.

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	1 - Promote Sustainable and Livable Communities
Sub-Objective Number and Title	2 - Assess and Cleanup Brownfields
Strategic Target Code and Title	2 - By 2015, make an additional 17,800 acres of brownfield properties ready for reuse
Managing Office	Brownfields

Performance Measure Term Definitions

Acres Made Ready for Reuse – Acres associated with properties benefiting from EPA Brownfields funding that have been assessed and determined not to require cleanup, or where cleanup has been completed and institutional controls are in place, if required, as reported by cooperative agreement recipients.

This typically occurs when one of the following conditions applies:

1. A clean or no further action letter (or its equivalent) has been issued by the state or tribe under its voluntary response program (or its equivalent) for cleanup activities at the property; or

2. The cooperative agreement recipient or property owner, upon the recommendation of an environmental professional, has determined and documented that on-property work is finished. Ongoing operation and maintenance activities or monitoring may continue after a cleanup completion designation has been made.

Note: a property can be counted under this measure if an assessment is completed and results in a determination of no further cleanup being required.

A "property" is defined as a contiguous piece of land under unitary ownership. A property may contain several smaller components, parcels or areas.

For additional information: http://www.epa.gov/brownfields/index.html

2. Data Definition and Source Reporting

2a. Original Data Source

Assessments and Cleanups are funded either through cooperative agreements, or through EPA contracts (for Targeted Brownfields Assessments (TBAs)). Cooperative agreement recipients (or sub-recipients) and contractors submit performance data to EPA in quarterly reports, and property profile reports. On a limited basis EPA personnel are allowed to update or supplement information when a

cooperative agreement has been closed and outcomes have been reported to EPA.

2b. Source Data Collection

Data collection may involve tabulation of records and review of field surveys that identify acreage. The program does not require or recommend a specific land surveying protocol for determining acreage. Data collection is ongoing as projects are implemented. Reporting instructions indicate that accomplishments are to be recorded as they occur.

Acres Made Ready for Reuse can be achieved by conducting an assessment and/or cleanup activities via an Assessment, Revolving Loan Fund or Cleanup (ARC) award, a Targeted Brownfield Assessment (TBA) or by 128(a) funding used for site specific activities.

Conditions for counting "ACRES Made Ready for Reuse" above and beyond the completion of the funded activity:

Under assessment activities:
- If neither cleanup nor Institutional Controls (ICs) are required, then the acres are ready for resuse.
- If ICs are required and they are in place, but cleanup is not required, then the acres are ready for resuse.
- If cleanup is required and later conducted, (where EPA funds assessment activity, but does not fund cleanup) than the property associated with the original assessment is considered ready for reuse.

Under cleanup activities:
- If cleanup is required and completed and ICs are not required, then acres are ready for resuse.
- If cleanup is required and completed and ICs are required and they are in place, then acres are ready for reuse.

Geographic Detail: As of FY12 ACRES leverages a Google Maps application within the system to assign geocoordinates based on address information. Any deviation from these coordinated requires a manual override by the reporting party.

All the Brownfields cooperative agreements have a QA term and condition. Project-level QA documents (i.e. QAPPs) are a minimum requirement for EPA funding of Brownfields activities which include environmental data collection. The program prepares and provides the QA term and condition to the regional offices and requires them to include it in the cooperative agreements. The QA term and condition for Brownfields Assessment cooperative agreements reads as follows:

*"**B. Quality Assurance (QA) Requirement.** 1. When environmental samples are collected as part of the brownfields assessment, the CAR shall comply with 40 CFR Part 31.45 requirements to develop and implement quality assurance practices sufficient to produce data adequate to meet project objectives and to minimize data loss. State law may impose additional QA requirements."*

EPA contractors conducting Targeted Brownfiels Assessment should develop site-specific Quality Assurance Project Plans (QAPP) for environmental assessment activities or a site-specific QAPP addendum if a Generic QAPP has already been approved for assessment activities. The EPA requires all environmental monitoring and measurement efforts be conducted in accordance with approved QAPPs. The purpose of the QAPP is to document the project planning process, enhance the credibility of sampling results, produce data of known quality, and potentially save time and money by gathering data that meets the needs of the project and intended use of the data. The QAPP is a formal document describing in comprehensive detail the necessary QA/QC and other technical activities that must be conducted to ensure the results of the work performed will satisfy performance criteria and can be used for their intended purposes. All QA/QC procedures shall be in accordance with applicable professional technical standards, EPA requirements, government regulations and guidelines, and specific project goals and requirements.

OSWER has available the following guidance: "Quality Assurance Guidance for Conducting Brownfields Assessments." EPA 540-R-98-038. 1998.

Quality Assurance Guidance for Conducting Brownfields Assessments 1998.pdf

2c. Source Data Reporting

Cooperative agreement recipients (or sub-recipients) and contractors submit performance data to EPA in quarterly reports, and property profile reports. A Property Profile Form (PPF) collects information (environmental, historical, physical) from a property-specific investigation funded under the Brownfields Program.

Contract Agreement recipients have 3 submission options: complete and submit the Property Profile Form (PPF) in online format connected to the Assessment, Cleanup and Redevelopment Exchange System (ACRES) database; fill out a PPF version in Microsoft Excel format and submit it via e-mail or regular mail to the EPA Regional Representative; or for multiple properties (more than ten properties) fill out a multi-property Excel spreadsheet and submit it via email; or regular mail to the EPA Regional Representative. Any paper forms are entered into ACRES via EPA contractor.

The Property Profile Form is an approved OMB form - OMB No. 2050-0192. Online forms available to registered users here: http://www.epa.gov/brownfields/pubs/index.html.
EPA contractors conducting TBAs provide the assessment report to the EPA Region, who in turn enters the data into ACRES. In some cases, the contractor will also provide a filled-out PPF.

In accordance with the Terms and Conditions of the Brownfields Cooperative Agreements, all Brownfields cooperative agreement recipients (CARs) must report accomplishments to EPA on a quarterly basis. Quarterly reports are due 30 days from the end of the federal fiscal quarter.

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2009_property_profile_form.xls

3. Information Systems and Data Quality Procedures

3a. Information Systems

Assessment, Cleanup, and Redevelopment Exchange System (ACRES). This database is the master database of all data supporting OBLR measures. Recipients and EPA report directly into ACRES. It includes source data and transformed data (e.g., data aggregated into Regional totals). http://www.epa.gov/brownfields/pubs/acres/index.htm provides more information about this database.

ACRES quality is assured by adherence to a security plan and quality management plan:
-- *Security plan.* The latest version of the Security Plan for ACRES is dated 11/2009.

-- *Quality Management Plan.* ACRES operates under its own Quality Management Plan (*Data Quality Management Plan for the Assessment, Cleanup, and Redevelopment Exchange System, Version 1.02*), which is updated annually, has been updated as of 2/2010. Contact Ryan Smith for the most recent copy of the QMP.

OSWER Performance Assessment Tool (PAT). This tool serves as the primary external servicing resource for organizing and reporting OSWER's performance data, which collects information from OSWER program systems, and conforms it for uniform reporting and data provisioning. PAT captures data from CERCLIS; replicates business logic used by CERCLIS for calculating measures; delivers that data to EPA staff and managers via a business intelligence dashboard interface for analytic and reporting use; ; and transmits data to BAS. No current system specifications document is currently available for PAT, but will be provided when available. Contact Lisa Jenkins in OSWER regarding questions about PAT.

PAT operates under the OSWER Quality Management Plan (QMP), attached.

OSWER QMP printed 2010-03-23.pdf

PAT has a security certification confirming that a security policy is not necessary because no sensitive data are handled and PAT is built upon the Oracle-based business intelligence system. PAT's security certification indicates that it follows all security guidelines for EPA's Oracle Portal and that PAT is (1) not defined as a "Major Application" according to NIST Special Publication 800-18, Guide for Developing Security Plans for Information Technology Systems, section 2.3.1; (2) does not store, process, or transmit information that the degree of sensitivity is assessed as high by considering the requirements for availability, integrity, and confidentiality according to NIST Special Publication 800-18, Guide for Developing Security Plans for Information Technology Systems, section 3.7.2. (3) is not covered by EPA Order 2100.2A1 Information Technology Capital Planning and Investment Control (CPIC). The security certification, attached, was submitted on 9/11/2008.

PAT SecurityCertificationNIST.doc

Budget Automation System (BAS). BAS is the final repository of the performance values.

3b. Data Quality Procedures

Data reported by cooperative award agreement recipients are reviewed by EPA Regional grant managers for accuracy, to verify activities and accomplishments, and to ensure appropriate interpretation of performance measure definitions.

Step 1. Performance measure data entered into ACRES by recipients and/or EPA HQ contractor (for data submitted by recipients in an alternate format, such as hard copy). For each cooperative agreement recipient,, all data entered are signed off by the EPA Regional Representative (Regional Project Officer) identified in the terms and conditions of the cooperative agreement. For contractors, the EPA Regional COR/WAM signs off on the data.

Step 2. Each Region conducts Regional level review of data from the ACRES system. Rejected data must be edited by the original data source. Approved data proceed to Step 3.

Step 3. HQ conducts National level review (EPA HQ contractors) of data approved by regions. Rejected data must be edited by the region (Step 2). Approved data is stored in ACRES.

Step 4. Each quarter, OSWER Performance Assessment Tool (PAT) database pulls the approved data (performance measure) from ACRES.

Step 5. Headquarters approves PAT results, and PAT pushes results into ACS/Measures Central.

Step 6. ACS/Measures Central aggregates Regional data into a national total. OBLR reporting lead reviews and confirms result

ACRES. ACRES quality is assured by adherence to a security plan and quality management plan:

3c. Data Oversight

Headquarters-level oversight is provided by maintained by the EPA Contract Officer Technical Representative (COTR)

There is a Regional Project Officer assigned to each cooperative agreement. That Regional Project Officer is responsible for reviewing for completeness and correctness all data provided by cooperative agreement recipients and data related to Targeted Brownfields Assessment (TBA) contracts; their data is reviewed at the Headquarters level. A list of Regional Project Officers is maintained by the Regional Brownfields Coordinator in each region.

Each region also has a data manager (some Regions have a SEE Employee as their data manager). The responsibility of the data manager is to disseminate information about ACRES updates and accomplishments updates. This person serves as the regional point of contact for data related issues.

3d. Calculation Methodology

"Acres of Brownfields property made ready for reuse" is an aggregate of "acreage assessed that does not require cleanup" and "acreage cleaned up as reported by Assessment Grantees, Regional Targeted Brownfields Assessments, Cleanup Grantees, RLF Grantees, and State and Tribal 128 Voluntary Response Program Grantees for which any required institutional controls are in place."

The unit of measure is acres.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The ACRES Project Manager is responsible for reporting accomplishments and program results recorded via ACRES.

4b. Data Limitations/Qualifications

There are some known limitations related to the nature of much of the data being recipient-reported. Regional Project Officers review data to minimize errors (as described above), but some known quality issues remain. Most pertinent to this measure is that outcome data are sometimes not reported by recipients, in the event that the EPA funding expires before the work is complete (for instance, if EPA funding is only part of the funding used for an assessment for cleanup).

Given the reporting cycle and the data entry/QA period, there is typically a several month data lag getting reported data into ACRES.

4c. Third-Party Audits

No external reviews.

Record Last Updated: 02/08/2012 09:06:14 AM

Performance Data Quality Record (DQR)

NPO Name (OSWER) Measure CH2: Number of risk management plan audits and inspections conducted.

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	1 - Promote Sustainable and Livable Communities
Sub-Objective Number and Title	3 - Reduce Chemical Risks at Facilities and in Communities
Strategic Target Code and Title	1 - By 2015, continue to maintain the Risk Management Plan (RMP) prevention program
Managing Office	The Office of Emergency Management (OEM)

Performance Measure Term Definitions

Risk Management Plans: Risk Management Plans are documents that are submitted by facilities that store chemicals over a certain threshold quantity. These plans are submitted every five years and document chemical processes, accident history, emergency contact information, etc.

Inspections: An inspection is considered "conducted" when the EPA region completes the Inspection Conclusion Data Sheet (ICDS) and enters the information into the Integrated Compliance Information System (ICIS). However this is not always the case. For example, in an ongoing enforcement case, more information or a second site visit might be needed.

Audit: Audits are similar to inspections but do not proceed to enforcement.

Background: The subobjective's goal is to reduce chemical risks at facilities and in communities. Under the authority of section 112(r) of the Clean Air Act, the Chemical Accident Prevention Provisions require facilities that produce, handle, process, distribute, or store certain chemicals to develop a Risk Management Program, prepare a Risk Management Plan (RMP), and submit the Plan to EPA. The purpose of this performance measure is to ensure that facilities that are required to have risk management plans do indeed have plans and are available in case of an incident.

OSWER's Office of Emergency Management implements the Risk Management Program under Clean Air Act section 112(r). Facilities are required to prepare Risk Management Plans (RMPs) and submit them to EPA. In turn, EPA Headquarters (HQ) provides appropriate data to each Region and delegated state so that they have the RMP data for their geographical area. EPA regions and delegated states conduct inspections.

2. Data Definition and Source Reporting

2a. Original Data Source

Data come from one of two sources:

1) EPA Regions. For most states, EPA regions are the implementing authorities that conduct and make record of inspections.

2) States: Nine states have received delegation to operate the RMP program. These delegated States report audit numbers to the appropriate EPA Regional office so it can maintain composite information on RMP audits.

2b. Source Data Collection

EPA personnel travel to facilities to conduct inspections, using the Risk Management Plans that the facilities have submitted, as a basis for their inspection. EPA inspects approximately 5 percent of the entire RMP facility universe annually.

2c. Source Data Reporting

EPA regional staff complete inspections and record information on the ICDS form. Inspections are recorded in the ICIS system as they are completed. EPA headquarters monitors progress of the data collection regularly and reports on the data at mid year and at the end of the fiscal year.

3. Information Systems and Data Quality Procedures

3a. Information Systems

The EPA Annual Commitment System (ACS) is the database for the number of risk management plan (RMP) audits. The Integrated Compliance Information System (ICIS) is used for tracking RMP inspection activities. The Risk Management Plan (RMP) database is used to collect RMP information from regulated facilities, and provides essential background information for inspectors. The EPA Annual Commitment System (ACS) is the database for the number of risk management plan (RMP) audits.

3b. Data Quality Procedures

Facilities submit RMP data via an online system, with extensive validation and quality control measures applied during and after submission to EPA. Regions review RMP data, and compare with information obtained during inspections. Inspection data are collected from states by EPA's Regional offices, and reviewed at the time of Regional data entry. Inspection data are regularly compared to similar data from the past to identify potential errors. Inspection data quality is evaluated by both Regional and Headquarters' personnel. Regions enter data into the Agency's Annual Commitment System, and HQ prepares an annual report.

3c. Data Oversight

These individuals are Regional Chemical Emergency Preparedness and Prevention managers who are responsible for overseeing the inspections and data entry at the Regional level. Headquarters staff performs QA/QC on the data entered by the Regions and reports data out.

3d. Calculation Methodology

Regional and National targets for the number of RMP inspections are set based on the FTE and program funding available to the Regions, and our understanding of the resources required to conduct RMP inspections. In prior years, our experience has shown that Regional offices can inspect approximately 5% of the universe of RMP facilities with available resources. However, this percentage is strongly dependent on the size and complexity of facilities inspected. EPA experience indicates that the field portion of RMP facility inspections alone can require anywhere from a single person for one day or less at a simple, single-process facility up to a team of 6-8 inspectors for 1-2 weeks or more at a large chemical plant or refinery. In recent years, EPA has shifted its inspection focus to high-risk RMP facilities by requiring regional offices to conduct a certain percentage of RMP inspections at these facilities. As high-risk facilities generally require the most inspection resources, the agency has reduced the overall RMP inspection target in order to devote additional resources toward high-risk facility inspections. EPA has established criteria for identifying high-risk RMP facilities and provides a list of these facilities at the beginning of each fiscal year to each Regional office. For FY 2013, the overall national RMP inspection target has been reduced from approximately 5% to 4%, while the percentage of high-risk facility inspections has been raised from approximately 25% to 30%.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

These individuals are OEM personnel who work on the Chemical Emergency Preparedness and Prevention programs either in technical expertise or program evaluation.

4b. Data Limitations/Qualifications

ICIS data quality is dependent on completeness and accuracy of the data provided by state programs and the EPA Regional offices.

Data are count data and not open to interpretation.

RMP data quality is enhanced by system validation, but accuracy is dependent on what the facility submits in their Risk Management Plan.

4c. Third-Party Audits

There are no third party audits for the RMP measure.

Record Last Updated: 02/08/2012 09:07:55 AM

Performance Data Quality Record (DQR)

NPO Name (OSWER) Measure HW0: Number of hazardous waste facilities with new or updated controls.

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	2 - Preserve Land
Sub-Objective Number and Title	2 - Minimize Releases of Hazardous Waste and Petroleum Products
Strategic Target Code and Title	1 - By 2015,prevent releases at 500 hazardous waste management facilities with initial approved controls
Managing Office	Office of Resource Conservation and Recovery

Performance Measure Term Definitions

Definition of "Hazardous Waste Facilities": This universe is composed of facilities that were subject to permits as of 10-1-1997 and subsequent years. EPA plans to update the list of units that need "updated controls" after the end of each Strategic Plan cycle. Those facilities that need updated controls are a smaller set within the larger permitting universe tracked for strategic and annual goals associated with the Government Performance and Results Act (GPRA).

Definition of "New or Updated Controls":

Facilities under control is an outcome based measure as permits or similar mechanisms are not issued until facilities have met standards or permit conditions that are based on human health or environmental standards. Examples include sites cleaned up to a protective level; any groundwater releases controlled so no further attenuation is occurring; any remaining waste safely removed or capped (isolated); and long term controls in place to protect people and the environment at the site, if any contamination remains. An updated control, such as a permit renewal, indicates that the facility has upgraded its operations to ensure continued safe operation, minimizing the potential for releases and accidents.

2. Data Definition and Source Reporting

2a. Original Data Source

States and EPA's Regional offices generate the data.

2b. Source Data Collection

Facility data: The authorized states have ownership of their data and EPA has to rely on them to make changes. The data that determine if a facility has met its permit requirements are prioritized in update efforts. States and EPA's Regional offices manage data quality related to timeliness and accuracy.

2c. Source Data Reporting

Data can be entered directly into RCRAInfo, although some use a different approach and then "translate" the information into RCRAInfo. Supporting documentation and reference materials are maintained in Regional and state files. Users log on at the following URL: https://rcrainfo.epa.gov/rcrainfo/logon.jsp.

3. Information Systems and Data Quality Procedures

3a. Information Systems

RCRAInfo, the national database which supports EPA's RCRA program, contains information on entities (generically referred to as "handlers") engaged in hazardous waste generation and management activities regulated under the portion of the Resource Conservation and Recovery Act (RCRA) that provides for regulation of hazardous waste.

RCRAInfo has several different modules, and allows for tracking of information on the regulated universe of RCRA hazardous waste handlers, such as facility status, regulated activities, and compliance history. The system also captures detailed data on the generation of hazardous waste by large quantity generators and on waste management practices from treatment, storage, and disposal facilities. RCRAInfo is web accessible, providing a convenient user interface for Federal, state and local managers, encouraging development of in-house expertise for controlled cost, and states have the option to use commercial off-the-shelf software to develop reports from database tables.

RCRAInfo is currently at Version 5 (V5), which was released in March 2010. V5 expanded on V4's capabilities and made updates to the Handler module to support two new rules that went into effect in 2009.

Access to RCRAInfo is open only to EPA Headquarters, Regional, and authorized state personnel. It is not available to the general public because the system contains enforcement sensitive data. The general public is referred to EPA's Envirofacts Data Warehouse to obtain information on RCRA-regulated hazardous waste sites. This non-sensitive information is supplied from RCRAInfo to Envirofacts.

3b. Data Quality Procedures

Within RCRAInfo, the application software contains structural controls that promote the correct entry of the high-priority national components.

In December 2008, EPA made a significant update to RCRAInfo (Version 4) to address many data quality concerns related to the Permitting module, upon which this measure is based. This update added components that help the user identify errors in the system (Example: data gap report). RCRAInfo is currently at Version 5, which was released in March 2010. Version 5 made a number of updates to the Handler module that did not have a direct impact on this measure. However, EPA Headquarters has placed added emphasis on data quality and runs monthly reports to identify potential data errors, and then works with the States and Regions to correct those errors.

RCRAInfo documentation, which is available to all RCRAInfo users on-line at https://rcrainfo.epa.gov/, provides guidance to facilitate the generation and interpretation of data.

U.S. Environmental Protection Agency. Office of Resource Conservation and Recovery. RCRAInfo website with documentation and data http://www.epa.gov/enviro/html/rcris/index.html (accessed January 10, 2012).

3c. Data Oversight

The Information Collection and Analysis Branch (ICAB) maintains a list of the Headquarters, Regional and delegated state/territory users and controls access to the system. Branch members ensure data collection is on track, conduct QA reports, and work with Regional and state partners to resolve issues as they are discovered.

3d. Calculation Methodology

Determination of whether or not the facility has approved controls in place is based primarily on the legal and operating status codes for

each unit.

Accomplishment of updated controls is based on the permit expiration date code and other related codes.

The baseline is composed of facilities that can have multiple units. These units may consolidate, split or undergo other activities that cause the number of units to change. There may be occasions where there needs to be minor baseline modifications. The larger permitting universe is carried over from one EPA strategic planning cycle to the next (starting with facilities subject to permits as of 10-1-1997) with minor changes made with each subsequent strategic planning cycle (e.g., facilities referred to Superfund are removed, or facilities never regulated are removed; facilities that applied for a permit within the last strategic cycle are added). EPA updates the list of units that need "updated controls" after the end of each strategic planning cycle. Those facilities that need updated controls are a smaller set within the larger permitting universe.

Complete data dictionary is available at: http://www.epa.gov/enviro/html/rcris/rcris_table.html

The unit of analysis for this measure is "facilities."

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Program Implementation and Information Division (PIID) data analysts are responsible for the reporting.

4b. Data Limitations/Qualifications

Even with the increasing emphasis on data quality, with roughly 10,000 units in the baseline (e.g., a facility can have more than one unit), there are problems with the number of facilities in the baseline and their supporting information, particularly with the older inactive facilities. EPA Headquarters works with the EPA Regional offices to resolve them.

Basic site data may become out-of-date because RCRA does not mandate the notification of all information changes. Nevertheless, EPA tracks the facilities by their ID numbers and those should not change even during ownership changes (*RCRA Subtitle C EPA Identification Number, Site Status, and Site Tracking Guidance* , March 21, 2005).

4c. Third-Party Audits

The 1995 U.S. Government Accountability Office (GAO) report *Hazardous Waste: Benefits of EPA's Information System Are Limited* (AIMD-95-167, August 22, 1995, http://www.gao.gov/archive/1995/ai95167.pdf, Accessed January 10, 2012) on EPA's Hazardous Waste Information System reviewed whether national RCRA information systems support EPA and the states in managing their hazardous waste programs. Those recommendations coincided with ongoing internal efforts to improve the definitions of data collected, and ensure that data collected provide critical information and minimize the burden on states. RCRAInfo, the current national database, has evolved in part as a response to this report. The "Permitting and Corrective Action Program Area Analysis" was the primary vehicle for the improvements made in the December 2008 release (V4).

EPA OIG report:

U.S. Environmental Protection Agency. "Permitting and Corrective Action Program Area Analysis". WIN/INFORMED Executive Steering Committee, July 28, 2005.

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Performance Data Quality Record (DQR)

NPO Name (OSWER) Measure CA1: Cumulative percentage of RCRA facilities with human exposures to toxins under control.

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	3 - Restore Land
Sub-Objective Number and Title	3 - Cleanup Contaminated Land
Strategic Target Code and Title	2 - By 2015, increase the number of Superfund final and deleted NPL sites and RCRA facilities
Managing Office	Office of Resource Conservation and Recovery

Performance Measure Term Definitions

The performance measure is used to track the RCRA Corrective Action Program's progress in dealing with immediate threats to human health and groundwater resources. It is meant to summarize and report on facility-wide environmental conditions at RCRA Corrective Action Program's facilities nation-wide. For background information, please visit: http://www.epa.gov/osw/hazard/correctiveaction/index.htm.

Cumulative – made up of accumulated parts; increasing by successive additions

RCRA Facilities – facilities subject to restriction or action from the Resource Conservation and Recovery Act;

Human Exposure to Toxins – pathways or means by which toxic substances may come into direct contact with a person

Definition of "under control": Known and suspected facility-wide conditions are evaluated using a series of simple questions and flow-chart logic to arrive at a reasonable, defensible determination. These questions were issued as a memorandum titled: *Interim Final Guidance for RCRA Corrective Action Environmental Indicators, Office of Solid Waste, February 5, 1999).* Lead regulators (delegated state or EPA Region) for the facility (authorized state or EPA) make the environmental indicator determination, but facilities or their consultants may assist EPA in the evaluation by providing information on the current environmental conditions. The determinations are entered directly into RCRAInfo. EPA collects the determinations as made by the lead regulator, and this total is used for this measure.

2. Data Definition and Source Reporting

2a. Original Data Source

States and regions enter all data on determinations made.

2b. Source Data Collection

Known and suspected facility-wide conditions are evaluated using a series of simple questions and flow-chart logic to arrive at a reasonable, defensible determination. These questions were issued as a memorandum titled: *Interim Final Guidance for RCRA Corrective Action Environmental Indicators, Office of Solid Waste, February 5, 1999).* Lead regulators for the facility (authorized state or EPA) make the environmental indicator determination (like whether human exposures to toxins are under control), but facilities or their consultants may assist EPA in the evaluation by providing information on the current environmental conditions.

States and regions generate the data and manage data quality related to timeliness and accuracy (i.e., the environmental conditions and determinations

are correctly reflected by the data). EPA has provided guidance and training to states and regions to help ensure consistency in those determinations. RCRAInfo documentation, available to all users on-line, provides guidance to facilitate the generation and interpretation of data.

2c. Source Data Reporting

States: With respect to meeting the human exposures to toxins controlled a "yes," "no", or "insufficient information" entry is made in the database. (EPA makes the same kind of entry related to facilities in non-delegated states.)

3. Information Systems and Data Quality Procedures

3a. Information Systems

RCRAInfo, the national database which supports EPA's RCRA program, contains information on entities (generically referred to as "handlers") engaged in hazardous waste generation and management activities regulated under the portion of the Resource Conservation and Recovery Act (RCRA) that provides for regulation of hazardous waste.

RCRAInfo has several different modules, and allows for tracking of information on the regulated universe of RCRA hazardous waste handlers, such as facility status, regulated activities, and compliance history. The system also captures detailed data on the generation of hazardous waste by large quantity generators and on waste management practices from treatment, storage, and disposal facilities. Within RCRAInfo, the Corrective Action Module tracks the status of facilities that require, or may require, corrective actions, including the information related to the performance measure.

RCRAInfo is web accessible, providing a convenient user interface for Federal, state and local managers, encouraging development of in-house expertise for controlled cost, and states have the option to use commercial off-the-shelf software to develop reports from database tables.

RCRAInfo is currently at Version 5 (V5), which was released in March 2010. V5 expanded on V4's capabilities and made updates to the Handler module to support two new rules that went into effect in 2009.

Access to RCRAInfo is open only to EPA Headquarters, Regional, and authorized state personnel. It is not available to the general public because the system contains enforcement sensitive data. The general public is referred to EPA's Envirofacts Data Warehouse to obtain information on RCRA-regulated hazardous waste sites. This non-sensitive information is supplied from RCRAInfo to Envirofacts. For more information, see: http://www.epa.gov/enviro/index.html.

Find more information about RCRAInfo at: http://www.epa.gov/enviro/html/rcris/index.html.

3b. Data Quality Procedures

Manual procedures: EPA Corrective Action sites are monitored on a facility-by-facility basis and QA/QC procedures are in place to ensure data validity.

Automated procedures: Within RCRAInfo, the application software enforces structural controls that ensure that high-priority national components of the data are properly entered. Training on use of RCRAInfo is provided on a regular basis, usually annually, depending on the nature of systems changes and user needs. The latest version of RCRAInfo, Version 5 (V5), was released in March 2010 and has many added components that will help the user identify errors in the system.

3c. Data Oversight

The Information Collection and Analysis Branch (ICAB) maintains a list of the Headquarters, Regional and delegated state/territory users and controls access to the system. Branch members ensure data collection is on track, conduct QA reports, and work with Regional and state partners to resolve

issues as they are discovered.

3d. Calculation Methodology

Annual progress for each measure is found by subtracting the cumulative progress at the end of the previous fiscal year from the cumulative progress at the end of the current fiscal year.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Program Implementation and Information Division (PIID) data analysts are responsible for the reporting.

4b. Data Limitations/Qualifications

With emphasis on data quality, EPA Headquarters works with the EPA Regional offices to ensure the national data pulls are consistent with the Regional data pulls.

4c. Third-Party Audits

US Government Accountability Office (GAO) report: "Hazardous Waste: Early Goals Have Been Met in EPA's Corrective Action Program, but Resource and Technical Challenges Will Constrain Future Progress." (GAO-11-514, August 25, 2011, http://www.gao.gov/assets/330/321743.pdf)

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Performance Data Quality Record (DQR)

NPO Name (OSWER) Measure CA2: Cumulative percentage of RCRA facilities with migration of contaminated groundwater under control.

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	3 - Restore Land
Sub-Objective Number and Title	3 - Cleanup Contaminated Land
Strategic Target Code and Title	3 - By 2015, increase number of Resource Conservation and Recovery Act (RCRA) facilities
Managing Office	Office of Resource Conservation and Recovery

Performance Measure Term Definitions

The performance measure is used to track the RCRA Corrective Action Program's progress in dealing with immediate threats to human health and groundwater resources. It is meant to summarize and report on facility-wide environmental conditions at RCRA Corrective Action Program's facilities nation-wide. For background information, please visit: http://www.epa.gov/osw/hazard/correctiveaction/index.htm.

Cumulative – made up of accumulated parts; increasing by successive additions

RCRA Facilities – facilities subject to restriction or action from the Resource Conservation and Recovery Act;

Migration – to change position; movement from one location to another

Contaminated Groundwater – water in the subsurface which has become tainted with any number of dissolved contaminants at levels greater than the prescribed environmental standard levels

Definition of "under control": Known and suspected facility-wide conditions are evaluated using a series of simple questions and flow-chart logic to arrive at a reasonable, defensible determination. These questions were issued as a memorandum titled: *Interim Final Guidance for RCRA Corrective Action Environmental Indicators, Office of Solid Waste, February 5, 1999).* Lead regulators (delegated state or EPA Region) for the facility (authorized state or EPA) make the environmental indicator determination, but facilities or their consultants may assist EPA in the evaluation by providing information on the current environmental conditions. The determinations are entered directly into RCRAInfo. EPA collects the determinations as made by the lead regulator, and this total is used for this measure.

2. Data Definition and Source Reporting

2a. Original Data Source

States and regions enter all data on determinations made.

2b. Source Data Collection

Known and suspected facility-wide conditions are evaluated using a series of simple questions and flow-chart logic to arrive at a

reasonable, defensible determination. These questions were issued as a memorandum titled: *Interim Final Guidance for RCRA Corrective Action Environmental Indicators, Office of Solid Waste, February 5, 1999).* Lead regulators for the facility (authorized state or EPA) make the environmental indicator determination (like whether migration of contaminated groundwater is under control), but facilities or their consultants may assist EPA in the evaluation by providing information on the current environmental conditions.

States and regions generate the data and manage data quality related to timeliness and accuracy (i.e., the environmental conditions and determinations are correctly reflected by the data). EPA has provided guidance and training to states and regions to help ensure consistency in those determinations. RCRAInfo documentation, available to all users on-line, provides guidance to facilitate the generation and interpretation of data.

2c. Source Data Reporting

States: With respect to releases to groundwater controlled, a "yes," "no", or "insufficient information" entry is made in the database. (EPA makes the same kind of entry related to facilities in non-delegated states.)

3. Information Systems and Data Quality Procedures

3a. Information Systems

RCRAInfo, the national database which supports EPA's RCRA program, contains information on entities (generically referred to as "handlers") engaged in hazardous waste generation and management activities regulated under the portion of the Resource Conservation and Recovery Act (RCRA) that provides for regulation of hazardous waste.

RCRAInfo has several different modules, and allows for tracking of information on the regulated universe of RCRA hazardous waste handlers, such as facility status, regulated activities, and compliance history. The system also captures detailed data on the generation of hazardous waste by large quantity generators and on waste management practices from treatment, storage, and disposal facilities. Within RCRAInfo, the Corrective Action Module tracks the status of facilities that require, or may require, corrective actions, including the information related to the performance measure.

RCRAInfo is web accessible, providing a convenient user interface for Federal, state and local managers, encouraging development of in-house expertise for controlled cost, and states have the option to use commercial off-the-shelf software to develop reports from database tables.

RCRAInfo is currently at Version 5 (V5), which was released in March 2010. V5 expanded on V4's capabilities and made updates to the Handler module to support two new rules that went into effect in 2009.

Access to RCRAInfo is open only to EPA Headquarters, Regional, and authorized state personnel. It is not available to the general public because the system contains enforcement sensitive data. The general public is referred to EPA's Envirofacts Data Warehouse to obtain information on RCRA-regulated hazardous waste sites. This non-sensitive information is supplied from RCRAInfo to Envirofacts. For more information, see: http://www.epa.gov/enviro/index.html.

Find more information about RCRAInfo at: http://www.epa.gov/enviro/html/rcris/index.html.

3b. Data Quality Procedures

Manual procedures: EPA Corrective Action sites are monitored on a facility-by-facility basis and QA/QC procedures are in place to ensure data validity.

Automated procedures: Within RCRAInfo, the application software enforces structural controls that ensure that high-priority national

components of the data are properly entered. Training on use of RCRAInfo is provided on a regular basis, usually annually, depending on the nature of systems changes and user needs. The latest version of RCRAInfo, Version 5 (V5), was released in March 2010 and has many added components that will help the user identify errors in the system.

3c. Data Oversight

The Information Collection and Analysis Branch (ICAB) maintains a list of the Headquarters, Regional and delegated state/territory users and controls access to the system. Branch members ensure data collection is on track, conduct QA reports, and work with Regional and state partners to resolve issues as they are discovered.

3d. Calculation Methodology

Annual progress for each measure is found by subtracting the cumulative progress at the end of the previous fiscal year from the cumulative progress at the end of the current fiscal year.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Program Implementation and Information Division (PIID) data analysts are responsible for the reporting.

4b. Data Limitations/Qualifications

With emphasis on data quality, EPA Headquarters works with the EPA Regional offices to ensure the national data pulls are consistent with the Regional data pulls.

4c. Third-Party Audits

US Government Accountability Office (GAO) report: "Hazardous Waste: Early Goals Have Been Met in EPA's Corrective Action Program, but Resource and Technical Challenges Will Constrain Future Progress." (GAO-11-514, August 25, 2011, http://www.gao.gov/assets/330/321743.pdf)

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Performance Data Quality Record (DQR)

NPO Name (OSWER) Measure CA5: Cumulative percentage of RCRA facilities with final remedies constructed.

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	3 - Restore Land
Sub-Objective Number and Title	3 - Cleanup Contaminated Land
Strategic Target Code and Title	4 - By 2015, , increase the number of RCRA facilities with final remedies constructed
Managing Office	Office of Resource Conservation and Recovery

Performance Measure Term Definitions

The remedy construction measure tracks the RCRA Corrective Action Program's progress in moving sites towards final cleanup. For background information, please visit: http://www.epa.gov/osw/hazard/correctiveaction/index.htm.

Cumulative – made up of accumulated parts; increasing by successive additions

RCRA Facilities – facilities subject to restriction or action from the Resource Conservation and Recovery Act;

Definition of "final remedies constructed":
The lead regulators (delegated state or EPA Region) for the facility select the remedy and determine when the facility has completed construction of that remedy. EPA collects the determinations as made by the lead regulator and this total is used for this measure.

2. Data Definition and Source Reporting

2a. Original Data Source

States and regions enter all data on determinations made.

2b. Source Data Collection

Known and suspected facility-wide conditions are evaluated using a series of simple questions and flow-chart logic to arrive at a reasonable, defensible determination. These questions were issued as a memorandum titled: *Interim Final Guidance for RCRA Corrective Action Environmental Indicators, Office of Solid Waste, February 5, 1999).* The lead regulators (delegated state or EPA Region) for the facility select the remedy and determine when the facility has completed construction of that remedy.

Construction completions are collected on both an area-wide and site-wide basis.

States and regions generate the data and manage data quality related to timeliness and accuracy (i.e., the environmental conditions and determinations are correctly reflected by the data). EPA has provided guidance and training to states and regions to help ensure consistency in those determinations. RCRAInfo documentation, available to all users on-line, provides guidance to facilitate the generation and interpretation of data.

2c. Source Data Reporting

The remedy construction measure tracks the RCRA Corrective Action Program's progress in moving sites towards final cleanup. The date of remedy construction is entered in the database. (EPA makes the same kind of entry related to facilities in non-delegated states.)

3. Information Systems and Data Quality Procedures

3a. Information Systems

RCRAInfo, the national database which supports EPA's RCRA program, contains information on entities (generically referred to as "handlers") engaged in hazardous waste generation and management activities regulated under the portion of the Resource Conservation and Recovery Act (RCRA) that provides for regulation of hazardous waste.

RCRAInfo has several different modules, and allows for tracking of information on the regulated universe of RCRA hazardous waste handlers, such as facility status, regulated activities, and compliance history. The system also captures detailed data on the generation of hazardous waste by large quantity generators and on waste management practices from treatment, storage, and disposal facilities. Within RCRAInfo, the Corrective Action Module tracks the status of facilities that require, or may require, corrective actions, including the information related to the performance measure.

RCRAInfo is web accessible, providing a convenient user interface for Federal, state and local managers, encouraging development of in-house expertise for controlled cost, and states have the option to use commercial off-the-shelf software to develop reports from database tables.

RCRAInfo is currently at Version 5 (V5), which was released in March 2010. V5 expanded on V4's capabilities and made updates to the Handler module to support two new rules that went into effect in 2009.

Access to RCRAInfo is open only to EPA Headquarters, Regional, and authorized state personnel. It is not available to the general public because the system contains enforcement sensitive data. The general public is referred to EPA's Envirofacts Data Warehouse to obtain information on RCRA-regulated hazardous waste sites. This non-sensitive information is supplied from RCRAInfo to Envirofacts. For more information, see: http://www.epa.gov/enviro/index.html.

Find more information about RCRAInfo at: http://www.epa.gov/enviro/html/rcris/index.html.

3b. Data Quality Procedures

Manual procedures: EPA Corrective Action sites are monitored on a facility-by-facility basis and QA/QC procedures are in place to ensure data validity.

Automated procedures: Within RCRAInfo, the application software enforces structural controls that ensure that high-priority national components of the data are properly entered. Training on use of RCRAInfo is provided on a regular basis, usually annually, depending on the nature of systems changes and user needs. The latest version of RCRAInfo, Version 5 (V5), was released in March 2010 and has many added components that will help the user identify errors in the system.

3c. Data Oversight

The Information Collection and Analysis Branch (ICAB) maintains a list of the Headquarters, Regional and delegated state/territory users and controls access to the system. Branch members ensure data collection is on track, conduct QA reports, and work with Regional and state partners to resolve issues as they are discovered.

3d. Calculation Methodology

The remedy construction measure tracks the RCRA Corrective Action Program's progress in moving sites towards final cleanup. Like with the environmental indicators determination, the lead regulators for the facility select the remedy and determine when the facility has completed construction of that remedy. Construction completions are collected on both an area-wide and site-wide basis for sake of the efficiency measure.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Program Implementation and Information Division (PIID) data analysts are responsible for the reporting.

4b. Data Limitations/Qualifications

With emphasis on data quality, EPA Headquarters works with the EPA Regional offices to ensure the national data pulls are consistent with the Regional data pulls.

4c. Third-Party Audits

US Government Accountability Office (GAO) report: "Hazardous Waste: Early Goals Have Been Met in EPA's Corrective Action Program, but Resource and Technical Challenges Will Constrain Future Progress." (GAO-11-514, August 25, 2011, http://www.gao.gov/assets/330/321743.pdf)

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Performance Data Quality Record (DQR)

NPO Name (OSWER) Measure 112: Number of LUST cleanups completed that meet risk-based standards for human exposure and groundwater migration.

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	3 - Restore Land
Sub-Objective Number and Title	3 - Cleanup Contaminated Land
Strategic Target Code and Title	5 - Through 2015,reduce the backlog of LUST cleanups
Managing Office	Office of Underground Storage Tanks (OUST)

Performance Measure Term Definitions

Cleanups Completed –The number of cleanups completed is the cumulative number of confirmed releases where cleanup has been initiated and where the state has determined that no further actions are currently necessary to protect human health and the environment. This number includes sites where post-closure monitoring as long as site-specific (e.g., risk-based) cleanup goals have been met. Site characterization, monitoring plans, and site-specific cleanup goals must be established and cleanup goals must be attained for sites being remediated by natural attenuation to be counted in this category. Clarification: "Cleanups Completed" is a cumulative category–sites should never be deleted from this category. It is no longer necessary to report separately cleanups completed that are state lead with state money and cleanups completed that are responsible party lead. It is, however, still necessary to report the number of cleanups completed that are state lead with Trust Fund money. A "no further action" determination made by the state that satisfies the "cleanups initiated" measure above, also satisfies this "cleanups completed" measure. This determination will allow a confirmed release that does not require further action to meet the definition of both an initiated and completed cleanup.

For complete definition see EPA OUST. UST And LUST Performance Measures Definitions. January 18, 2008. http://www.epa.gov/OUST/cat/PMDefinitions.pdf , which are referenced in the Guidance To Regions For Implementing The LUST Provision Of The American Recovery And Reinvestment Act Of 2009, EPA-510-R-09-003, June 2009, http://www.epa.gov/oust/eparecovery/lustproguide.pdf , p. 7-8.
See also: EPA. Environmental Protection Agency Recovery Act Program Plan: Underground Storage Tanks. May 15, 2009. http://www.epa.gov/recovery/plans/oust.pdf

Risk-based standards for human exposure and groundwater migration.

Reference: *Semi-annual Report of UST Performance Measures, End Of Mid Fiscal Year 2011 – as of March 31, 2011 , dated May 2011* ; http://www.epa.gov/OUST/cat/ca_11_12.pdf

2. Data Definition and Source Reporting

2a. Original Data Source

The original data source is States, DC, and territories who sign Leaking Underground Storage Tank (LUST) agreements with EPA. These entities can delegate reporting to sub-recipients (such as local governments).

Each EPA regional office manages work that occurs within regional boundaries.

For more information:

1. US EPA Office of Underground Storage Tanks. "Guidance to Regions for Implementing the LUST Provision of the American Recovery and Reinvestment Act of 2009." EPA-510-R-09-003. June 2009. http://www.epa.gov/oust/eparecovery/lustproguide.pdf
2. US EPA Office Of Underground Storage Tanks. "Supplemental Guidance on Recovery Act Recipient Reporting (Section 1512) of the American Recovery and Reinvestment Act of 2009." Memo from Carolyn Hoskinson to Regional UST Managers. October 2, 2009. http://www.epa.gov/oust/eparecovery/OUST_1512_Memo_100209.pdf

2b. Source Data Collection

Determination of cleanup completion requires consideration of environmental data, such as field sampling, which can vary by project. The overall measure requires tabulation of the number LUST clean-ups completed.

Spatial Detail: Geographic granularity can vary. Sub-recipient data submissions (when delegated) may be as detailed as the site level, for which granularity is defined in latitude and longitude. Other data are entered by recipients for the entire state/territory (excluding sub-recipient data). Granularity for work in Indian Country is the Regional level.

Spatial Coverage: National

For cooperative agreements: Regional offices include QA Terms and Conditions in their states' assistance agreement. CAs must be current and specify: QA roles and responsibilities for EPA and grantee recipients; and quality requirements including responsibilities for final review and approval. Default quality requirements include: organization-level QA documentation (i.e. QMP) for state agencies and primary contractors; and project-level QAPPs for each CA. In accordance with EPA's Uniform Administrative Requirements for Grants and Cooperative Agreements, 40 CFR Part 31.45, states must develop and implement quality assurance practices. The regulation requires developing and implementing quality assurance practices that will "produce data of quality adequate to meet project objectives and to minimize loss of data to out of control conditions or malfunctions'; see OSWER Directive 9650.10A: www.epa.gov/oust/directiv/d965010a.htm#sec11"

For contracts: EPA Regions determine which quality requirements are applicable. Contracts must be current and specify: QA roles and responsibilities for EPA and national LUST contractors; and quality requirements including responsibilities for final review and approval. Default quality requirements include: organization-level QA documentation (i.e. QMP) for the primary contractors; and project-level QAPPs for each Tribal LUST remedial Work Assignment. Sample EPA contract language: "the Contractor shall comply with the higher-level quality standard selected below: Specifications and Guidelines for Quality Systems for Environmental Data Collection and Environmental Technology Programs (ANSI/ASQC E4, 1994). As authorized by FAR 52.246-11, the higher-level quality standard ANSI/ASQC E4 is tailored as follows: The solicitation and contract require the offerors/contractor to demonstrate conformance to ANSI/ASQC E4 by submitting the quality documentation described below. [Specifically,...] ... The Contractor shall not commence actual field work until until the Government has approved the quality documentation (i.e., QAPP)."

Note: Regions keep copies of individual QAPPs associated with cooperative agreements and contracts. Each EPA regional office manages its own state and tribal assistance agreements.

2c. Source Data Reporting

Site assessments and cleanup status are recorded as milestones are achieved, in accordance with each site's schedule and each recipient's procedures. Contractors and other recipients individually maintain records for reporting accomplishments into LUST4. Their data systems vary.

States, DC and territories submit location-, funding-, and progress-related data directly into LUST4.

LUST4 also allows for bulk (batch) uploading by states/territories that already have the location & measures-related data captured in a data system or have the technical expertise to create flat files through another method in exactly the format and layout specified. This batch uploading is not supported by OUST; data providers not comfortable with this approach are encouraged to use the interactive online features of the Locations Subsystem and Measures Subsystem. Access to the LUST4 Locations and Measures Subsystems is available online via the EPA portal at http://portal.epa.gov under the My Communities/Underground Storage Tank menu page.

3. Information Systems and Data Quality Procedures

3a. Information Systems

LUST4. This database is the master database of all LUST program-related data, including but not limited to data supporting Recovery Act measures. Recipients and EPA report data for activity and measures directly into LUST4. LUST4 includes both source data and transformed data (e.g., data aggregated into Regional totals).

The program's Oracle web-based system-- LUST4-- accessed through EPA's portal.

OSWER Performance Assessment Tool (PAT). This tool serves as the primary external servicing resource for organizing and reporting OSWER's performance data. PAT collects information from OSWER program systems, and conforms it for uniform reporting and data provisioning. PAT captures data from LUST4; replicates business logic used by LUST4 for calculating measures; can deliver that data to EPA staff and managers via a business intelligence dashboard interface for analytic and reporting use; enables LUST point of contact to document status and provide explanation for each measure; and transmits data to the Budget Automation System.

Budget Automation System (BAS). BAS is the final repository of the performance values.

3b. Data Quality Procedures

EPA's regional grants project officers and regional program managers provide first-level data quality reviews and oversight of their recipients' program performance measure results.

OUST uses a combination of automated validation along with manual QA/QC review.

QA/QC REVIEW BY REGIONS. EPA/OUST oversees the use of the QA/QC checklist, which is incorporated into the LUST4 oracle web-based system. Regions complete the QA/QC checklist, sign it electronically and submit it to EPA/OUST for review, comment and approval of each record.
NOTE: This QA/QC checklist was last updated 10/1/2009 and is accessed through the user interface of LUST4.

Regional QA/QC Evaluation Checklist –
Note: Checklist is to be completed by Regional reviewer and will appear "shaded" to others.
1. Previous Totals Column
-- Verify the previous total number is correct by comparing it to the total from the last reporting period. If there is a discrepancy, report the information in the "Correction To Previous Data" column. Please add comments in the "Comments" column for any corrections that are made to the applicable

performance measure.

2. Actions This Reporting Period

For each performance measure, if this "Reported" number deviates by more than 10% from the last period's number or appears otherwise questionable, complete the following actions:

-- Review the state's explanation, if available.

-- If necessary, contact the state to obtain the corrected numbers and/or obtain a sufficient explanation and include the explanation in the "Comments" section for the applicable performance measure.

3. Corrections to Previous Data Column

Verify that if any corrections have been listed that an explanation for the correction is provided in the "Comments" column and complete the following actions:

-- Verify and discuss the correction with the state if the correction is >10% or if the correction appears questionable (e.g., database conversions, database cleanup efforts to resolve misclassified data, duplicative records, etc.)

-- Verify if the corrections are anticipated to be a one-time event or occur over multiple years

-- Evaluate if the corrections will impact other performance measures (e.g., if the number of cleanups completed is adjusted downward by a correction, does this also result in a commensurate downward adjustment of cleanups initiated?) Include any additional comments in the "Comments" column as necessary.

4. Totals (Cumulative, if applicable)

-- Verify accuracy of all cumulative totals

-- Include any additional comments in the "Comments" column as necessary

AUTOMATED VALIDATION. For instance upon data entry of any new location, location information is verified automatically by the Facility Registry System (FRS). Location information without latitude and longitude is also geocoded automatically. When entering measure information, the system does not allow a measure value less than the applicable count of locations that are relevant to that measure (the count of location records is automatically generated by the system); a measure value greater than the applicable count of locations requires provision of an explanatory comment.

EPA/OUST provides second-level data quality reviews of all data

LUST4. LUST4 operates under OSWER's QMP, including the security policy specified in that QMP. LUST4 does not have any stand-alone certifications related to the EPA security policy or the Systems Life Cycle Management policy. The LUST4 system is built upon Oracle Business Intelligence tools provided by the EPA Business Intelligence Analytics Center, which ensures that a stand-alone security certification is not necessary.

PAT. PAT operates under the OSWER Quality Management Plan (QMP). PAT has a security certification confirming that a security policy is not necessary because no sensitive data are handled and PAT is built upon the Oracle-based business intelligence system. PAT's security certification indicates that it follows all security guidelines for EPA's Oracle Portal and that PAT is (1) not defined as a "Major Application" according to NIST Special Publication 800-18, Guide for Developing Security Plans for Information Technology Systems, section 2.3.1; (2) does not store, process, or transmit information that the degree of sensitivity is assessed as high by considering the requirements for availability, integrity, and confidentiality according to NIST Special Publication 800-18, Guide for Developing Security Plans for Information Technology Systems, section 3.7.2. (3) is not covered by EPA Order 2100.2A1 Information Technology Capital Planning and Investment Control (CPIC).

Data Flow:

Step 1. Performance measure and location data are entered into LUST4 by recipients (or sub-recipients, if delegated) or by Regions (for EPA contractors).Upon entry of any new location, location information is verified automatically by the Facility Registry System (FRS). Location

information without latitude and longitude is also geocoded automatically. (FRS data are used solely for data entry QA/QC, not to assist in calculating results.)

Step 2. Each Region conducts Regional level review of data from the LUST4 system. Rejected data must be edited by the original data source. Approved data proceed to Step 3.

Step 3. Headquarters' staff perform performs National Program Review, using data from the LUST4 system. Rejected data must be reviewed by the region and, if needed, pushed back to the state for editing(Step 2).

Step 4. PAT pulls data from LUST4. Headquarters staff compare PAT results to LUST4 results. If PAT does not match LUST4 then there was an error with the upload and data is reloaded. Headquarters staff enter into PAT the ACS status information of "Indicator" for each measure and, if desired, explanation.(Note: PAT allows for programs to identify status other than "Indicator." When programs select a status of "no status," "data not available," or "target not met," PAT requires that an explanation be provided. LUST program policy is to resolve all reporting issues prior to ACS reporting, so "Indicator" is the only status chosen and explanations for that status are optional.)

Step 5. Headquarters approves PAT results, and PAT pushes results into BAS/Measures Central.

Step 6. Measures Central aggregates Regional data into a national total. OUST reporting lead reviews and certifies results.

3c. Data Oversight

An EPA Headquarters primary contact maintains a list of the HQ (OUST and OEI), Regional and state/territory primary and backup users; a record of changes to the list is also maintained. The primary HQ contact ensures that Regional reporting is on track, conducts QA on LUST performance measures, ensures QA issues are resolved and/or documented, and oversees final reporting to BAS.

Regional Program Managers are ultimately responsible for regional-level data. They conduct their review based upon a national QA/QC checklist.

3d. Calculation Methodology

The cumulative number of confirmed releases where cleanup has been initiated and where the state or region (for the tribes) has determined that no further actions are currently necessary to protect human health and the environment, includes sites where post-closure monitoring is not necessary as long as site specific (e.g., risk based) cleanup goals have been met. Site characterization, monitoring plans and site-specific cleanup goals must be established and cleanup goals must be attained for sites being remediated by natural attenuation to be counted in this category. (See http://www.epa.gov/OUST/cat/PMDefinitions.pdf.)

The unit of analysis is site cleanup

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Semiannual by Deputy Office Director. Responsible for final review to ensure LUST 4 System Manager has completed review, and numbers are accurate.

4b. Data Limitations/Qualifications

Data quality depends on the accuracy and completeness of state records.

4c. Third-Party Audits

Not applicable!

Record Last Updated: 02/08/2012 09:06:27 AM

Performance Data Quality Record (DQR)

NPO Name (OSWER) Measure 151: Number of Superfund sites with human exposures under control.

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	3 - Restore Land
Sub-Objective Number and Title	3 - Cleanup Contaminated Land
Strategic Target Code and Title	2 - By 2015, increase the number of Superfund final and deleted NPL sites and RCRA facilities
Managing Office	OSRTI
Performance Measure Term Definitions	

Definition of Site: "Sites" refers only to National Priorities List (NPL) sites. (See below for definition of NPL.) The term "site" itself is not explicitly defined under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or by the Superfund program; instead "site" is defined indirectly in CERCLA's **definition of "facility,"** as follows: "The term 'facility' means (A) any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft, or (B) any site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located; but does not include any consumer product in consumer use or any vessel." (CERCLA, Title I, Section 101, (9)).

Superfund Alternative Approach (SAA) sites: The program collects and enters into CERCLIS, human exposure determinations at SAA sites, but does not target or report official results at this time.

Definition of National Priorities List (NPL): Sites are listed on the National Priorities List (NPL) upon completion of Hazard Ranking System (HRS) screening, public solicitation of comments about the proposed site, and final placement of the site on the NPL after all comments have been addressed. The NPL primarily serves as an information and management tool. It is a part of the Superfund cleanup process and is updated periodically. Section 105(a)(8)(B) of CERCLA as amended, requires that the statutory criteria provided by the HRS be used to prepare a list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. This list, which is Appendix B of the National Contingency Plan, is the NPL. Visit the HRS Toolbox (http://www.epa.gov/superfund/sites/npl/hrsres/index.htm) page for guidance documents that are used to determine if a site is a candidate for inclusion on the NPL. [Source: Superfund website, http://www.epa.gov/superfund/sites/npl/npl_hrs.htm]

(Also see Appendix B of the most recent Superfund Program Implementation Manual (SPIM), which is updated each fiscal year and contains definitions and documentation/coding guidance for Superfund measures. The most current SPIM can be found here: http://epa.gov/superfund/policy/guidance.htm.)

Definition of "Current Human Exposure under Control" (HEUC): - Sites are assigned to this category when assessments for human exposures indicate there are no unacceptable human exposure pathways and the Region has determined the site is under control for current conditions site wide.

The human exposure status at a site is reviewed annually by the 10th working day in October, or at any time site conditions change. CERCLIS is to be updated within 10 days of any change in status.

The HEUC documents, for Proposed, Final, and Deleted NPL sites and SAA settlement sites, the progress achieved towards providing long-term human health protection by measuring the incremental progress achieved in controlling unacceptable human exposures at a site. This is also a Government Performance and Results Act (GPRA) performance measure.

Controlling unacceptable human exposures can occur in three ways:
-- Reducing the level of contamination. For purposes of this policy, "contamination" generally refers to media containing contaminants in concentrations above appropriate protective risk-based levels associated with complete exposure pathways to the point where the exposure is no longer "unacceptable;" and/or
-- Preventing human receptors from contacting contaminants in-place; and/or
-- Controlling human receptor activity patterns (e.g., by reducing the potential frequency or duration of exposure).

Five categories have been created to describe the level of human health protection achieved at a site:
-- Insufficient data to determine human exposure control status;
-- Current human exposures not under control;
-- Current human exposures under control;
-- Current human exposures under control and protective remedy or remedies in place; and
-- Current human exposures under control, and long-term human health protection achieved.

Definition of Accomplishment of "HEUC":
The criteria for determining the Site-Wide Human Exposure status at a site are found in the Superfund Environmental Indicators Guidance Human Exposures Revisions" March 2008 (http://www.epa.gov/superfund/accomp/ei/pdfs/final_ei_guidance_march_2008.pdf). [Source: SPIM Appendix B]

(See Appendix B of the most recent SPIM, which is updated each fiscal year and contains definitions and documentation/coding guidance for Superfund measures. The most current SPIM can be found here: http://epa.gov/superfund/policy/guidance.htm.)

The Superfund Program's performance measures are used to demonstrate program progress and reflect major site cleanup milestones from start (remedial assessment completion) to finish (number of sites ready for anticipated use sitewide). Each measure marks a significant step in ensuring human health and environment protection at Superfund sites.

References:

U.S. Environmental Protection Agency, EPA Performance and Accountability Reports, http://www.epa.gov/ocfo/par/index.htm.

U.S. Environmental Protection Agency, Superfund Accomplishment and Performance Measures, http://www.epa.gov/superfund/accomplishments.htm.

U.S. Environmental Protection Agency, Federal Facilities Restoration and Reuse Office – Performance measures, http://www.epa.gov/fedfac/documents/measures.htm.

U.S Environmental Protection Agency, Office of Inspector General, Information Technology - Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Data Quality, No. 2002-P-00016, http://www.epa.gov/oigearth/eroom.htm.

U.S. Government Accountability Office, "Superfund Information on the Status of Sites, GAO/RCED-98-241", http://www.gao.gov/archive/1998/rc98241.pdf.

U.S. Environmental Protection Agency, Office of Superfund Remediation and Technology Innovation, *Superfund Program Implementation Manuals (SPIM)* , http://www.epa.gov/superfund/policy/guidance.htm.

U.S. Environmental Protection Agency, Office of Solid Waste and Emergency Response, "OSWER Quality Management Plan", http://www.epa.gov/swerffrr/pdf/oswer_qmp.pdf.

U.S. Environmental Protection Agency, Office of Environmental Information, EPA System Life Cycle Management Policy Agency Directive 2100.5, http://www.epa.gov/irmpoli8/ciopolicy/2100.5.pdf.

U.S. Environmental Protection Agency, Office of Environmental Information, EPA's Information Quality Guidelines, http://www.epa.gov/quality/informationguidelines.

2. Data Definition and Source Reporting

2a. Original Data Source

Original data sources vary, and multiple data sources can be used for each site. Typical data sources are EPA personnel, contractors (directly to EPA or indirectly, through the interagency agreement recipient or cooperative agreement recipient), U.S. Army Corps of Engineers (interagency agreement recipient), and states/tribes/other political subdivisions (cooperative agreement recipients). EPA also collects data via pre-final inspections at sites.

(See item Performance Measure Term Definitions in Tab 1, for more information. Also, detailed information on requirements for source data and completion procedures can be found on the following Superfund website: http://www.epa.gov/superfund/programs/npl_hrs/closeout/index.htm)

2b. Source Data Collection

Collection typically involves some combination of environmental data collection, estimation and/or tabulation of records/activities. Documents such as risk assessments, Record of Decisions (RODs), Action Memoranda, Pollution Reports (POLREPS), Remedial Action (RA Reports), Close-out Reports, Five-year Reviews, NPL Deletion/Partial Deletion Notices are known reliable sources of data and often provide the information necessary for making an HEUC evaluation with reasonable certainty.

Each EPA Region has an information management coordinator (IMC) that oversees reporting.

The Human Exposure Environmental Indicator data were collected beginning in FY 2002.

The collection methods and and guidance for determining HEUC status are found in the Superfund Environmental Indicators Guidance

Human Exposures Revisions" March 2008. (http://www.epa.gov/superfund/accomp/ei/ei.htm)

(See item Performance Measure Term Definitions, for more information and references.)

Source data collection frequency: No set interval. Varies by site

Spatial Extent: National

Spatial detail: Site, defined in database by latitude/longitude pair. In cases in which projects work on a smaller part of a site, geography may be defined at a finer grain -- the project-level.

2c. Source Data Reporting

Varied reporting format for source data EPA uses to make decisions. In many cases, EPA reviews site-specific secondary data or existing EPA-prepared reports. Documents such as risk assessments, RODs, Action Memoranda, POLREPS, RA Reports, Close-out Reports, Five-year Reviews, and NPL Deletion/Partial Deletion Notices are known reliable sources of data and often provide the information necessary for making an HEUC evaluation with reasonable certainty.

EPA's Regional offices and Headquarters enter data into CERCLIS on a rolling basis.

The human exposure status at a site is reviewed annually by the 10th working day in October, or at any time site conditions change. CERCLIS is to be updated within 10 days of any change in status.

The instrument for determining the Site-Wide Human Exposure status at a site is found in the Superfund Environmental Indicators Guidance Human Exposures Revisions" March 2008. Determinations are made by regional staff and management and entered directly into CERCLIS.
http://www.epa.gov/superfund/accomp/ei/ei.htm

See Appendix B of the most recent SPIM, which is updated each fiscal year and contains definitions and documentation/coding guidance for Superfund measures. The most current SPIM can be found here: http://epa.gov/superfund/policy/guidance.htm.

3. Information Systems and Data Quality Procedures

3a. Information Systems

The HEUC determination is made directly in CERCLIS once it is determined that the site is Under Control and has been approved as such by appropriate regional personnel.

CERCLIS database – The CERCLIS database is used by the Agency to track, store, and report Superfund site information (e.g., NPL sites and non-NPL Superfund sites).

(For more information about CERCLIS, see Appendix E of the most recent SPIM, which is updated each fiscal year and contains definitions and documentation/coding guidance for Superfund measures. The most current SPIM can be found here: http://epa.gov/superfund/policy/guidance.htm.)

CERCLIS operation and further development is taking place under the following administrative control quality assurance procedures: 1) Office of Environmental Information Interim Agency Life Cycle Management Policy Agency Directive; 2) the Office of Solid Waste and Emergency Response (OSWER) Quality Management Plan (QMP); 3) EPA IT standards; 4) Quality Assurance Requirements in all contract vehicles under which CERCLIS is being developed and maintained; and 5) EPA IT security policies. In addition, specific controls are in place for system design, data conversion and data capture, as well as CERCLIS outputs.

19-0585 (CERCLIS QAPP) 2009-0410.doc

CERCLIS adherence to the security policy has been audited. Audit findings are attached to this record.

CERCLIS July 9 2009 scan High Medium Response.xls OSWER QMP printed 2010-03-23.pdf

OSWER Performance Assessment Tool (PAT). This tool serves as the primary external servicing resource for organizing and reporting OSWER's performance data, which collects information from OSWER program systems, and conforms it for uniform reporting and data provisioning. PAT captures data from CERCLIS; replicates business logic used by CERCLIS for calculating measures; delivers that data to EPA staff and managers via a business intelligence dashboard interface for analytic and reporting use; and transmits data to the Budget Automated System (BAS). No current system specifications document is currently available for PAT, but will be provided when available. *For this measure, PAT transmits Regional-level data to BAS.*

PAT operates under the OSWER QMP. PAT has a security certification confirming that a security policy is not necessary because no sensitive data are handled and PAT is built upon the Oracle-based business intelligence system. PAT's security certification indicates that it follows all security guidelines for EPA's Oracle Portal and that PAT is (1) not defined as a “Major Application” according to NIST Special Publication 800-18, Guide for Developing Security Plans for Information Technology Systems, section 2.3.1; (2) does not store, process, or transmit information that the degree of sensitivity is assessed as high by considering the requirements for availability, integrity, and confidentiality according to NIST Special Publication 800-18, Guide for Developing Security Plans for Information Technology Systems, section 3.7.2. (3) is not covered by EPA Order 2100.2A1 Information Technology Capital Planning and Investment Control (CPIC).

EPA Headquarters is now scoping the requirements for an integrated (Superfund Document Management System-) SDMS-CERCLIS system, called the **Superfund Enterprise Management System (SEMS)**. Development work on SEMS began in FY 2007 and will continue through FY 2013.

SEMS represents further re-engineering of the national reporting systems to include additional elements of EPA’s Enterprise Architecture. SEMS will provide a common platform for major Superfund systems and future IT development. It will be constructed in part using EPA IT enterprise architecture principles and components. SEMS will provide a Superfund Program user gateway to various IT systems and information collections.

3b. Data Quality Procedures

The regional SOPs for HEUC data entry, along with review and instructions/guidance for determining the Site-Wide Human Exposure status at a site are found in the Superfund Environmental Indicators Guidance Human Exposures Revisions" March 2008.

http://www.epa.gov/superfund/accomp/ei/ei.htm

A list of all Headquarters-level data sponsors is provided in Exhibit E.2 in SPIM Appendix E, Information Systems. The most current SPIM can be found here:
http://www.epa.gov/superfund/policy/guidance.htm

CERCLIS: To ensure data accuracy and control, the following administrative controls are in place: 1) Superfund Program Implementation Manual (SPIM), the program management manual that details what data must be reported; 2) Report Specifications, which are published for each report detailing how reported data are calculated; 3) Coding Guide, which contains technical instructions to data users including Regional IMCs, program personnel, data owners, and data entry personnel; 4) Quick Reference Guides (QRG), which are available in the CERCLIS Documents Database and provide detailed instructions on data entry for nearly every module in CERCLIS; 5) Superfund Comprehensive Accomplishment (SCAP) Reports within CERCLIS, which serve as a means to track, budget, plan, and evaluate progress towards meeting Superfund targets and measures; 6) a historical lockout feature in CERCLIS so that changes in past fiscal year data can be changed only by approved and designated personnel and are logged to a Change Log report, 7) the OSWER QMP; and 8) Regional Data Entry Control Plans.

EPA Headquarters has developed data quality audit reports and Standard Operating Procedures, which address timeliness, completeness, and accuracy, and has provided these reports to the Regions. In addition, as required by the Office of Management and Budget (OMB), CERCLIS audit logs are reviewed monthly. The system was also re-engineered to bring CERCLIS into alignment with the Agency's mandated Enterprise Architecture. The first steps in this effort involved the migration of all 10 Regional and the Headquarters databases into one single national database at the National Computing Center in Research Triangle Park (RTP) and the migration of SDMS to RTP to improve efficiency and storage capacity. During this process SDMS was linked to CERCLIS which enabled users to easily transition between programmatic accomplishments as reported in CERCLIS and the actual document that defines and describes the accomplishments.

Regional Data Entry Control Plans. Regions have established and published Data Entry Control Plans, which are a key component of CERCLIS verification/validation procedures. The control plans include: (1) regional policies and procedures for entering data into CERCLIS, (2) a review process to ensure that all Superfund accomplishments are supported by source documentation, (3) delegation of authorities for approval of data input into CERCLIS, and (4) procedures to ensure that reported accomplishments meet accomplishment definitions. In addition, regions document in their control plans the roles and responsibilities of key regional employees responsible for CERCLIS data (e.g., regional project manager, information management coordinator, supervisor, etc.), and the processes to assure that CERCLIS data are current, complete, consistent, and accurate. Regions may undertake centralized or decentralized approaches to data management. These plans are collected annually for review by OSRTI/IMB (Information Management Branch). [Source: SPIM FY11, III.J and Appendix E. http://www.epa.gov/superfund/action/process/spim10/pdfs/appe.pdf)]

Copies of the 2010 Regional Data Entry Control Plans are provided with this DQR. Current and past year plans are available by contacting the Chief, Information Management Branch, Office of Superfund Remediation and Technology Innovation.

Regions are expected to prepare Data Entry Control Plans consistent with the SPIM and the Headquarters guidance: "CERCLIS Data Entry Control Plan Guidance," June 2009.

2009_draft_CERCLIS_DECP_guidance _6-5-09_.pdf

Superfund Program Implementation Manual (SPIM). The SPIM should be the first source referred to for additional questions related to program data and reporting. The SPIM is a planning document that defines program management priorities, procedures, and practices for the Superfund program (including response, enforcement, and Federal facilities). The SPIM provides the link between the GPRA, EPA's Strategic Plan, and the Superfund program's internal processes for setting priorities, meeting program goals, and tracking performance. It establishes the process to track overall program progress through program targets and measures.

The SPIM provides standardized and common definitions for the Superfund program, and it is part of EPA's internal control structure. As required by the Comptroller General of the United States, through generally accepted accounting principles (GAAP) and auditing standards, this document defines program scope and schedule in relation to budget, and is used for audits and inspections by the Government Accountability Office (GAO) and the Office of the Inspector General (OIG). The SPIM is developed on an annual basis. Revisions to the SPIM are issued during the annual cycle as needed.

The SPIM contains three chapters and a number of appendices. Chapter 1 provides a brief summary of the Superfund program and summarizes key program priorities and initiatives. Chapter 2 describes the budget process and financial management requirements. Chapter 3 describes program planning and reporting requirements and processes. Appendices A through I highlight program priorities and initiatives and provide detailed programmatic information, including Annual Targets for GPRA performance measures, and targets for Programmatic Measures. [Source: SPIM 2011, Chapter I]

The most current version of the SPIM can be found at: http://epa.gov/superfund/policy/guidance.htm

Data Flow:

Step 1. Original data sources provide information.

Step 2. EPA Region reviews and determines HEUC status at the site and adjusts CERCLIS records as needed.

Step 3. Headquarters' OSRTI data sponsor reviews and approves/disapproves written justifications for Regional determinations of "Not Under Control" and "Insufficient Data," using data from CERCLIS. Data sponsor works with Regional staff to ensure that disapproved justifications comport with Superfund Program guidance.

Step 4. OSWER's PAT pulls data from CERCLIS. Headquarters staff compare PAT results to CERCLIS results. If PAT does not match CERCLIS then there was an error with the upload and data are reloaded. Headquarters staff enter into PAT the Annual Commitment System (ACS) status information for each measure and, if necessary, a status explanation.

Step 5. Headquarters approves PAT results, and PAT pushes results into BAS.

Step 6. BAS aggregates Regional data into a national total. OSRTI reporting lead reviews and certifies results.

3c. Data Oversight

The Superfund program has a "data sponsorship" approach to database oversight. Headquarters staff and managers take an active role in improving the quality of data stored in CERCLIS by acting as data sponsors.

Data sponsorship promotes consistency and communication across the Superfund program. Headquarters data sponsors communicate and

gain consensus from data owners on data collection and reporting processes. Data sponsors ensure that the data they need to monitor performance and compliance with program requirements is captured and stored properly in CERCLIS. To meet this goal, headquarters data sponsors identify their data needs, develop data field definitions, and distribute guidance requiring submittal of these data. Data owners are normally site managers that need the data in support of site work. Data owners follow the guidance they receive from data sponsors, as they acquire and submit data. Headquarters data sponsors assist data owners in maintaining and improving the quality of Superfund program data. These data are available for data evaluation and reporting. Data sponsorship helps promote consistency in both national and regional reporting. In addition, data sponsorship provides a tool to improve data quality through program evaluation and adjustments in guidance to correct weaknesses detected. Data sponsors may conduct audits to determine if there are systematic data problems (e.g., incorrect use of codes, data gaps, etc.). A list of all Headquarters-level data sponsors is provided in Exhibit E.2 in SPIM Appendix E, Information Systems. The most current SPIM can be found here: http://epa.gov/superfund/policy/guidance.htm [source example for process: Region 2 SOP, page 53, entry for Data-Entry Training/Oversight]

Specific roles and responsibilities of data sponsors:
-- Identify data needs;
-- Oversee the process of entering data into the system;
-- Determine the adequacy of data for reporting purposes;
-- Conduct focus studies of data entered (A focus study is where a data sponsor identifies a potential or existing data issue to a data owner (see below), IMC, or other responsible person to determine if a data quality problem exists, and to solve the problem, if applicable. (IMC responsibilities discussed below.) Focus studies can be informal via electronic messages.);
-- Provide definitions for data elements;
-- Promote consistency across the Superfund program;
-- Initiate changes in CERCLIS as the program changes;
-- Provide guidance requiring submittal of these data;
-- Determine the adequacy of data for reporting purposes;
-- Support the development of requirements for electronic data submission; and
-- Ensure there is “objective” evidence to support the accomplishment data entered in CERCLIS through identifying data requirements and check to assure compliance by performing periodic reviews of a random CERCLIS data sample. [Source: SPIM 2010, III.E and E.A.5]

The primary responsibilities of data owners are (1) to enter and maintain data in CERCLIS and (2) assume responsibility for complete, current, consistent, and accurate data. The data owners for specific data are clearly identified in the system audit tables. Regions annually update region-specific Data Entry Control Plans (DECP). Among other things, Regional data entry control plans identify which Data Sponsors/Data Owners are responsible for different aspects of data entry. (See item 3b., Data Quality Procedures for more information on Data Entry Control Plans.)

Information Management Coordinators (IMC). In each Region, the IMC is a senior position which serves as regional lead for all Superfund program and CERCLIS systems management activities. The following lead responsibilities for regional program planning and management rest with the IMC:
-- Coordinate program planning, budget development, and reporting activities;
-- Ensure regional planning and accomplishments are complete, current, and consistent, and accurately reflected in CERCLIS by working with data sponsors and data owners;
-- Provide liaison to HQ on SCAP process and program evaluation issues;
-- Coordinate regional evaluations by headquarters;
-- Ensure that the quality of CERCLIS data are such that accomplishments and planning data can be accurately retrieved from the system;

and
-- Ensure there is “objective” evidence to support accomplishment data entered in CERCLIS. (Objective Evidence Rule: “All transactions must be supported by objective evidence, that is, documentation that a third party could examine and arrive at the same conclusion.”) [Source: SPIM 2010, III.E]

The Information Management Officer (IMO) & Director, Information Management and Data Quality Staff. OSWER is the lead point of contact for information about the data from CERCLIS .

The Project Manager for CERCLIS oversees and is the approving authority for quality-related CERCLIS processes, and is closely supported by a Contract Task Manager. (See the CERCLIS QAPP, attached, for more information.) The lead point of contact for information about the data from CERCLIS is the Director, Information Management and Data Quality Staff, Office of Solid Waste and Emergency Response.

PAT Data Entry

The Annual Commitment System (ACS) Coordinator in OSRTI ensures that CERCLIS data for this measure are correctly loaded into PAT. The ACS Coordinator then works with the data sponsor to review uploaded data, edit records as appropriate, and then push data to ACS--part of the Office of Chief Financial Officer's (OCFO) BAS. PAT is maintained by OSWER's System Manager who ensures that the PAT system operates correctly, based on business logic agreed to by OSRTI.

3d. Calculation Methodology

The performance measure is a specific variable entered into CERCLIS following specific coding guidance and corresponding supporting site-specific documentation.

The unit of measure is number of sites. The calculation only includes NPL sites.

References:

Superfund Data Element Dictionary (DED). The Superfund DED is available online at: http://www.epa.gov/superfund/sites/ded/index.htm. The DED provides definitions and descriptions of elements, tables and codes from the CERCLIS database used by the Superfund program. It also provides additional technical information for each entry, such as data type, field length and primary table. Using the DED, you can look up terms by table name or element name, or search the entire dictionary by keyword.

Other additional references that may be useful:

Coding Guide. The Superfund Coding Guide contains technical instructions to data users including Regional IMCs, program personnel, data owners, and data entry personnel. The Remedial component of the Coding Guide is attached to this record.

Coding Guide - 2009.pdf

Quick Reference Guides (QRG). Superfund Quick Reference Guides are available in the CERCLIS Documents Database and provide detailed instructions on data entry for nearly every module in CERCLIS. Sample QRGs are available for entering data related to Remedial

Action Starts.

Example QRG RA Start.doc

Site Status and Description document: this is a QRG for CERCLIS users, for filling in information related to site status and description.

Site Status and Description.doc

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Data Sponsor for HUEC, Annual Commitment System coordinator, and National Program Office (NPO) management.
Progress reporting is done periodically as checks, while official numbers are reported annually.

4b. Data Limitations/Qualifications

Users of HEUC data should recognize that HEUC status is reviewed at least annually, on a schedule that varies based upon site characteristics. This status review can result in a change in status with regard to this measure, with a site moving from HEUC status to non-HEUC status.

4c. Third-Party Audits

Three audits, two by the Office Inspector General (OIG) and the other by Government Accountability Office (GAO), assessed the validity of the data in CERCLIS. The OIG audit report, *Superfund Construction Completion Reporting* (No. E1SGF7_05_0102_ 8100030), dated December 30, 1997, concluded that the Agency "has good management controls to ensure accuracy of the information that is reported," and "Congress and the public can rely upon the information EPA provides regarding construction completions." The GAO report, *Superfund: Information on the Status of Sites* (GAO/RCED-98-241), dated August 28, 1998, estimated that the cleanup status of National Priority List (NPL) sites reported by CERCLIS as of September 30, 1997, is accurate for 95 percent of the sites. Another OIG audit, *Information Technology - Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Data Quality* (Report No. 2002-P-00016), dated September 30, 2002, evaluated the accuracy, completeness, timeliness, and consistency of the data entered into CERCLIS. The report provided 11 recommendations to improve controls for CERCLIS data quality. EPA has implemented these recommendations and continues to use the monitoring tools for verification.

The IG annually reviews the end-of-year CERCLIS data, in an informal process, to verify data that supports the performance measures. Typically, there are no published results.

EPA received an unqualified audit opinion by the OIG for the annual financial statements and recommends several corrective actions. The Office of the Chief Financial Officer indicates that corrective actions will be taken.

Record Last Updated: 02/08/2012 09:06:43 AM

Performance Data Quality Record (DQR)

NPO Name (OSWER) Measure S10: Number of Superfund sites ready for anticipated use site-wide.

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	3 - Restore Land
Sub-Objective Number and Title	3 - Cleanup Contaminated Land
Strategic Target Code and Title	7 - By 2015, ensure that 799 Superfund NPL sites are "sitewide ready for anticipated use"
Managing Office	OSRTI
Performance Measure Term Definitions	

Definition of Site: "Sites" refers only to National Priorities List (NPL) sites. (See below for definition of NPL.) The term "site" itself is not explicitly defined underComprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or by the Superfund program; instead "site" is defined indirectly in CERCLA's **definition of "facility,"** as follows: "The term 'facility' means (A) any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft, or (B) any site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located; but does not include any consumer product in consumer use or any vessel." (CERCLA, Title I, Section 101, (9)).

Definition of Sitewide Ready for Anticipated Use (SWRAU): Where for the entire construction complete NPL site: All cleanup goals in the Record(s) of Decision or other remedy decision document(s) have been achieved for media that may affect current and reasonably anticipated future land uses of the site, so that there are no unacceptable risks; and all institutional or other controls required in the Record(s) of Decision or other remedy decision document(s) have been put in place.

The Human Exposure determination for sites that qualify for the Sitewide Ready-for-use measure should either be:
• "Current Human Exposure Controlled and Protective Remedy in Place"; or
• "Long-Term Human Health Protection Achieved

In addition, All acreage at the site must be Ready for Anticipated Use (RAU) (i.e., the Superfund Remedial/Federal Facilities Response Universe Acres minus the total RAU Acres must be zero).

For more information about the SWRAU performance measure, visit: http://www.epa.gov/superfund/programs/recycle/pdf/sitewide_a.pdf.

Also, see Appendix B of the most recent Superfund Program Implementation Manual(SPIM), which is updated each fiscal year and contains definitions and documentation/coding guidance for Superfund measures. The most current SPIM can be found here: http://epa.gov/superfund/policy/guidance.htm.

Superfund Alternative Approach (SAA) sites: The program tracks SAA sites that meet Sitewide ready for anticipated use criteria, but

does target or report official results at this time.

Definition of National Priorities List (NPL): Sites are listed on the National Priorities List (NPL) upon completion of Hazard Ranking System (HRS) screening, public solicitation of comments about the proposed site, and final placement of the site on the NPL after all comments have been addressed. The NPL primarily serves as an information and management tool. It is a part of the Superfund cleanup process and is updated periodically. Section 105(a)(8)(B) of CERCLA as amended, requires that the statutory criteria provided by the HRS be used to prepare a list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. This list, which is Appendix B of the National Contingency Plan, is the NPL. Visit the HRS Toolbox (http://www.epa.gov/superfund/sites/npl/hrsres/index.htm) page for guidance documents that are used to determine if a site is a candidate for inclusion on the NPL. [Source: Superfund website, http://www.epa.gov/superfund/sites/npl/npl_hrs.htm]

(Also see Appendix B of the most recent SPIM, which is updated each fiscal year and contains definitions and documentation/coding guidance for Superfund measures. The most current SPIM can be found here: http://epa.gov/superfund/policy/guidance.htm.)

The Superfund Program's performance measures are used to demonstrate the agency's progress of site cleanup and reuse. Each measure marks a significant step in ensuring human health and environmental protection at Superfund sites.

References:

U.S. Environmental Protection Agency, EPA Performance and Accountability Reports, http://www.epa.gov/ocfo/par/index.htm.

U.S. Environmental Protection Agency, Superfund Accomplishment and Performance Measures, http://www.epa.gov/superfund/accomplishments.htm.

U.S. Environmental Protection Agency, Federal Facilities Restoration and Reuse Office – Performance measures, http://www.epa.gov/fedfac/documents/measures.htm.

U.S Environmental Protection Agency, Office of Inspector General, Information Technology - Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Data Quality, No. 2002-P-00016, http://www.epa.gov/oigearth/eroom.htm.

U.S. Government Accountability Office, "Superfund Information on the Status of Sites, GAO/RCED-98-241", http://www.gao.gov/archive/1998/rc98241.pdf.

U.S. Environmental Protection Agency, Office of Superfund Remediation and Technology Innovation, *Superfund Program Implementation Manuals (SPIM)* , http://www.epa.gov/superfund/policy/guidance.htm (accessed July 30, 2009).

U.S. Environmental Protection Agency, Office of Solid Waste and Emergency Response, "OSWER Quality Management Plan", http://www.epa.gov/swerffrr/pdf/oswer_qmp.pdf.

U.S. Environmental Protection Agency, Office of Environmental Information, EPA System Life Cycle Management Policy Agency Directive 2100.5, http://www.epa.gov/oamhpod1/adm_placement/ITS_BISS/slcmmgmt.pdf.

U.S. Environmental Protection Agency, Office of Environmental Information, EPA's Information Quality Guidelines,

http://www.epa.gov/quality/informationguidelines.

2. Data Definition and Source Reporting

2a. Original Data Source

Original data sources vary, and multiple data sources can be used for each site. Typical data sources are EPA personnel, contractors (directly to EPA or indirectly, through the interagency agreement recipient or cooperative agreement recipient), U.S. Army Corps of Engineers (interagency agreement recipient), and states/tribes/other political subdivisions (cooperative agreement recipients). EPA also collects data via pre-final inspections at sites.

(See item Performance Measure Term Definitions in Tab 1, for more information. Also, detailed information on requirements for source data and completion procedures can be found on the following Superfund website: http://www.epa.gov/superfund/programs/npl_hrs/closeout/index.htm)

2b. Source Data Collection

Collection mode varies, typically with multiple collection modes at each site. Collection typically involves some combination of environmental data collection, estimation and/or tabulation of records/activities. Documents such as risk assessments, Record of Decisions (RODs), Action Memoranda, Pollution Reports (POLREPS), Remedial Action (RA) Reports, Close-out Reports, Five-year Reviews, NPL Deletion/Partial Deletion Notices are known reliable sources of data and often provide the information necessary for making a SWRAU evaluation with reasonable certainty. Regions should also ensure consistency between the SWRAU determination, the All ICs Implemented indicator, and the HEUC environmental indicator.

The SWRAU baseline was established in 2006. Data were from FY 2007 and continues through FY 2012.

The Guidance and Checklist can be found at: http://www.epa.gov/superfund/programs/recycle/pdf/sitewide_a.pdf.

(See item Performance Measure Term Definitions, for more information and references.)

Source data collection frequency: On a regular basis with no set schedule, as the data are entered real-time. Varies by site.

Spatial Extent: National

Spatial detail: Site, defined in database by latitude/longitude pair.

2c. Source Data Reporting

Collection mode varies, typically with multiple collection modes at each site. Collection typically involves some combination of environmental data collection, estimation and/or tabulation of records/activities. Documents such as risk assessments, RODs, Action Memoranda, POLREPS, RA Reports, Close-out Reports, Five-year Reviews, NPL Deletion/Partial Deletion Notices are known reliable sources of data and often provide the information necessary for making a SWRAU evaluation with reasonable certainty. Regions should also ensure consistency between the SWRAU determination, the All ICs Implemented indicator, and the HEUC environmental indicator.

SWRAU source data are entered in CERCLIS on a regular basis with no set schedule, as the data are entered real-time. However, status at a site is reviewed annually by the 10th working day in October, or at any time site conditions change. CERCLIS is to be updated within 10 days of any change in status.

The information is entered in CERCLIS in the Land Reuse Module. This module contains screens for entering and defining acreage data and the checklist, as well as setting the SWRAU status and applicable dates.

In addition to submitting information through CERCLIS, Regions are required to submit a Checklist to Headquarters documenting that the site has met the measure.

3. Information Systems and Data Quality Procedures

3a. Information Systems

The SWRAU determination is made directly in Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) once it is determined that the site meets all required criteria and has been approved as such by appropriate regional personnel. The CERCLIS data system meets all relevant EPA QA standards.

CERCLIS database – CERCLIS is EPA's primary database to store and report data for NPL and non-NPL Superfund sites. The Superfund Comprehensive Accomplishment Plan (SCAP) reports in CERCLIS are used to report progress on measures, including SWRAU.

(For more information about CERCLIS, see Appendix E of the most recent SPIM, which is updated each fiscal year and contains definitions and documentation/coding guidance for Superfund measures. The most current SPIM can be found here: http://epa.gov/superfund/policy/guidance.htm.)

CERCLIS operation and further development is taking place under the following administrative control quality assurance procedures: 1) Office of Environmental Information Interim Agency Life Cycle Management Policy Agency Directive; 2) the Office of Solid Waste and Emergency Response (OSWER) Quality Management Plan (QMP); 3) EPA IT standards; 4) Quality Assurance Requirements in all contract vehicles under which CERCLIS is being developed and maintained; and 5) EPA IT security policies. In addition, specific controls are in place for system design, data conversion and data capture, as well as CERCLIS outputs.

19-0585 (CERCLIS QAPP) 2009-0410.doc

CERCLIS adherence to the security policy has been audited. Audit findings are attached to this record.

CERCLIS July 9 2009 scan High Medium Response.xls OSWER QMP printed 2010-03-23.pdf

OSWER Performance Assessment Tool (PAT). This tool serves as the primary external servicing resource for organizing and reporting OSWER's performance data, which collects information from OSWER program systems, and conforms it for uniform reporting and data provisioning. PAT captures data from CERCLIS; replicates business logic used by CERCLIS for calculating measures; delivers that data to EPA staff and managers via a business intelligence dashboard interface for analytic and reporting use; ; and transmits data to the Budget

Automated System (BAS). No current system specifications document is currently available for PAT, but will be provided when available. *For this measure, PAT transmits Regional-level data to BAS.*

PAT operates under the OSWER QMP. PAT has a security certification confirming that a security policy is not necessary because no sensitive data are handled and PAT is built upon the Oracle-based business intelligence system. PAT's security certification indicates that it follows all security guidelines for EPA's Oracle Portal and that PAT is (1) not defined as a "Major Application" according to NIST Special Publication 800-18, Guide for Developing Security Plans for Information Technology Systems, section 2.3.1; (2) does not store, process, or transmit information that the degree of sensitivity is assessed as high by considering the requirements for availability, integrity, and confidentiality according to NIST Special Publication 800-18, Guide for Developing Security Plans for Information Technology Systems, section 3.7.2. (3) is not covered by EPA Order 2100.2A1 Information Technology Capital Planning and Investment Control (CPIC).

EPA Headquarters is now scoping the requirements for an integrated (Superfund Document Management System-) SDMS-CERCLIS system, called the **Superfund Enterprise Management System (SEMS)**. Development work on SEMS began in FY 2007 and will continue through FY 2013.

SEMS represents further re-engineering of the national reporting systems to include additional elements of EPA's Enterprise Architecture. SEMS will provide a common platform for major Superfund systems and future IT development. It will be constructed in part using EPA IT enterprise architecture principles and components. SEMS will provide a Superfund Program user gateway to various IT systems and information collections.

3b. Data Quality Procedures

CERCLIS: To ensure data accuracy and control, the following administrative controls are in place: 1) SPIM, the program management manual that details what data must be reported; 2) Report Specifications, which are published for each report detailing how reported data are calculated; 3) Coding Guide, which contains technical instructions to data users including Regional Information Management Coordinators (IMCs), program personnel, data owners, and data entry personnel; 4) Quick Reference Guides (QRG), which are available in the CERCLIS Documents Database and provide detailed instructions on data entry for nearly every module in CERCLIS; 5) SCAP Reports within CERCLIS, which serve as a means to track, budget, plan, and evaluate progress towards meeting Superfund targets and measures; 6) a historical lockout feature in CERCLIS so that changes in past fiscal year data can be changed only by approved and designated personnel and are logged to a Change Log report, 7) the OSWER QMP; and 8) Regional Data Entry Control Plans.

EPA Headquarters has developed data quality audit reports and Standard Operating Procedures, which address timeliness, completeness, and accuracy, and has provided these reports to the Regions. In addition, as required by the Office of Management and Budget (OMB), CERCLIS audit logs are reviewed monthly. The system was also re-engineered to bring CERCLIS into alignment with the Agency's mandated Enterprise Architecture. The first steps in this effort involved the migration of all 10 Regional and the Headquarters databases into one single national database at the National Computing Center in Research Triangle Park (RTP) and the migration of SDMS to RTP to improve efficiency and storage capacity. During this process SDMS was linked to CERCLIS which enabled users to easily transition between programmatic accomplishments as reported in CERCLIS and the actual document that defines and describes the accomplishments.

Regional Data Entry Control Plans. Regions have established and published Data Entry Control Plans, which are a key component of CERCLIS verification/validation procedures. The control plans include: (1) regional policies and procedures for entering data into CERCLIS, (2) a review process to ensure that all Superfund accomplishments are supported by source documentation, (3) delegation of authorities for approval of data input into CERCLIS, and (4) procedures to ensure that reported accomplishments meet accomplishment

definitions. In addition, regions document in their control plans the roles and responsibilities of key regional employees responsible for CERCLIS data (e.g., regional project manager, information management coordinator, supervisor, etc.), and the processes to assure that CERCLIS data are current, complete, consistent, and accurate. Regions may undertake centralized or decentralized approaches to data management. These plans are collected annually for review by OSRTI/IMB. [Source: SPIM FY11, III.J and Appendix E. http://www.epa.gov/superfund/action/process/spim10/pdfs/appe.pdf] Copies of the 2010 Regional Data Entry Control Plans are provided with this DQR. Current and past year plans are available by contacting the Chief, Information Management Branch, Office of Superfund Remediation and Technology Innovation.

Regions are expected to prepare Data Entry Control Plans consistent with the SPIM and the Headquarters guidance: "CERCLIS Data Entry Control Plan Guidance," June 2009.

2009_draft_CERCLIS_DECP_guidance _6-5-09_.pdf

In addition to entering information into CERCLIS, Regions must also submit a Checklist for Reporting the SWRAU Government Performance and Results Act (GPRA) Measure to the headquarters data sponsor. The information provided in the Checklist can be used by Headquarters to ensure sites nominated for the measure conform to the same national best practices.

SWRAU is unique in that sites that cease to meet the measure can be retracted from the national total in the event they no longer meet the criteria. Sites that are retracted must submit a retraction form to Headquarters, explaining the reason for the retractions. For more information, see Appendix A of the Guidance at: http://www.epa.gov/fedfac/sf_ff_final_cprm_guidance.pdf.

Superfund Program Implementation Manual (SPIM). The SPIM should be the first source referred to for additional questions related to program data and reporting. The SPIM is a planning document that defines program management priorities, procedures, and practices for the Superfund program (including response, enforcement, and Federal facilities). The SPIM provides the link between the GPRA, EPA's Strategic Plan, and the Superfund program's internal processes for setting priorities, meeting program goals, and tracking performance. It establishes the process to track overall program progress through program targets and measures.

The SPIM provides standardized and common definitions for the Superfund program, and it is part of EPA's internal control structure. As required by the Comptroller General of the United States, through generally accepted accounting principles (GAAP) and auditing standards, this document defines program scope and schedule in relation to budget, and is used for audits and inspections by the Government Accountability Office (GAO) and the Office of the Inspector General (OIG). The SPIM is developed on an annual basis. Revisions to the SPIM are issued during the annual cycle as needed.

The SPIM contains three chapters and a number of appendices. Chapter 1 provides a brief summary of the Superfund program and summarizes key program priorities and initiatives. Chapter 2 describes the budget process and financial management requirements. Chapter 3 describes program planning and reporting requirements and processes. Appendices A through I highlight program priorities and initiatives and provide detailed programmatic information, including Annual Targets for GPRA performance measures, and targets for Programmatic Measures. [Source: SPIM 2011, Chapter I]

The most current version of the SPIM can be found at: http://epa.gov/superfund/policy/guidance.htm

Data Flow:

Step 1. Original data sources provide information.

Step 2. EPA Region reviews and determines SWRAU status at the site and adjusts CERCLIS records as needed.

Step 3. Headquarters' OSRTI data sponsor reviews and approves/disapproves Regional determinations of SWRAU using data from CERCLIS. Data sponsor works with Regional staff to ensure that determinations follow Superfund Program guidance.

Step 4. The OSWER's PAT pulls data from CERCLIS. Headquarters staff compare PAT results to CERCLIS results. If PAT does not match CERCLIS then there was an error with the upload and data are reloaded. Headquarters staff enter into PAT the Annual Commitment System (ACS) status information for each measure and, if necessary, a status explanation.

Step 5. Headquarters approves PAT results, and PAT pushes results into BAS.

Step 6. BAS aggregates Regional data into a national total. OSRTI reporting lead reviews and certifies results.

3c. Data Oversight

The Superfund program has a "data sponsorship" approach to database oversight. Headquarters staff and managers take an active role in improving the quality of data stored in CERCLIS by acting as data sponsors. The data sponsor for SWRAU, or "Land Ready for Reuse," is available in Appendix E of SPIM . http://epa.gov/superfund/action/process/spim11/pdfs/Appendix_E_SPIM_2011_FINAL.pdf

Specific roles and responsibilities of data sponsors:

- Identify data needs;
- Oversee the process of entering data into the system;
- Determine the adequacy of data for reporting purposes;
- Conduct focus studies of data entered (A focus study is where a data sponsor identifies a potential or existing data issue to a data owner (see below), IMC, or other responsible person to determine if a data quality problem exists, and to solve the problem, if applicable. (IMC responsibilities discussed under item 2d, Database Oversight, below.) Focus studies can be informal via electronic messages.);
- Provide definitions for data elements;
- Promote consistency across the Superfund program;
- Initiate changes in CERCLIS as the program changes;
- Provide guidance requiring submittal of these data;
- Support the development of requirements for electronic data submission; and
- Ensure there is "objective" evidence to support the accomplishment data entered in CERCLIS through identifying data requirements and check to assure compliance by performing periodic reviews of a random CERCLIS data sample. [Source: SPIM 2011, III.E and E.A.5]

Measure-specific data sponsor information:

The Headquarter CERCLIS users responsible for the QA/QC of SWRAU data have primary source knowledge of program and site data used in the Superfund Program Implementation Manual (SPIM) and in CERCLIS. The data sponsor is responsible for:

- ensuring that the correct data enters the system on a real-time basis, as the program/site plans and accomplishments change.
- assuring procedures for determining that a site's SWRAU eligibility has been accomplished.

- flipping the special initiative flag in CERCLIS once a site is determined to be SWRAU, and running audit and confirmatory reports from CERCLIS to ensure the information is accurate and up to date.

The Project Manager for CERCLIS oversees and is the approving authority for quality-related CERCLIS processes, and is closely supported by a Contract Task Manager. (See the CERCLIS QAPP, attached, for more information.) The lead point of contact for information about the data from CERCLIS is the Director, Information Management and Data Quality Staff, Office of Solid Waste and Emergency Response.

Information Management Coordinators (IMCs). In each Region, the IMC is a senior position which serves as regional lead for all Superfund program and CERCLIS systems management activities. The following lead responsibilities for regional program planning and management rest with the IMC:

- Coordinate program planning, budget development, and reporting activities;
- Ensure regional planning and accomplishments are complete, current, and consistent, and accurately reflected in CERCLIS by working with data sponsors and data owners;
- Provide liaison to HQ on SCAP process and program evaluation issues;
- Coordinate regional evaluations by headquarters;
- Ensure that the quality of CERCLIS data are such that accomplishments and planning data can be accurately retrieved from the system; and
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There is a Project Manager for CERCLIS. S/He oversees and is the approving authority for quality-related CERCLIS processes, and is closely supported by a Contract Task Manager. (See the CERCLIS QAPP, attached, for more information.)

The Information Management Officer (IMO) & Director, Information Management and Data Quality Staff. Office of Solid Waste and Emergency Response is the lead point of contact for information about the data from CERCLIS .

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The unit of measure is number of sites. The calculation only includes NPL sites

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Other additional references that may be useful:

Coding Guide. The Superfund Coding Guide contains technical instructions to data users including Regional Information Management Coordinators (IMCs), program personnel, data owners, and data entry personnel. The Remedial component of the Coding Guide is attached to this record.

Coding Guide - 2009.pdf

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Example QRG RA Start.doc

Site Status and Description document: this is a Quick Reference Guide for CERCLIS users, for filling in information related to site status and description.

Site Status and Description.doc

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Data Sponsor for SWRAU (Land Ready for Reuse), Annual Commitment System (ACS) coordinator, and National Program Office (NPO) management.
Progress reporting is done quarterly as checks, while official numbers are reported annually.

4b. Data Limitations/Qualifications

Sites that meet the SWRAU performance measure must also meet one of two Human Exposure Under Control (HEUC) performance measures:

• "Current Human Exposure Controlled and Protective Remedy in Place"; or
• "Long-Term Human Health Protection Achieved"

Specific to S10, if the HEUC changes to something other than the two environmental indicators, and will not be restored by the end of the fiscal year, Regions must retract a site from the SWRAU national total, and that retraction counts against the national target. Retractions are made when Regions determine that an entire site no longer meets the SWRAU criteria. Because SWRAU is counted as a "net" number on a yearly basis, a retraction is subtracted from that year's total number of SWRAU sites. If a Region retracts a site, the Region must still achieve its net SWRAU goal. For example, if a Region has a goal of achieving a SWRAU designation for 10 sites, but retracts two that year, the Region must identify 12 sites to meet the SWRAU target that year (12 – 2 = 10).

Based on experience dealing with sites to date, there are three categories of sites that may not meet the SWRAU measure. Even sites that on the surface appear to not meet the measure may have circumstances that require additional consideration.

- Ground water only sites
- Sites with overly restrictive ICs
- Sites that cannot support any use.

NPL sites that have been addressed by state programs for cleanup should NOT be counted as SWRAU if the actions taken are not documented in an EPA CERCLA decision document.

4c. Third-Party Audits

For CERCLIS data: The GAO report, Superfund: Information on the Status of Sites (GAO/RCED-98-241), dated August 28, 1998, estimated that the cleanup status of National Priority List (NPL) sites reported by CERCLIS as of September 30, 1997, is accurate for 95 percent of the sites. (www.gao.gov/archive/1998/rc98241.pdf) Another OIG audit, Information Technology - Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Data Quality (Report No. 2002-P-00016), dated September 30, 2002, evaluated the accuracy, completeness, timeliness, and consistency of the data entered into CERCLIS. (See http://www.epa.gov/oig/reports/2002/cerlcis.pdf.) The report provided 11 recommendations to improve controls for CERCLIS data quality. EPA has either implemented or continues to implement these recommendations.

The IG also annually reviews the end-of-year CERCLIS data, in an informal process, to verify data that supports the performance measures. Typically, there are no published results.

Annual EPA Office of Inspector General Audit/Report. The EPA OIG provides an annual report to Congress of the results of its audits of the Superfund Program. Those reports are available at: http://www.epa.gov/oig/reports/annual.htm. The most recently available report is the FY 2009 report. In that report, EPA received an unqualified audit opinion by the OIG for the annual financial statements, although three material weaknesses and eight significant deficiencies were also identified. The OIG recommended several corrective actions. The Office of the Chief Financial Officer indicated in November 2009 that corrective actions will be taken.

Record Last Updated: 02/08/2012 09:08:01 AM

Performance Data Quality Record (DQR)

NPO Name (OITA) Measure 5PQ: Percent of Tribes implementing federal regulatory environmental programs in Indian country (cumulative).

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	4 - Strengthen Human Health and Environmental Protection in Indian Country
Sub-Objective Number and Title	1 - Improve Human Health and the Environment in Indian Country
Strategic Target Code and Title	1 - By 2015, increase the percent of tribes implementing federal regulatory environmental programs
Managing Office	AIEO

Performance Measure Term Definitions

The performance measure tracks the number of "Treatment in a manner similar to a State" (TAS) program approvals or primacies and execution of "Direct Implementation Tribal Cooperative Agreements (DITCAs)."

TAS status grants a tribe eligibility to implement and administer the environmental statutes for a program within the tribe's boundaries comparable to the way States implement and administer the statutes outside of Indian country.

DITCAs are agreements negotiated between EPA and federally-recognized tribes and eligible intertribal consortia that enable the tribes to conduct agreed-upon activities and to help EPA implement federal environmental programs in Indian country in the absence of an acceptable tribal program.

The measure is based on a count of tribes, and a given tribe may have more than one TAS program, and may have DITCAs as well. Because of the tribes with multiple qualifying programs, the total number of TAS designations plus DITCAs in Indian country is higher than the number of tribes with regulatory environmental programs as reported for this measure.
This measure represents progression toward the goal of improving human health and the environment in Indian country by helping tribes plan, develop and establish environmental protection programs.

2. Data Definition and Source Reporting

2a. Original Data Source

Regions and Tribes

2b. Source Data Collection

Data for the TPMS are input on an ongoing basis by Regional tribal programs and EPA headquarters.

2c. Source Data Reporting

Reports are in the form of tables with measures in the columns and years in the rows. The years can be compared. Data are input manually

by regional tribal Tribal Program Management System (TPMS) team members. The data are reported by the Regions into TPMS at mid-year and at the end of the year.

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Tribal Program Management System (TPMS) is a secure database that holds the performance information

http://www.epa.gov/tribalportal/

The information is entered into standard query fields in the data system. Thus, there is no allowance for differences in reporting across EPA's Regional offices, and national reports can be assembled in a common framework. The assumption is that the authorized person who enters the data is knowledgeable about the performance status of the tribe.

Quality Management Plan (QMP) is being drafted by contractor

3b. Data Quality Procedures

Standard Operating Procedures are detailed in the Data Definitions document. Each Regional Administrator, who has tribal activity in his regional area, is the EPA official who certifies information in TPMS prior to submission to EPA Headquarters American Indian Office (AIEO.) However, in some cases the Regional Administrator may wish to delegate the signatory authority to another official such as the Regional Indian Coordinator. This procedure generally follows guidance provided in EPA Information Quality Guidelines. (See http://www.epa.gov/quality/informationguidelines/ for more information.)

Additionally, the data in TPMS are extracted by the regional TPMS team twice a year, and delivered by spreadsheet to the Regional TPMS Project Officers for review and verification.

TPMS Data Definitions.doc

3c. Data Oversight

Regional Indian Coordinators certify data and submit to AIEO

3d. Calculation Methodology

Calculation methodology is: Count the active tribes with DITCA or TAS in a fiscal year. TAS do not have expiration dates and are cumulative.

Calculation of Percentages: 572 is the number that is used to calculate percentage, and reflects tribal bands that are independent entities and are eligible for EPA funding.

Because of the tribes with multiple qualifying programs, the total number of TAS designations plus DITCAs in Indian country is higher than the number of tribes with regulatory environmental programs as reported for this measure.

Percent of Tribes implementing federal regulatory environmental programs in Indian country:

Tribal Program Management System (TPMS) - Windows Internet Explorer

https://iaspub.epa.gov/TATS/ocfo_report_tas_ditca.jsp?plan=43

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MEASURE 2. PERCENT OF TRIBES IMPLEMENTING FEDERAL REGULATORY ENVIRONMENTAL PROGRAMS IN INDIAN COUNTRY

Fiscal Year	Tribes with TAS	Tribes with DITCA	Tribes with TAS or DITCA or both	% of Tribes Implementing Federal Regulatory Environmental Programs
2004	37	5	41	7.17%
2005	41	10	49	8.57%
2006	45	9	52	9.09%
2007	47	26	67	11.71%
2008	54	29	76	13.29%
2009	56	17	68	11.89%
2010	57	23	73	12.76%
2011	57	13	67	11.71%
2012	-	-	-	-

* Data for the present fiscal year may not be complete.

Notes:

1. A tribe is counted as implementing a federal regulatory environmental program when 1) the tribe has an active TAS, or 2) the tribe has an active DITCA. If a tribe has both TAS and DITCAs, it is counted only once.
2. Percent of tribes is calculated as: (Total Tribes/572) x 100.

Abbreviations Used in Columns:

- TAS - Treatment in a Manner Similar to a State, delegations, approvals, or primacies
- DITCA - Direct Implementation Tribal Cooperative Agreement

Done Internet 100%

TPMS Data Definitions.doc

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The procedures for collecting and reporting on the Goal 4 Objective 3 performance measures require that Regonal program managers certify the accuracy of the data submitted by the regions to AIEO. This certification procedure is consistent with EPA Information Quality Guidelines and is verified by AIEO personnel

4b. Data Limitations/Qualifications

Because data are input by EPA's Regional Project Officers on an ongoing basis, there may be a time lag between when a tribal program status has been achieved and when the data are entered into the TPMS.

For the TPMS, errors could occur by mis-entering data or neglecting to enter data. However, the data from each region will be certified as accurate at the end of each reporting cycle; error is estimated to be low, about 1-2 percent.

4c. Third-Party Audits

Not Applicable

Record Last Updated: 02/08/2012 09:06:26 AM

Performance Data Quality Record (DQR)

NPO Name (OITA) Measure 5PR: Percent of Tribes conducting EPA approved environmental monitoring and assessment activities in Indian country (cumulative.)

1. Measure and DQR Metadata	
Goal Number and Title	3 - Cleaning Up Communities and Advancing Sustainable Development
Objective Number and Title	4 - Strengthen Human Health and Environmental Protection in Indian Country
Sub-Objective Number and Title	1 - Improve Human Health and the Environment in Indian Country
Strategic Target Code and Title	2 - By 2015, increase the percent of tribes conducting EPA-approved environmental monitoring
Managing Office	AIEO

Performance Measure Term Definitions

A tribe is a governmental entity that is recognized by the federal government and eligible to receive federal funding.

The performance measure reports the number of active Quality Assurance Project Plans (QAPPs) for monitoring activities that have been approved by Regional Quality Assurance Officers. All ongoing environmental monitoring programs are required to have active QAPPs, which are used as a surrogate for the monitoring activities that occur in Indian country.

However, tribes often have more than one QAPP, so the count of total QAPPs is always higher than the number of tribes that have QAPPs as reported for this measure.

Environmental monitoring and assessment activities are those that measure biological, chemical, or physical measurements.

EPA-approved indicates a required QAPP for the activity has been approved by Regional Quality Assurance Officers.

Active QAPPs are those that have not expired.

This measure represents progression toward the goal of improving human health and the environment in Indian country by helping tribes plan, develop and establish environmental protection programs.

2. Data Definition and Source Reporting

2a. Original Data Source

Regional Quality Assurance Officers

2b. Source Data Collection

Regional tribal program liaisons obtain information from Regional Quality Assurance Officers.

Spatial Detail: Base unit is a tribe. Geographic coverage is national.

2c. Source Data Reporting

Reports are in the form of tables with measures in the columns and years in the rows. The years can be compared. Data are input manually by regional Tribal Program Management System (TPMS) team members. The data are reported by the Regions into TPMS at mid-year and at the end of the year.

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Tribal Program Management System (TPMS) is a secure database that holds the performance information

http://www.epa.gov/tribalportal/

The information is entered into standard query fields in the data system. Thus, there is no allowance for differences in reporting across EPA's Regional offices, and national reports can be assembled in a common framework. The assumption is that the authorized person who enters the data is knowledgeable about the performance status of the tribe.

Quality Management Plan (QMP) is being drafted by contractor

3b. Data Quality Procedures

Standard Operating Procedures are detailed in the Data Definitions document. Each Regional Administrator, who has tribal activity in his regional area, is the EPA official who certifies information in TPMS prior to submission to EPA Headquarters American Indian Office (AIEO.) However, in some cases the Regional Administrator may wish to delegate the signatory authority to another official such as the Regional Indian Coordinator. This procedure generally follows guidance provided in EPA Information Quality Guidelines. (See http://www.epa.gov/quality/informationguidelines/ for more information.)

Additionally, the data in TPMS are extracted by the regional TPMS team twice a year, and delivered by spreadsheet to the Regional TPMS Project Officers for review and verification.

TPMS Data Definitions.doc

3c. Data Oversight

Regional Indian Coordinators

3d. Calculation Methodology

Each row in the report is a fiscal year. Calculation methodology is: Count number of tribes with at least one active QAPP in a fiscal year. A tribe is counted once even if they have more than one QAPP.

Calculation of Percentages: 572 is the number that is used to calculate percentage, and reflects tribal bands that are independent entities and are eligible for EPA funding.

Tribal Program Management System (TPMS) - Windows Internet Explorer

https://iaspub.epa.gov/TATS/ocfo_report_qapp.jsp?plan=43

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Performance and Accountability Report (PAR) (as of 4/20/2011)

MEASURE 3. PERCENT OF TRIBES CONDUCTING EPA-APPROVED ENVIRONMENTAL MONITORING AND ASSESSMENT ACTIVITIES IN INDIAN COUNTRY

Fiscal Year	Total Tribes with QAPPs	% of Total Tribes that have Monitoring Activities
2004	294	51.4%
2005	285	49.83%
2006	280	48.95%
2007	274	47.9%
2008	255	44.58%
2009	242	42.31%
2010	227	39.69%
2011	193	33.74%
2012	-	-

* Data for the present fiscal year may not be complete.

Notes:

1. QAPPs are used as indicators that tribes are conducting EPA-approved environmental monitoring and assessment activities.
2. Percent of tribes is calculated as: (Total Tribes/572) x 100.

Abbreviations Used in Columns:

- QAPP - Quality Assurance Project Plan

Done Internet 100%

TPMS Data Definitions.doc

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The procedures for collecting and reporting on the Goal 4 Objective 3 performance measures require that Regional program managers certify the accuracy of the data submitted by the regions to AIEO. This certification procedure is consistent with EPA Information Quality Guidelines and verified by AIEO personnel

4b. Data Limitations/Qualifications

Because data are input by EPA's Regional Project Officers on an ongoing basis, there may be a time lag between when a tribal program

status has been achieved and when the data are entered into the TPMS.

For the TPMS, errors could occur by mis-entering data or neglecting to enter data. However, the data from each region will be certified as accurate at the end of each reporting cycle; error is estimated to be low, about 1-2 percent.

4c. Third-Party Audits

Not applicable

Record Last Updated: 02/08/2012 09:06:21 AM

Performance Data Quality Record (DQR)

NPO Name (ORD) Measure CS1: Percentage of planned research products completed on time by the Chemical Safety for Sustainability research program.

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	Office of Program Accountability and Resource Management- Planning

Performance Measure Term Definitions

A research *product* is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use."

This secondary performance measure tracks the timely completion of research products.

Sustainability Research Strategy, available from:
http://epa.gov/sciencematters/april2011/truenorth.htm

http://www.epa.gov/risk_assessment/health-risk.htm

2. Data Definition and Source Reporting

2a. Original Data Source

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the research program. The actual product completion date is self-reported.

2b. Source Data Collection

Each output is assigned to a Lab or Center representative before the start of the fiscal year. This individual provides quarterly status updates via ORD's Resource Management System. Status reports are reviewed by senior management, including the Lab or Center Director and National Program Director. Overall status data is generated and reviewed by ORD's Office of Program Accountability and Resource Management.

2c. Source Data Reporting

Quarterly status updates are provided via ORD's Resource Management System.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Internal database or internal tracking system such as the Resources Management System (RMS).

3b. Data Quality Procedures

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the program.

3c. Data Oversight

The National Program Director oversees the source data reporting, specifically, the process of establishing agreement with program stakeholders and senior ORD managers on the list and content of the planned products, and subsequent progress, completion, and delivery of these products.

3d. Calculation Methodology

At the end of the fiscal year, outputs are either classified as "met" or "not met". An overall percentage of planned products met by the program is reported.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Office of Program Accountability and Resource Management is responsible for reporting program progress in meeting its target of completion of 100% of program planned products.

4b. Data Limitations/Qualifications

This measure does not capture directly the quality or impact of the research products.

4c. Third-Party Audits

Not applicable

Record Last Updated: 02/08/2012 09:06:44 AM

Performance Data Quality Record (DQR)

NPO Name (ORD) Measure HS1: Percentage of planned research products completed on time by the Homeland Security research program.

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	Office of Program Accountability and Resource Management- Planning

Performance Measure Term Definitions

A research *product* is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use."

This secondary performance measure tracks the timely completion of research products.

Sustainability Research Strategy, available from:
http://epa.gov/sciencematters/april2011/truenorth.htm

http://www.epa.gov/risk_assessment/health-risk.htm

2. Data Definition and Source Reporting

2a. Original Data Source

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the research program. The actual product completion date is self-reported.

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3. Information Systems and Data Quality Procedures

3a. Information Systems

Internal database or internal tracking system such as the Resources Management System (RMS).

3b. Data Quality Procedures

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the program.

3c. Data Oversight

The National Program Director oversees the source data reporting, specifically, the process of establishing agreement with program stakeholders and senior ORD managers on the list and content of the planned products, and subsequent progress, completion, and delivery of these products.

3d. Calculation Methodology

At the end of the fiscal year, outputs are either classified as "met" or "not met". An overall percentage of planned products met by the program is reported.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Office of Program Accountability and Resource Management is responsible for reporting program progress in meeting its target of completion of 100% of program planned products.

4b. Data Limitations/Qualifications

This measure does not capture directly the quality or impact of the research products.

4c. Third-Party Audits

Not applicable

Record Last Updated: 02/08/2012 09:06:44 AM

Performance Data Quality Record (DQR)

NPO Name (OCSPP) Measure 091: Percent of decisions completed on time (on or before PRIA or negotiated due date).

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	1 - Ensure Chemical Safety
Sub-Objective Number and Title	1 - Protect Human Health from Chemical Risks
Strategic Target Code and Title	5 - By 2014, reduce concentration of targeted chemicals in children
Managing Office	Office of Pesticide Programs

Performance Measure Term Definitions

Decisions: Each action is assigned a decision number when it is received and with time, actions and decisions have come to mean about the same. A decision may be an application to register a new pesticide product, to amendment a registered product's label, to review a protocol, to establish a tolerance or to make a decision on a request to waive a study requirement.

Completed: An action or decision is completed when OPP makes a decision on the application, i.e. the product is registered, a label is stamped, protocol reviewed, or the action is denied, the label not approved, etc. A decision memorandum is issued describing the decision made and the date that the delegated official signs the memo is the date that the decision is completed. In the case of a label, the date that the label is stamped as approved is the date that the application to register or amend a label is completed.

PRIA: The Pesticide Registration Improvement Act (PRIA) of 2003 established pesticide registration service fees for registration actions. The Pesticide Registration Improvement Renewal Act (PRIA 2), effective October 1, 2007, reauthorized the PRIA for five more years until 2012. The PRIA 2 legislation increased the number of actions covered by fees, modified the payment process and application in-processing. The category of action, the amount of pesticide registration service fee, and the corresponding decision review periods by year are prescribed in these statutes. Their goal is to create a more predictable evaluation process for affected pesticide decisions, and couple the collection of individual fees with specific decision review periods. They also promote shorter decision review periods for reduced-risk applications.

On time (on or before PRIA or negotiated due date): Each PRIA 2 fee category has an associated period of time in which the Agency must make a determination, which has been called a decision review period or PRIA 2 timeframe, or "PRIA due date." The PRIA 2 due date may be extended by a mutual agreement between the applicant and the Agency. The new due date is called a negotiated due date. Negotiated due dates occur predominately as a result of missing information or data or data deficiencies identified during an in-depth review of the application. The due date then is extended to allow the applicant the time to submit the data or information and for the Agency to review the data and make a determination.

Background:
This measure is a program output which represents the program's statutory requirements to ensure that pesticides entering the marketplace are safe for human health and the environment, and when used in accordance with the packaging label present a reasonable certainty of no harm. In addition, under PRIA and PRIA 2, there are specific timelines, based on the type of registration action, by which the Agency must

make a decision. These laws do allow the decision due date under PRIA to be negotiated to a later date, after consultation with and agreement by the submitter of the application. The timeliness measure represents the Agency's effectiveness in meeting these PRIA timelines.

For more information, see
- http://www.epa.gov/pesticides/fees/
- FIFRA Sec 3(c)(5)
- FFDCA Sec 408(a)(2).

2. Data Definition and Source Reporting

2a. Original Data Source

EPA senior managers.

2b. Source Data Collection

Source Data Collection Methods: EPA senior managers review justifications and make final decisions to extend of negotiate a PRIA due date and whether or not to issue a "PRIA Determination to Not Grant" a registration. The Agency employs continuous monitoring of the status of PRIA decisions. Numerous internal Agency meeting continue to monitor workload and compliance with PRIA due dates. Throughout the pesticide registration program, weekly meetings are held to review the status of pending decisions, due date extensions, and refunds; to identify potential issues and target their resolution; to resolve fee category questions; and to coordinate schedules with science support organizations.

EPA QA requirements/guidance governing collection: All risk assessments are subject to public and scientific peer review. All registration actions must employ sound science and meet the Food Quality Protection Act (FQPA) safety standards. The office adheres to its Quality Management Plan (Nov. 2006) in ensuring data quality and that procedures are properly applied.

2c. Source Data Reporting

All registration actions received under the PRIA and PRIA 2 are entered and tracked in the Pesticide Registration Information System (PRISM). Reports developed in Business Objects (using PRISM as the data source) allow senior management to more effectively track the workload (e.g., pending actions with upcoming PRIA due dates, actions for which the PRIA date appears to have passed etc.) and ensure that PRIA or negotiated due dates are met.

OPP uses several internal controls within the OPPIN/PRISM system. First of all, users must be FIFRA CBI cleared in order to access the system. Within the system, security measures are taken to allow only authorized users to perform certain operations, which are managed by our Data Base Administrator (DBA). For example, only Branch Chiefs can enter a negotiated due date in the Registration Division. The DBA must receive an Access Form from users wanting to use the system and their supervisor must sign the Access Form.

Applications are pin punched upon receipt by a NOWCC in ISB/ITRMD/OPP and the pin punch date is entered into OPPIN by another NOWCC in ISB. The pin punch date is the receipt date in OPPIN. The EPA team leader performs periodic/random checks of their work. Experts from the three registering divisions review each application and place it in a PRIA fee category generally on the date of receipt.

PRIA 2 requires that certification of payment be submitted together with the application. . Beginning January 2, 2008, ISB started to hold any application that did not contain certification of payment. ISB contacts the submitter to request certification of payment. When the certification is received, ISB generates an acknowledgement and sends it to the submitter. If no certification of payment is received within

14 days, ISB prepares a rejection letter for the Deputy Office Director's signature. After the rejection letter is signed, ISB posts the rejection to OPPIN, and invoices the submitter for 25% of the appropriate PRIA fee.

Any issues related to assigning a fee category are discussed with divisional management and may be elevated. If a full fee is being paid, the date that begins the PRIA timeframe or start date is the latest of 21 days after receipt of the application or the day payment is received by the Washington Finance Center/ OCFO. Staff in OCFO enter the amount and date of receipt of the payment into IFMS. OPP downloads IFMS and electronically transfers the data into OPPIN.

Once the IFMS data is transferred to OPPIN, OPPIN automatically calculates due dates from the start date using the time frames in the FR Notice on the fee schedule. Due dates can be extended through negotiations with the registrant or applicant. Negotiated due dates are manually entered and the rights to enter a negotiated due date belong to only branch chiefs, the Division Directors and other individuals designated such rights by a Division Director. In BPPD, negotiated PRIA due dates are entered in OPPIN by the branch chiefs, branch team leaders, or its Administrative Specialist while in RD, only a branch chief enters the date. According to OPP's procedures, a negotiated due date cannot be entered into the system until the Deputy Office Director or Office Director approves the negotiated date by signing the negotiated due date form. A copy of the negotiated due date form and documentation of the applicants agreement with the due date are filed.
Beginning July 2011. OPP transition to using Webforms for processing negotiated due date forms. Forms are routed, approved, and retained electronically.

The date that an action is completed is entered by staff in RD, AD, and BPPD according to their internal procedures. Documentation of the date of completion is filed in the product's file. Once data is entered into OPPIN, start dates and due dates can not be changed by staff in the regulatory divisions. Changes are made by staff programming OPPIN in ITRMD. "Data fixes" must be requested by generating a SCR (Systems Change Request). These requests are reviewed by ITRMD staff and management and representatives of the regulatory divisions. Questions and issues are elevated to the PRIA Senior Advisor and if needed to OPP management. OPP management holds a Bi-weekly PRIA meeting in which these issues are discussed and resolved. The OPP Immediate Office uses a number of monitoring reports to identify actions that are past their due date or appear to have been logged out past their due date. An issue is then resolved with the appropriate division and generally involves an action that needs to be logged out as completed or a negotiated due date that needs to be entered. OPPIN software issues have also been identified through this oversight effort and an SCR is developed to make the necessary programming corrections.

Annually, the Office of the Inspector General conducts an audit that includes verifying the accurate entry of the date an action is received, extended and completed.

3. Information Systems and Data Quality Procedures

3a. Information Systems

All registration actions received under the PRIA and PRIA 2 are entered and tracked in the Pesticide Registration Information System (PRISM).

The Office of Pesticide Programs (OPP) has migrated all of its major data systems including regulatory and scientific data, workflow tracking and electronic document management into one integrated system, the Pesticide Registration Information System (PRISM). PRISM provides a centralized source of information on all registered pesticide products, including chemical composition, toxicity, name and

address of registrant, brand names, registration actions, and related data. It is maintained by the EPA and tracks regulatory data submissions and studies, organized by scientific discipline, which are submitted by the registrant in support of a pesticide's registration. All registration actions received under the PRIA and PRIA 2 are entered and tracked in PRISM.

PRISM is the successor to the Office of Pesticide Programs Information System Network (OPPIN). Data has been migrated from the following databases: Chemical Vocabulary (CV), Company Name and Address (CNAD), Pesticide Document Management System (PDMS), Pesticide Product Information System (PPIS), Chemical Review Management System (CRMS), FIFRA CBI Access (FAS), Jackets, Product Data Call-In (PDCI), Phones, Pesticide Regulatory Action Tracking (PRAT), Reference System (REFS), Tolerance Indexes (TIS and TOTS). Sources of the input are paper copy and electronic data. EPA's Central Data Exchange (CDX), scheduled as EPA 097, is the gateway for electronic submissions. It consolidates information stored on the mainframe, the OPP LAN, on stand-alone computers and in paper copy. PRISM (Pesticide Registration Information System) consolidates various pesticides program databases.

EPA recently constructed a module in PRISM tracking major Registration Review milestones. This module enhances tracking capabilities and is an important management tool.

For information on disposition of records in this database, please see EPA Records Schedule 329, http://www.epa.gov/records/policy/schedule/sched/329.htm

OPP adheres to its Quality Management Plan (Nov. 2006) in ensuring data quality and that procedures are properly applied.

PRISM was developed between 1997 and 2003 and has been operational since June 2, 2003. PRISM provides e-government capabilities to share pesticide information with OPP stakeholders. PRISM supports OPP's responsibilities under a variety of regulatory requirements including FIFRA, FQPA, PRIA, PRIA II, Pesticide Registration Review and for the Endocrine Disrupter Screening Program and will standardize the structure of a chemical case where appropriate to define the key tasks and documents used in the a number of pesticide review processes. EDSP components are used to order, monitor, track and manage scientific tests associated with pesticide chemicals. Pesticide Registration Improvement Renewal Act (PRIA II).

PRISM was developed in response to the requirements of the following laws and regulations:

- The Title III of the E-Government Act of 2002 - Federal Information Security Management Act (FISMA) – Public Law 107-347: A security plan must be developed and practiced throughout all life cycles of the agency's information systems.

- Office of Management and Budget (OMB) Circular A-130, Management of Federal Information Resources: A System Security Plan (SSP) is to be developed and documented for each GSS and Major Application (MA) consistent with guidance issued by the National Institute of Standards and Technology (NIST).

- Federal Information Processing Standards (FIPS) Publication 199, Standards for Security Categorization of Federal Information and Information Systems: This document defines standards for the security categorization of information and information systems. System security categorization must be included in SSPs.

- FIPS Publication 200, Minimum Security Requirements for Federal Information and Information Systems: This document contains information regarding specifications for minimum security control requirements for federal information and information systems. Minimum security controls must be documented in SSPs.

- NIST Special Publication (SP) 800-18 Revision 1, Guide for Developing Security Plans for Federal Information Systems: The minimum standards for an SSP are provided in this NIST document.

- NIST SP 800-53, Revision 3, Recommended Security Controls for Federal Information Systems and Organizations: This document contains a list of security controls that are to be implemented into federal information systems based on their FIPS 199 categorization. This document is used in conjunction with FIPS 200 to define minimum security controls, which must be documented in SSPs.

- EPA Information Security Planning Policy. A system security plan shall be developed for each system cited on the EPA Inventory of Major Information Systems, including major applications and general support systems

Most, if not all, of PRISM data should be considered "source" data. This means that these data originate from primary data providers, particularly pesticide product registrants, submitting information sent to EPA directly in response to FIFRA regulatory requirements.

PRISM contains source data and from this source data, certain dates, such as the date due are calculated automatically.

3b. Data Quality Procedures

OPP adheres to its Quality Management Plan (Nov. 2006) in ensuring data quality and that procedures are properly applied.

3c. Data Oversight

Branch Chief, Financial Management and Planning Branch.

3d. Calculation Methodology

Unit of analysis: Percent

The percent completed on time is calculated by taking the total number of decisions or actions completed and withdrawn on or before their due date and dividing by the total number decisions or actions completed and withdrawn within the date range specified.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Planning and Accountability Lead in the Resource Management Staff in the Office of Program Management Operations. Reporting semiannually: mid-year and end-of-year.

4b. Data Limitations/Qualifications

No Data Limitations.

4c. Third-Party Audits

Not applicable.

Record Last Updated: 02/08/2012 09:06:27 AM

Performance Data Quality Record (DQR)

NPO Name (OCSPP) Measure 164: Number of pesticide registration review dockets opened.

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	1 - Ensure Chemical Safety
Sub-Objective Number and Title	1 - Protect Human Health from Chemical Risks
Strategic Target Code and Title	5 - By 2014, reduce concentration of targeted chemicals in children
Managing Office	Office of Pesticide Programs
Performance Measure Term Definitions	

Registration Review dockets: EPA initiates a registration review by establishing a docket for a pesticide registration review case and opening the docket for public review and comment. Each docket contains a Summary Document that explains what information EPA has on the pesticide and the anticipated path forward. The Summary Document includes:

- A Preliminary Work Plan highlighting anticipated risk assessment and data needs, providing an anticipated timeline for completing the pesticide's review, and identifying the types of information that would be especially useful to the Agency in conducting the review;

- A fact sheet providing general background information and summarizing the current status of the pesticide;

- Ecological risk assessment problem formulation and human health scoping sections describing the data and scientific analyses expected to be necessary to complete the pesticide's registration review.

Opened: EPA initiates a registration review by establishing a docket for a pesticide registration review case and opening the docket for public review and comment. The Agency publishes a Federal Register notice that announces the availability of the docket and provides a comment period of at least 60 days. See http://www.epa.gov/oppsrrd1/registration_review/reg_review_process.htm for more information.

Background:
The Food Quality Protection Act of 1996 directed EPA to establish a Registration Review program with the goal of reviewing all registered pesticides, AIs and products, on a 15-year cycle to ensure that they continue to meet the standards of registration. EPA issued the final rule in 2006 and began implementing the program in 2007. Under the rule, EPA posts registration review schedules and these will provide a baseline for expected AI case dockets that will be opened for the next three year cycle and for decisions expected over the next several years. The first step of Registration Review is to open a public docket for each pesticide case entering the process to show the public what the Agency knows about the AI and seek comment. When comments are evaluated and data needs are finalized, OPP posts a Final Work Plan (FWP) for each AI case. Although the docket openings and the FWPs are tracked, both steps require notable resources to complete.

All registrations must be based on sound science and meet the Food Quality Protection Act (FQPA) safety standard. All risk assessments are subject to public and scientific peer review. In addition, OPP management reviews and signs new documents before being placed in the docket or posted on EPA's website.

For more information, see:
http://www.epa.gov/oppsrrd1/registration_review/

2. Data Definition and Source Reporting

2a. Original Data Source

OPP staff, working collaboratively across the program, develop the draft preliminary work plan taking into account existing policies, data requirements, and standard operating procedures.

2b. Source Data Collection

Each preliminary work plan is approved by Director of the appropriate OPP division (Antimicrobial Division, Biopesticides and Pollution Prevention Division, and Pesticide Re-evaluation Division). All preliminary work plans are included in the docket for that registration review case and are available via the pesticide program website at http://www.epa.gov/pesticides.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: As described in 2b, all preliminary work plans are posted to the docket for that registration review case and are available via the pesticide program website. Counts for preliminary work plans completed are tracked and tabulated in a master spreadsheet maintained by the Pesticide Re-evaluation Division.

Timing and frequency of reporting: Preliminary work plans are developed on a quarterly basis. Counts of actions completed are available at the end of each quarter.

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Office of Pesticide Programs (OPP) has migrated all of its major data systems including regulatory and scientific data, workflow tracking and electronic document management into one integrated system, the Pesticide Registration Information System (PRISM). PRISM provides a centralized source of information on all registered pesticide products, including chemical composition, toxicity, name and address of registrant, brand names, registration actions, and related data. It is maintained by the EPA and tracks regulatory data submissions and studies, organized by scientific discipline, which are submitted by the registrant in support of a pesticide's registration. All registration actions received under the PRIA and PRIA 2 are entered and tracked in PRISM.

PRISM is the successor to the Office of Pesticide Programs Information System Network (OPPIN). Data has been migrated from the following databases: Chemical Vocabulary (CV), Company Name and Address (CNAD), Pesticide Document Management System (PDMS), Pesticide Product Information System (PPIS), Chemical Review Management System (CRMS), FIFRA CBI Access (FAS), Jackets, Product Data Call-In (PDCI), Phones, Pesticide Regulatory Action Tracking (PRAT), Reference System (REFS), Tolerance Indexes (TIS and TOTS). Sources of the input are paper copy and electronic data. EPA's Central Data Exchange (CDX), scheduled as EPA 097, is the gateway for electronic submissions. It consolidates information stored on the mainframe, the OPP LAN, on stand-alone computers and in paper copy. PRISM (Pesticide Registration Information System) consolidates various pesticides program databases.

EPA recently constructed a module in PRISM tracking major Registration Review milestones. This module enhances tracking capabilities and is an important management tool.

For information on disposition of records in this database, please see EPA Records Schedule 329,

http://www.epa.gov/records/policy/schedule/sched/329.htm

PRISM was developed between 1997 and 2003 and has been operational since June 2, 2003. PRISM provides e-government capabilities to share pesticide information with OPP stakeholders. PRISM supports OPP's responsibilities under a variety of regulatory requirements including FIFRA, FQPA, PRIA, PRIA II, Pesticide Registration Review and for the Endocrine Disrupter Screening Program and will standardize the structure of a chemical case where appropriate to define the key tasks and documents used in the a number of pesticide review processes. EDSP components are used to order, monitor, track and manage scientific tests associated with pesticide chemicals. Pesticide Registration Improvement Renewal Act (PRIA II).

PRISM was developed in response to the requirements of the following laws and regulations:

- The Title III of the E-Government Act of 2002 - Federal Information Security Management Act (FISMA) – Public Law 107-347: A security plan must be developed and practiced throughout all life cycles of the agency's information systems.

- Office of Management and Budget (OMB) Circular A-130, Management of Federal Information Resources: A System Security Plan (SSP) is to be developed and documented for each GSS and Major Application (MA) consistent with guidance issued by the National Institute of Standards and Technology (NIST).

- Federal Information Processing Standards (FIPS) Publication 199, Standards for Security Categorization of Federal Information and Information Systems: This document defines standards for the security categorization of information and information systems. System security categorization must be included in SSPs.

- FIPS Publication 200, Minimum Security Requirements for Federal Information and Information Systems: This document contains information regarding specifications for minimum security control requirements for federal information and information systems. Minimum security controls must be documented in SSPs.

- NIST Special Publication (SP) 800-18 Revision 1, Guide for Developing Security Plans for Federal Information Systems: The minimum standards for an SSP are provided in this NIST document.

- NIST SP 800-53, Revision 3, Recommended Security Controls for Federal Information Systems and Organizations: This document contains a list of security controls that are to be implemented into federal information systems based on their FIPS 199 categorization. This document is used in conjunction with FIPS 200 to define minimum security controls, which must be documented in SSPs.

- EPA Information Security Planning Policy. A system security plan shall be developed for each system cited on the EPA Inventory of Major Information Systems, including major applications and general support systems

Most, if not all, of PRISM data should be considered "source" data. This means that these data originate from primary data providers,

particularly pesticide product registrants, submitting information sent to EPA directly in response to FIFRA regulatory requirements.

3b. Data Quality Procedures

OPP adheres to its Quality Management Plan (Nov. 2006) in ensuring data quality and that procedures are properly applied.

3c. Data Oversight

Branch Chief, Financial Management and Planning Branch

3d. Calculation Methodology

Identification of Unit of Measure and Timeframe: Timeframe is the fiscal year. Unit of measure is the number of preliminary work plans completed each year.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Planning and Accountability Lead in the Resource Management Staff in the Office of Program Management Operations. Reporting semiannually: mid-year and end-of-year.

4b. Data Limitations/Qualifications

No data limitations.

4c. Third-Party Audits

Not applicable.

Record Last Updated: 02/08/2012 09:06:43 AM

Performance Data Quality Record (DQR)

NPO Name (OCSPP) Measure 230: Number of pesticide registration review final work plans completed.

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	1 - Ensure Chemical Safety
Sub-Objective Number and Title	2 - Protect Ecosystems from Chemical Risks
Strategic Target Code and Title	1 - By 2015, no watersheds will exceed aquatic life benchmarks for targeted pesticides
Managing Office	Office of Pesticide Programs
Performance Measure Term Definitions	

Registration Review dockets: EPA initiates a registration review by establishing a docket for a pesticide registration review case and opening the docket for public review and comment. Each docket contains a Summary Document that explains what information EPA has on the pesticide and the anticipated path forward. The Summary Document includes:

- A Preliminary Work Plan highlighting anticipated risk assessment and data needs, providing an anticipated timeline for completing the pesticide's review, and identifying the types of information that would be especially useful to the Agency in conducting the review;

- A fact sheet providing general background information and summarizing the current status of the pesticide;

- Ecological risk assessment problem formulation and human health scoping sections describing the data and scientific analyses expected to be necessary to complete the pesticide's registration review.

Completed: After the closure of the public comment period for the preliminary work plan, EPA reviews those comments and revises (as necessary) the work plan, resulting in the issuance of a final work plan. See http://www.epa.gov/oppsrrd1/registration_review/reg_review_process.htm for more information.

Background:
The Food Quality Protection Act of 1996 directed EPA to establish a Registration Review program with the goal of reviewing all registered pesticides, AIs and products, on a 15-year cycle to ensure that they continue to meet the standards of registration. EPA issued the final rule in 2006 and began implementing the program in 2007. Under the rule, EPA posts registration review schedules and these will provide a baseline for expected AI case dockets that will be opened for the next three year cycle and for decisions expected over the next several years. The first step of Registration Review is to open a public docket for each pesticide case entering the process to show the public what the Agency knows about the AI and seek comment. When comments are evaluated and data needs are finalized, OPP posts a Final Work Plan (FWP) for each AI case. Although the docket openings and the FWPs are tracked, both steps require notable resources to complete.

All registrations must be based on sound science and meet the Food Quality Protection Act (FQPA) safety standard. All risk assessments are subject to public and scientific peer review. In addition, OPP management reviews and signs new documents before being placed in the docket or posted on EPA's website.

For more information, see:
http://www.epa.gov/oppsrrd1/registration_review/

2. Data Definition and Source Reporting

2a. Original Data Source

OPP staff, working collaboratively across the program, review the public comments and develop the draft final work plan taking into account existing policies, data requirements, and standard operating procedures.

2b. Source Data Collection

Each final work plan is approved by Director of the appropriate OPP division (Antimicrobial Division, Biopesticides and Pollution Prevention Division, and Pesticide Re-evaluation Division). All final work plans are included in the docket for that registration review case and are available via the pesticide program website at http://www.epa.gov/pesticides.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: As described in 2b, all final work plans are posted to the docket for that registration review case and are available via the pesticide program website. Counts for final work plans completed are tracked and tabulated in a master spreadsheet maintained by the Pesticide Re-evaluation Division.

Timing and frequency of reporting: Final work plans are developed on a quarterly basis. Counts of actions completed are available at the end of each quarter.

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Office of Pesticide Programs (OPP) has migrated all of its major data systems including regulatory and scientific data, workflow tracking and electronic document management into one integrated system, the Pesticide Registration Information System (PRISM). PRISM provides a centralized source of information on all registered pesticide products, including chemical composition, toxicity, name and address of registrant, brand names, registration actions, and related data. It is maintained by the EPA and tracks regulatory data submissions and studies, organized by scientific discipline, which are submitted by the registrant in support of a pesticide's registration. All registration actions received under the PRIA and PRIA 2 are entered and tracked in PRISM.

PRISM is the successor to the Office of Pesticide Programs Information System Network (OPPIN). Data has been migrated from the following databases: Chemical Vocabulary (CV), Company Name and Address (CNAD), Pesticide Document Management System (PDMS), Pesticide Product Information System (PPIS), Chemical Review Management System (CRMS), FIFRA CBI Access (FAS), Jackets, Product Data Call-In (PDCI), Phones, Pesticide Regulatory Action Tracking (PRAT), Reference System (REFS), Tolerance Indexes (TIS and TOTS). Sources of the input are paper copy and electronic data. EPA's Central Data Exchange (CDX), scheduled as EPA 097, is the gateway for electronic submissions. It consolidates information stored on the mainframe, the OPP LAN, on stand-alone computers and in paper copy. PRISM (Pesticide Registration Information System) consolidates various pesticides program databases.

EPA recently constructed a module in PRISM tracking major Registration Review milestones. This module enhances tracking capabilities and is an important management tool.

For information on disposition of records in this database, please see EPA Records Schedule 329,

http://www.epa.gov/records/policy/schedule/sched/329.htm

PRISM was developed between 1997 and 2003 and has been operational since June 2, 2003. PRISM provides e-government capabilities to share pesticide information with OPP stakeholders. PRISM supports OPP's responsibilities under a variety of regulatory requirements including FIFRA, FQPA, PRIA, PRIA II, Pesticide Registration Review and for the Endocrine Disrupter Screening Program and will standardize the structure of a chemical case where appropriate to define the key tasks and documents used in the a number of pesticide review processes. EDSP components are used to order, monitor, track and manage scientific tests associated with pesticide chemicals. Pesticide Registration Improvement Renewal Act (PRIA II).

PRISM was developed in response to the requirements of the following laws and regulations:

- The Title III of the E-Government Act of 2002 - Federal Information Security Management Act (FISMA) – Public Law 107-347: A security plan must be developed and practiced throughout all life cycles of the agency's information systems.

- Office of Management and Budget (OMB) Circular A-130, Management of Federal Information Resources: A System Security Plan (SSP) is to be developed and documented for each GSS and Major Application (MA) consistent with guidance issued by the National Institute of Standards and Technology (NIST).

- Federal Information Processing Standards (FIPS) Publication 199, Standards for Security Categorization of Federal Information and Information Systems: This document defines standards for the security categorization of information and information systems. System security categorization must be included in SSPs.

- FIPS Publication 200, Minimum Security Requirements for Federal Information and Information Systems: This document contains information regarding specifications for minimum security control requirements for federal information and information systems. Minimum security controls must be documented in SSPs.

- NIST Special Publication (SP) 800-18 Revision 1, Guide for Developing Security Plans for Federal Information Systems: The minimum standards for an SSP are provided in this NIST document.

- NIST SP 800-53, Revision 3, Recommended Security Controls for Federal Information Systems and Organizations: This document contains a list of security controls that are to be implemented into federal information systems based on their FIPS 199 categorization. This document is used in conjunction with FIPS 200 to define minimum security controls, which must be documented in SSPs.

- EPA Information Security Planning Policy. A system security plan shall be developed for each system cited on the EPA Inventory of Major Information Systems, including major applications and general support systems

Most, if not all, of PRISM data should be considered "source" data. This means that these data originate from primary data providers,

particularly pesticide product registrants, submitting information sent to EPA directly in response to FIFRA regulatory requirements.

3b. Data Quality Procedures

OPP adheres to its Quality Management Plan (Nov. 2006) in ensuring data quality and that procedures are properly applied.

3c. Data Oversight

Branch Chief, Financial Management and Planning Branch

3d. Calculation Methodology

Timeframe is the fiscal year. Unit of measure is the number of final work plans completed each year.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Planning and Accountability Lead in the Resource Management Staff in the Office of Program Management Operations. Reporting semiannually: mid-year and end-of-year.

4b. Data Limitations/Qualifications

No data limitations.

4c. Third-Party Audits

Not applicable.

Record Last Updated: 02/08/2012 09:06:44 AM

Performance Data Quality Record (DQR)

NPO Name (OCSPP) Measure 009: Cumulative number of certified Renovation Repair and Painting firms

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	1 - Ensure Chemical Safety
Sub-Objective Number and Title	1 - Protect Human Health from Chemical Risks
Strategic Target Code and Title	2 - By 2014,reduce the percentage of children with blood lead levels above 5ug/dl to 1.0 percent or less
Managing Office	Office of Pollution Prevention and Toxic

Performance Measure Term Definitions

Cumulative number: Number since October 1, 2009.

Certified Renovation Repair and Painting firms: "Renovation, Repair, and Painting" is generally defined as any activity that disturbs paint in housing and child-occupied facilities built before 1978, including remodeling, repair, maintenance, electrical work, plumbing, painting, carpentry and window replacement. Most minor repair and maintenance activities of less than six square feet per interior room or 20 square feet on the exterior or a home or building are exempt from the work practice requirements. However, this exemption does not apply to window replacements, demolitions or the use of prohibited practices.

Background:
On March 31, 2008, EPA issued a new rule (Renovation, Repair, and Painting Program Rule or RRP rule) aimed at protecting children from lead-based paint hazards. The rule requires contractors and construction professionals that work in pre-1978 housing or child-occupied facilities to follow lead-safe work practice standards to reduce potential exposure to dangerous levels of lead for children in places they frequent. In October 2009, firms began to apply to EPA for certification to conduct renovations. As of April 2010, renovations in target (pre-1978) housing and child-occupied facilities must be conducted by certified renovation firms, using renovators with accredited training, and following the work practice requirements of the rule.

2. Data Definition and Source Reporting

2a. Original Data Source

Firms seeking certification submit applications directly to EPA, enabling the Agency to track the number of certified firms through its Federal Lead-Based Paint Program (FLPP) database. In states that have received authorization from EPA to administer a Renovation Repair and Painting program in lieu of the Federal program, state grantees collect data on the number of state certified Renovation Repair and Painting firms.

2b. Source Data Collection

The original data source generally would be EPA itself since applicants do not collect data but merely submit certification applications. Authorized states would be the original data sources in some cases. Entry of application data into the FLPP database is handled by an EPA contractor.

EPA collects data on the numbers of firms certified in each authorized state through quarterly reports from grantees as part of the Agency's oversight of authorized programs.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: Firms seeking RRP certification submit applications in hard copy directly to EPA. The data are entered into the FLPP database by an EPA contractor. The original hard copies are retained to augment the electronic records. Authorized states report data to EPA Regional Offices on the number of certified firms in the state.
Timing and frequency of reporting: Application data are entered into the FLPP database continuously as applications to the Federal Program are received.

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Federal Lead-Based Paint Program (FLPP) database provides a record of all applications for the certification of Renovation Repair and Painting firms where EPA directly implements the program, the actions taken on those applications including final decisions, and the multiple steps in the process used for measurement. Thus, the number of firms actually being certified can be obtained directly from the database. EPA uses an Oracle Discoverer application to query the database to collect measurable performance data. Documentation for the FLPP database is maintained internally at EPA and is available upon request.

The FLPP database is currently undergoing improvements to increase the processing efficiency and tracking for firm certifications.

3b. Data Quality Procedures

The database is interactive, and operational usage in processing applications by Headquarters and the Regional offices provides ongoing internal quality reviews. Further, EPA periodically checks contractors' data entry quality.

OPPT has in place a signed Quality Management Plan ("Quality Management Plan for the Office of Pollution Prevention and Toxics; Office of Prevention, Pesticides and Toxic Substances", November 2008). Like the 2003 QMP, it will ensure the standards and procedures are applied to this effort. In addition, NPCD has an approved Quality Management Plan in place, dated July 2008. Applications and instructions for applying for certification and accreditation are documented and available at the Web site http://www.epa.gov/lead/pubs/traincert.htm. Documentation for the FLPP database is maintained internally at EPA and is available upon request.

3c. Data Oversight

Branch Chief, Planning and Assessment Branch

3d. Calculation Methodology

Since the measure simply tracks the number of firms certified to perform Lead RRP work, there is no need to transform the original data by any mathematical methods.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Planning and Accountability Lead in the Resource Management Staff in the Office of Program Management Operations. Reporting

semiannually: mid-year and end-of-year.

4b. Data Limitations/Qualifications

Data are estimates from firm certification applications received either directly by EPA or through EPA authorized State programs and reported to EPA Regional offices.

There is little or no sampling error in this performance measure because it is based on an evaluation of all applicable records for the Federal program. Data on firms certified in each authorized state are collected as part of the Agency's oversight of authorized programs through semi-annual reports from grantees.

4c. Third-Party Audits

Not applicable.

Record Last Updated: 02/08/2012 09:06:27 AM

Performance Data Quality Record (DQR)

NPO Name (OCSPP) Measure C18: Percentage of existing CBI claims for chemical identity in health and safety studies reviewed and challenged, as appropriate.

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	1 - Ensure Chemical Safety
Sub-Objective Number and Title	3 - Ensure Transparency of Chemical Health and Safety Information
Strategic Target Code and Title	1 - 2015, make all health and safety information available to the public for chemicals in commerce
Managing Office	Office of Pollution Prevention and Toxics

Performance Measure Term Definitions

Existing CBI claims: Under TSCA, companies may claim that information they submit to EPA should be treated as “confidential business information” (CBI) and not be disclosed to the public. “Existing” CBI claims are CBI claims in TSCA filings presently in the possession of the Agency.

Health and safety studies: EPA will begin a general practice of reviewing confidentiality claims for chemical identities in health and safety studies, and in data from health and safety studies, submitted under the Toxic Substances Control Act (TSCA) in accordance with Agency regulations at 40 CFR part 2, subpart B.

Reviewed and, as appropriate, challenged: To achieve this measure, EPA must complete the following actions for new and historical submissions by the end of 2015: 1) determine if a challenge to the CBI claim is warranted; 2) execute the challenge; and 3) where legally defensible, declassify the information claimed as CBI. Section 14(b) of TSCA does not extend confidential treatment to health and safety studies, or data from health and safety studies, which, if made public, would not disclose processes used in the manufacturing or processing of a chemical substance or mixture or, in the case of a mixture, the release of data disclosing the portion of the mixture comprised by any of the chemical substances in the mixture. Where a chemical identity does not explicitly contain process information or reveal portions of a mixture, EPA expects to find that the information would clearly not be entitled to confidential treatment. Where EPA determines that the information is not eligible for confidential treatment, the Agency will notify companies, and in those instances where the company will not voluntarily relinquish the claims, EPA may initiate administrative action in accordance with Section 14 of TSCA.

Background:

This performance measure supports EPA’s strategic measure through 2015 to make all health and safety studies available to the public for chemicals in commerce, to the extent allowed by law. For pesticides, EPA will continue to make risk assessments and supporting information available through its long standing Public Participation Process.

The effort has involved the tightening of EPA’s CBI policies, first on January 21, 2010, when EPA said it planned to reject CBI claims for chemicals submitted to EPA with studies that show a substantial risk to people's health and the environment and that have been previously disclosed on the TSCA Chemical Inventory. Sn a follow-up policy change issued May 27, 2010, EPA said it planned to generally deny confidentiality claims for and the identity of chemicals in health and safety studies filed under the TSCA, except in specified circumstances.

Health and safety information differs greatly in complexity and consequently the declassification may occur rapidly in some areas but take longer than others to reach completion.

For more information, please see:
(1) http://www.epa.gov/oppt/tsca8e/pubs/confidentialbusinessinformation.html
(2) http://www.epa.gov/oppt/existingchemicals/pubs/transparency.html
http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPPT-2010-0446-0001

2. Data Definition and Source Reporting

2a. Original Data Source

Data are provided by EPA Headquarters Staff.

2b. Source Data Collection

Historical data used to identify existing CBI health and safety data will come from staff and contractor maintained internal databases. The Agency relies on existing databases that track TSCA filings and identify data elements for each document, including CBI claims. These databases are used for a wide variety of purposes relating to TSCA implementation. Quality controls include standard operating procedures related to data processing. This process is enhanced, in the CBI review context, by reviews of the actual data (hard copy, microfiche and pdf) to ensure that what is tracked is consistent with the submitted filings.

2c. Source Data Reporting

EPA receives information by paper or electronic submission under the authority of TSCA. CBI reviews are initiated under specific regulatory authority (e.g. 40 CFR 720, 40 CFR part 2 etc). EPA receives materials pursuant to TSCA on a daily basis.

3. Information Systems and Data Quality Procedures

3a. Information Systems

OPPT has developed a CBI declassification tracking system, which includes the records identified for review, date of receipt, review status, claim validation, letter or call sent, 2.204(d)(2) Action, and declassification status. For chemicals in 8(e) filings the system will also track if the chemical name has process or portion of mixture information and if it is claimed as research and development (R&D) or as a pesticide. Data elements used to track the de-classification studies will consist of new process-specific elements input by reviewers and elements traditionally associated with studies that were input to OPPT databases. The tracking system is limited to tracking filings, CBI review status and other data element consistent with internal management of program. The system does not contain any transformed data.

3b. Data Quality Procedures

EPA staff will ensurethe number of health and safety studies reviewed is equal to or less than the total number of health and safety studies received in the fiscal year for both measures, combined. EPA reviews all subject filings with CBI claims to ensure that such claims are consistent with provisions of statute and Agency policy. Participants in the review include legal and technical staff who rely on advice from EPA's Office of General Counsel.

3c. Data Oversight

Branch Chief, Planning and Assessment Branch

3d. Calculation Methodology

The baseline assumes that between the enactment of TSCA and August 21, 2010, 22,483 CBI cases potentially containing TSCA health and

safety information were submitted for chemicals potentially in commerce. In recent years, hundreds of such cases have been submitted annually.

EPA has identified all filings and cases subject to review and placed these in a tracking database. As filings and cases are reviewed and appropriate actions undertaken, the database is updated to capture the new status. Thus, the number of CBI claims that are reviewed and challenged can be readily obtained from the database and expressed as a percentage of all existing CBI claims in health and safety studies.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Planning and Accountability Lead in the Resource Management Staff in the Office of Program Management Operations. Reporting semiannually: mid-year and end-of-year.

4b. Data Limitations/Qualifications

Data limitations include:

- Some archived data may have been lost or damaged.
- The DTS database does not differentiate between types of CBI claims, so some studies tracked in the DTS system may, in theory, already be public.
- Some submissions may be redundant due to overlap in processing.
- Other limitations expected.

There is no estimateon the number oferrors that couldhave been made during data entry.

4c. Third-Party Audits

OIG published a report in 2010 finding that CBI claims were excessive, and encouraging EPA to increase public access to information filed under TSCA. For more information, see http://www.epa.gov/oig/reports/2010/20100217-10-P-0066.pdf.

Record Last Updated: 02/08/2012 09:07:48 AM

Performance Data Quality Record (DQR)

NPO Name (OCSPP) Measure HC1: Annual number of hazard characterizations completed for HPV chemicals

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	1 - Ensure Chemical Safety
Sub-Objective Number and Title	1 - Protect Human Health from Chemical Risks
Strategic Target Code and Title	-
Managing Office	Office of Pollution Prevention and Toxics

Performance Measure Term Definitions

Hazard characterizations: "Hazard characterizations" refers to Screening Level Hazard Characterization Reports prepared by EPA staff based on information submitted by the companies that make the chemicals, as well as on data identified from a targeted search of publicly available sources of information specifically relevant to characterizing hazards.

Completed: Screening Level Hazard Characterization Reports are deemed "completed" once they are deemed by senior Agency scientists and OPPT management to be suitable for posting on the program's website. In order for reports to be completed, the source Screening Information Data Set data submissions must be judged by the Agency to be adequate.

HPV chemicals: High Production Volume chemicals produced or imported in the United States in quantities of 1 million pounds or more per year.

Background:

• EPA's High Production Volume Challenge (HPV Challenge) program has inspired chemical manufacturers and users to deliver health and environmental effects data on many of the most heavily used chemicals in U.S. commerce to the agency. More information is available at: http://www.epa.gov/hpv/.

• EPA is investigating the hazard characteristics of heavily used chemicals in conjunction with the Organization for Economic Cooperation and Development (OECD). The OECD's criteria for including chemicals in its Screening Information Data Sets (SIDS) program are production in one OECD Member country in quantities above 10,000 metric tons (22 million lbs) per annum or above 1,000 metric tons (2.2 million lbs) in two or more OECD countries. More information is available at http://www.epa.gov/opptintr/sids/pubs/overview.htm. Screening Level Hazard Characterization Reports are supplemented and aligned twice a year with the international database of chemicals sponsored internationally through Screening Information Data Sets (SIDs) Initial Assessment Meetings. Hazard characterizations are made publicly available through OPPT's High Production Volume Information System (HPVIS): http://www.epa.gov/hpvis/

2. Data Definition and Source Reporting

2a. Original Data Source

Submissions from chemical sponsors, for both U.S. HPVs and international Screening Information Data Sets (SIDs) chemicals.

2b. Source Data Collection

Tabulation of records or activities: Screening Level Hazard Characterization Reports are prepared by EPA staff based on submissions from chemical sponsors and are reviewed by senior scientists and management to determine whether they are complete. Each screening level hazard characterization document represents a thorough review by qualified EPA personnel of the information provided by the submitter, as well as other targeted sources of information. For more information about sources utilized, please visit: http://www.epa.gov/hpvis/hazardinfo.htm.

This measure analyzes and supplements data received through EPA's High Production Volume (HPV) challenge, the EPA program that has inspired companies to deliver health and environmental effects data on many of the most heavily used chemicals in U.S. commerce to the agency. An assessment of adequacy is made for HPV chemicals, defined as approximately 2,450 chemicals (1400 US Sponsored chemicals, 850 International sponsored chemicals, and 200 Original Organization for Economic Cooperation and Development (OECD) SIDS Initial Assessment Reports (SIARs)). The measure is a count of completed reports from all of these sources, which are then posted on EPA's website. http://www.epa.gov/hpvis/abouthc.htm

EPA QA requirements/guidance governing collection: OPPT has in place a signed Quality Management Plan (Quality Management Plan for the Office of Pollution Prevention and Toxics; Office of Prevention, Pesticides and Toxic Substances, November 2008).

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: EPA staff complete Screening Level Hazard Characterization Reports based on submissions from chemical sponsors.

Once a report is completed, as determined by senior scientist and management review, an internal reporting spreadsheet called HPV HC Tracking Data is updated with the chemical name and date of completion. The HPV tracking system is updated by EPA staff upon posting of final documents to the EPA web site at the end of each quarter. The number of chemicals reviewed and posted is then recorded in the internal reporting spread sheet.

Timing and frequency of reporting: As new HCs are posted at the end of each quarter, the number of chemicals posted is recorded in the internal tracking spreadsheet.

3. Information Systems and Data Quality Procedures

3a. Information Systems

EPA uses a reporting spreadsheet called HPV HC Tracking Data to track the number of completed Screening Level Hazard Characterization Reports. There are no transformed data in this spreadsheet as this is a simple tracking measure.

3b. Data Quality Procedures

Not Available

3c. Data Oversight

Branch Chief, Planning and Assessment Branch

3d. Calculation Methodology

The performance result is simply a count of Screening Level Hazard Characterization Reports completed by EPA either quarterly or over the fiscal year.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Planning and Accountability Lead in the Resource Management Staff in the Office of Program Management Operations. Reporting semiannually: mid-year and end-of-year.

4b. Data Limitations/Qualifications

Not Available

4c. Third-Party Audits

Recent GAO reviews found that EPA does not routinely assess the risks of all existing chemicals and faces challenges in obtaining the information necessary to do so. EPA has taken several steps to respond to these reviews including more aggressive efforts to collect data, continued efforts to assess data through hazard characterizations, and increased emphasis on risk management activities for chemicals of concern.

GAO-05-458: Chemical Regulation: Options Exist to Improve EPA's Ability to Assess Health Risks and Manage Its Chemical Review Program, June 2005.

GAO-06-1032T: Chemical Regulation: Actions Are Needed to Improve the Effectiveness of EPA's Chemical Review Program, August 2006.

GAO-09-271: High Risk Series-An update. Transforming EPA's Processes for Assessing and Controlling Toxic Chemicals, January 2009.

Record Last Updated: 02/08/2012 09:07:55 AM

Performance Data Quality Record (DQR)

NPO Name (OCSPP) Measure E01: Number of chemicals for which Endocrine Disruptor Screening Program (EDSP) decisions have been completed

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	1 - Ensure Chemical Safety
Sub-Objective Number and Title	1 - Protect Human Health from Chemical Risks
Strategic Target Code and Title	6 - By 2015, complete Endocrine Disruptor Screening Program (EDSP)
Managing Office	Office of Science Coordination and Policy

Performance Measure Term Definitions

Chemicals: The initial pesticide chemicals to be screened in the EDSP.

Endocrine Disruptor Screening Program Decisions: This measure deals with data generated by evaluating chemicals via the Endocrine Disruptor Screening Program's (EDSP) Tier 1 screening assays, which are designed to identify compounds that have the potential to interact with the endocrine system. These decisions take into consideration Tier 1 screening battery data, other scientifically relevant information (OSRI), and/or the regulatory status of a chemical, as applicable. The decisions counted via this measure range from determining whether a chemical has the potential to interact with the Estrogen (E) Androgen (A), or Thyroid (T) hormone systems to otherwise determining whether further endocrine related testing is necessary because EPA makes a regulatory determination to remove a chemical from further consideration or a test order recipient announces that it is discontinuing the manufacture and import of the chemical. This measure is a count of these decisions.

- EDSP decisions for a particular chemical (in Tier 1) can be organized into two broad categories: (1) regulatory actions and (2) determinations regarding potential to interact with E, A, or T. In both cases, the decisions will determine whether further endocrine related testing is necessary for that chemical.
- There are several regulatory actions that will remove a chemical from further consideration for endocrine related testing in the EDSP. These include, but would not be limited to, cancellation of pesticide registrations, ceasing sales of the chemical for use in pesticide products, and discontinuing the manufacture and import of the chemical. These actions may be voluntary on the part of a Tier 1 test order recipient or the result of an EPA regulatory determination. In either case, when such regulatory decisions have been completed for a chemical in Tier 1 of the EDSP, that chemical will be counted for this measure.

Completed: Chemicals which EPA judges to have been fully assessed using the Endocrine Disruptor Screening Program's (EDSP) Tier 1 screening assays and other scientifically relevant information (as applicable) for their potential to interact with E, A, or T, will be counted for this measure.

Chemicals are also counted for this measure when EPA makes a regulatory determination to remove a chemical from further consideration for endocrine related testing in the EDSP. This can be due to cancellation of pesticide registrations or because a Tier 1 test order recipient makes voluntary decision to discontinue the manufacture and import of the chemical.

Decisions will be counted once EPA announces them via updates to the EDSP website (http://www.epa.gov/endo/pubs/EDSP_OSRI_Response_Table.pdf).

Background:

• EPA anticipates that an increasing proportion of the resources allocated to the EDSP will be used for review of EDSP submissions of Tier 1 screening battery data in FY 2012. As a result, a measure based on the number of chemicals for which EDSP decisions have been completed captures an important shift in resource utilization for the program.

• In general, it is anticipated that the EDSP decisions will vary from chemical to chemical with respect to complexity and timing. Therefore, careful analysis will be needed in setting performance targets each year. It is anticipated that annual performance targets will be established by considering (to the extent practicable) the number of chemicals for which EDSP Tier 1 test orders have been issued, the identity of the chemicals, the number of Tier 1 test order recipients, any other available chemical specific information and EPA resources available to complete data evaluations. However, several factors remain unpredictable and will impact the schedule for completing EDSP decisions. These include, for example, the number of pesticide cancellations and other regulatory actions that may remove a chemical from commerce and/or discontinue manufacture and import (voluntary and enforced), unforeseen laboratory capacity limits, and unforeseen technical problems with completing the Tier 1 assays for a particular chemical. Each of these factors can move the timeline for completing an EDSP decision for a particular chemical beyond the fiscal year in which the decision was originally anticipated.

• This performance measure is best used in conjunction with another EDSP annual performance measure (Number of chemicals for which EDSP Tier 1 test orders have been issued). Measuring the number of chemicals for which EDSP Tier 1 test orders have been issued will, together with additional chemical-specific information, help set performance targets for the number of chemicals for which EDSP decisions have been completed.

• Endocrine Disruptor Screening Program; Second List of Chemicals for Tier 1 Screening [Federal Register Notice: November 17, 2010

(Volume 75, Number 221, pages 70248-70254)]

http://www.regulations.gov/contentStreamer?disposition=attachment&objectId=0900006480b954bf&contentType=html

• http://www.epa.gov/endo/ (including Highlights box on right side of page)

• http://www.epa.gov/endo/pubs/edspoverview/background.htm

http://www.epa.gov/endo/pubs/EDSP_OSRI_Response_Table.pdf

2. Data Definition and Source Reporting

2a. Original Data Source

EPA staff, including scientists and regulatory managers from relevant program offices, are responsible for making and documenting the decisions.

2b. Source Data Collection

Source Data Collection Methods: The decisions will take into consideration Tier 1 screening battery data, other scientifically relevant information (OSRI), and/or the regulatory status of a chemical, as applicable.

EPA has developed guidance on how to conduct the Weight of Evidence (WoE) analysis that will lead to decisions about whether chemicals have the potential to interact with E, A, or T and whether further testing will be required (see Highlights box at http://www.epa.gov/endo).

Date/time intervals covered by source data: FY 2012-present

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: EPA has created and is maintaining an on-line report for tracking the status of chemicals screened in the EDSP (see Highlights box at http://www.epa.gov/endo). The report includes for each chemical: the date a test order was issued, to whom the test order was issued, the due date for completing and submitting the data, the recipient's response to the order, and regulatory status (e.g., pesticide registration cancelled), as appropriate. In addition, the report will include information on EDSP decisions.
Decisions will be counted once EPA announces them via updates to the EDSP website (http://www.epa.gov/endo/pubs/EDSP_OSRI_Response_Table.pdf).

Timing and frequency of reporting: Annual

3. Information Systems and Data Quality Procedures

3a. Information Systems

EPA has created and is maintaining an on-line report for tracking the status of chemicals screened in the EDSP (see Highlights box at http://www.epa.gov/endo). The report includes for each chemical: the date a test order was issued, to whom the test order was issued, the due date for completing and submitting the data, the recipient's response to the order, and regulatory status (e.g., pesticide registration cancelled), as appropriate. In addition, the report will include information on EDSP decisions. EPA anticipates expanding this report to include chemicals other than pesticides.

Additional information:
Since the data will correspond to the on-line reporting on the status of chemicals in the EDSP, the public and other interested parties will be able to easily determine the accuracy of the reported results.

3b. Data Quality Procedures

Data on the number of decisions generated for this measure will be reviewed for accuracy before submitting.

The number of chemicals for which EDSP Tier 1 decisions have been completed can be checked against supporting records documenting the decisions.

3c. Data Oversight

Deputy Director, Office of Science Coordination and Policy

3d. Calculation Methodology

Unit of analysis: Number of chemicals for which Endocrine Disruptor Screening Program (EDSP) Tier 1 decisions have been completed.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Planning and Accountability Lead in the Resource Management Staff in the Office of Program Management Operations. Reporting semiannually: mid-year and end-of-year.

4b. Data Limitations/Qualifications

Decisions are based on EPA regulatory actions and data review once data are received, thus minimal error is anticipated with this estimate.

4c. Third-Party Audits

The American Society of Human Genetics, the American Society for Reproductive Medicine, the Endocrine Society, the Genetics Society of America, the Society for Developmental Biology, the Society for Pediatric Urology, the Society for the Study of Reproduction, and the

Society for Gynecologic Investigation. **Assessing Chemical Risk: Societies Offer Expertise**. *Science* , March 3, 2011 DOI: 10.1126/science.331.6021.1136-a or http://www.sciencemag.org/content/331/6021/1136.1.

Performance Data Quality Record (DQR)

NPO Name (OCSPP) Measure E02: Number of chemicals for which EDSP Tier 1 test orders have been issued

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	1 - Ensure Chemical Safety
Sub-Objective Number and Title	1 - Protect Human Health from Chemical Risks
Strategic Target Code and Title	-
Managing Office	Office of Science Coordination and Policy

Performance Measure Term Definitions

Chemicals: The initial pesticide chemicals to be screened in the EDSP.

EDSP Tier 1: The Endocrine Disruptor Screening Program's (EDSP) Tier 1 screening assays, which are designed to identify compounds that have the potential to interact with the body's endocrine system.

Test orders: The initial issuance of orders to conduct EDSP Tier 1 screening tests to entities initially identified by EPA as being the producers of specific chemicals that may have the potential to interact with the estrogen, androgen, or thyroid hormone systems, all of which are part of the endocrine system.

Issued: Issuance of EDSP Tier 1 test orders follows the policies and procedures that are described in detail in the *Federal Register* at 74FR17560. For the purpose of this measure, completing the issuance of Tier 1 test orders for a particular chemical will be defined as completing the initial issuance of orders to the order recipients initially identified by EPA. Subsequent issuance of orders to recipients who were not initially identified by EPA or to recipients who become subject to EDSP requirements after the initial issuance of test orders (referred to as "catch up" orders) will not be considered in this measure. As noted above,

Background:

- Tier 1 screening will include a battery of screening assays that would identify substances with the potential to interact with the estrogen, androgen, or thyroid hormone systems, according to text at http://www.epa.gov/endo/pubs/edspoverview/components.htm#2.
- Consistent with EPA plans to integrate the EDSP Tier 1 test orders into the pesticide registration review process, issuance of test orders for additional chemicals (including industrial chemicals that are water contaminants) is expected to continue in FY 2012 and beyond.
- EPA anticipates that an increasing proportion of the resources allocated to the EDSP will be used for review of EDSP submissions of Tier 1 screening battery data in FY 2012. As a result, a measure based on the number of chemicals for which EDSP decisions have been completed captures an important shift in resource utilization for the program.

- Given the dynamic nature of chemical markets, some companies may be missed in EPA's analysis or companies may enter new markets subjecting them to the EDSP requirements for a chemical after the initial test orders for that chemical have been issued. EPA's policies and procedures allow for "catch up" orders to address these situations. Given that the time horizon for "catch up" orders is 15 years after the initial test orders are issued for a chemical, for purposes of this measure, a chemical will be counted as completed after initial test orders are

issued.

• With EPA plans to integrate EDSP Tier 1 test orders into the pesticide registration review process and as EPA develops subsequent lists of chemicals, EPA anticipates that an increasing proportion of the EDSP resources will be used for the issuance of Tier 1 test orders and data review. Therefore, a measure based on the number of Tier 1 test orders issued captures performance of activities on which the program will be spending a larger proportion of its future resources.

• In general, it is anticipated that the EDSP decisions will vary from chemical to chemical with respect to complexity and timing. Therefore, careful analysis will be needed in setting performance targets each year. It is anticipated that annual performance targets will be established by considering (to the extent practicable) the number of chemicals for which EDSP Tier 1 test orders have been issued, the identity of the chemicals, the number of Tier 1 test order recipients, any other available chemical specific information and EPA resources available to complete data evaluations. However, several factors remain unpredictable and will impact the schedule for completing EDSP decisions. These include, for example, the number of pesticide cancellations and other regulatory actions that may remove a chemical from commerce and/or discontinue manufacture and import (voluntary and enforced), unforeseen laboratory capacity limits, and unforeseen technical problems with completing the Tier 1 assays for a particular chemical. Each of these factors can move the timeline for completing an EDSP decision for a particular chemical beyond the fiscal year in which the decision was originally anticipated.

• Annual performance targets for this measure will be subject to obtaining an approved Information Collection Request and the EPA resources available for issuing EDSP Tier 1 test orders.

• Annual performance targets may be influenced by a number of factors including OCSPP's identification of manufacturers of chemicals and the corresponding issuance of Information Collection Requests. Therefore, careful analysis will be needed in setting performance targets each year.

• The results from this performance measure, together with additional chemical specific information, will help set performance targets for another EDSP measure: the number of chemicals for which Endocrine Disruptor Screening Program (EDSP) decisions have been completed.

• Endocrine Disruptor Screening Program; Second List of Chemicals for Tier 1 Screening [Federal Register Notice: November 17, 2010

(Volume 75, Number 221, pages 70248-70254)]

• http://www.epa.gov/endo/ (including Highlights box on right side of page)
• http://www.epa.gov/endo/pubs/edspoverview/background.htm
http://www.epa.gov/endo/pubs/edsp_orders_status.pdf

2. Data Definition and Source Reporting

2a. Original Data Source

EPA staff, including scientists and regulatory managers from relevant program offices, are responsible for issuing and documenting the test orders.

2b. Source Data Collection

Source Data Collection Methods:
Using several databases, EPA initially completed a comprehensive analysis to identify companies that are potential test order recipients because of their association with specific chemicals. These chemicals may have the potential to interact with the estrogen, androgen, or thyroid hormone systems.

The policies and procedures regarding issuance of EDSP Tier 1 test orders are described in detail in the *Federal Register* (74FR17560). The policies and procedures regarding issuance of EDSP Tier 1 test orders that are described in detail in the *Federal Register* (74FR17560) are being adapted to address additional chemicals (including water contaminants). EPA completes a comprehensive analysis using several databases to identify companies that are potential order recipients for each chemical.

2c. Source Data Reporting

EPA has created and is maintaining an on-line report for tracking the status of chemicals screened in the EDSP (see Highlights box at http://www.epa.gov/endo). The report includes for each chemical: the date a test order was issued, to whom the test order was issued, the due date for completing and submitting the data, the recipient's response to the order, and regulatory status (e.g., pesticide registration cancelled), as appropriate. In addition, the report will include information on EDSP Tier 1 decisions.

3. Information Systems and Data Quality Procedures

3a. Information Systems

EPA has created and is maintaining an on-line report for tracking the number of chemicals for which EDSP Tier 1 test orders have been issued.

EPA's on-line report for tracking the status of chemicals screened in the EDSP includes for each chemical: the date a test order was issued, to whom the test order was issued, the due date for completing and submitting the data, the recipient's response to the order, regulatory status (e.g., pesticide registration cancelled), as appropriate, and other information.

Additional information:
Since the data generated for this measure will correspond to the on-line reporting on the status of chemicals in the EDSP, the public and other interested parties will be able to easily determine the accuracy of the reported results.

3b. Data Quality Procedures

The number of chemicals for which Tier 1 test orders have been issued can be checked against order related documentation.

Data on the number of orders issued that are related to this measure will be reviewed for accuracy before submitting.

3c. Data Oversight

Deputy Director, Office of Science Coordination and Policy

3d. Calculation Methodology

Unit of analysis: Number of chemicals for which Endocrine Disruptor Screening Program (EDSP) Tier 1 test orders have been issued.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Planning and Accountability Lead in the Resource Management Staff in the Office of Program Management Operations. Reporting semiannually: mid-year and end-of-year.

4b. Data Limitations/Qualifications

Issuance of test orders is based largely on EPA actions, thus minimal error is anticipated with this estimate.

4c. Third-Party Audits

The American Society of Human Genetics, the American Society for Reproductive Medicine, the Endocrine Society, the Genetics Society of America, the Society for Developmental Biology, the Society for Pediatric Urology, the Society for the Study of Reproduction, and the

Society for Gynecologic Investigation. **Assessing Chemical Risk: Societies Offer Expertise**. *Science* , March 3, 2011 DOI: 10.1126/science.331.6021.1136-a or http://www.sciencemag.org/content/331/6021/1136.1.

Performance Data Quality Record (DQR)

NPO Name (ORD) Measure RA1: Percentage of planned research products completed on time by the Human Health Risk Assessment research program.

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	1 - Ensure Chemical Safety
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	Office of Program Accountability and Resource Management- Planning

Performance Measure Term Definitions

A research *product* is "a deliverable that results from a specific research project or task. Research products may require translation or synthesis before integration into an output ready for partner use."

This secondary performance measure tracks the timely completion of research products.

Sustainability Research Strategy, available from:http://epa.gov/sciencematters/april2011/truenorth.htm

http://www.epa.gov/risk_assessment/health-risk.htm

2. Data Definition and Source Reporting

2a. Original Data Source

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the research program. The actual product completion date is self-reported.

2b. Source Data Collection

Each output is assigned to a Lab or Center representative before the start of the fiscal year. This individual provides quarterly status updates via ORD's Resource Management System. Status reports are reviewed by senior management, including the Lab or Center Director and National Program Director. Overall status data is generated and reviewed by ORD's Office of Program Accountability and Resource Management.

2c. Source Data Reporting

Quarterly status updates are provided via ORD's Resource Management System.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Internal database or internal tracking system such as the Resources Management System (RMS).

3b. Data Quality Procedures

EPA and its partners confirm the schedule for completing research outputs and products that are transformed or synthesized into outputs. ORD tracks progress toward delivering the outputs; clients are notified of progress. Scheduled milestones are compared to actual progress on a quarterly basis. At the end of the fiscal year, outputs are either classified as "met" or "not met" to determine the overall percentage of planned products that have been met by the program.

3c. Data Oversight

The National Program Director oversees the source data reporting, specifically, the process of establishing agreement with program stakeholders and senior ORD managers on the list and content of the planned products, and subsequent progress, completion, and delivery of these products.

3d. Calculation Methodology

At the end of the fiscal year, outputs are either classified as "met" or "not met". An overall percentage of planned products met by the program is reported.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Office of Program Accountability and Resource Management is responsible for reporting program progress in meeting its target of completion of 100% of program planned products.

4b. Data Limitations/Qualifications

This measure does not capture directly the quality or impact of the research products.

4c. Third-Party Audits

Not applicable

Record Last Updated: 02/08/2012 09:06:44 AM

Performance Data Quality Record (DQR)

NPO Name (OCSPP) Measure 297: Metric Tons of Carbon Dioxide Equivalent (MTCO2e) reduced, conserved, or offset through pollution prevention.

1. Measure and DQR Metadata	
Goal Number and Title	4 - Ensuring the Safety of Chemicals and Preventing Pollution
Objective Number and Title	2 - Promote Pollution Prevention
Sub-Objective Number and Title	1 - Prevent Pollution and Promote Environmental Stewardship
Strategic Target Code and Title	2 - By 2015, reduce 9 million MTof carbon dioxide equivalent (MMTC02Eq.) through pollution prevention
Managing Office	Office of Pollution Prevention and Toxics

Performance Measure Term Definitions

Carbon Dioxide Equivalent: A measure expressed in metric units that is used to compare the emissions from various greenhouse gases based upon their global warming potential (GWP). Carbon dioxide equivalents are commonly expressed as "million metric tons of carbon dioxide equivalents (MMTCO2Eq)." The carbon dioxide equivalent for a gas is derived by multiplying the tons of the gas by the associated GWP. The use of carbon equivalents (MMTCE) is declining.
MMTCO2Eq = (million metric tons of a gas) * (GWP of the gas)
See greenhouse gas, global warming potential, metric ton.

Offset: Emission savings or storage that can be considered to cancel out emissions that would otherwise have occurred. For example, electricity produced from burning landfill gas is considered to replace electricity from the grid, leading to a carbon offset because landfill gas production and combustion results in lower GHG emissions than grid electricity production from fossil fuels.
http://epa.gov/climatechange/wycd/waste/downloads/warm-definitions-and-acronyms.pdf

P2 Programs related to this measure include:

Green Suppliers Network (GSN) and Energy, Economy, and the Environment (E3) - Green Suppliers Network works with large manufacturers to engage their small and medium-sized suppliers in low-cost technical reviews that focus on process improvement and waste minimization.

Energy, Economy, and the Environment is a coordinated federal and local technical assistance initiative to help manufacturers adapt and thrive in a new business era focused on sustainability. The program provides technical assessments of production processes and training to: maximize energy efficiency, reduce environmental wastes, identify opportunities for reducing carbon emissions, promote sustainable manufacturing practices and growth, and reduce business costs.

Environmentally Preferable Products (EPP) - EPA's Environmentally Preferable Purchasing (EPP) Program is helping agencies across the federal government comply with green purchasing requirements, and in doing so is using the federal government's enormous buying power to stimulate market demand for green products and services. Results for the Environmentally Preferable Purchasing (EPP) program are derived from the Federal Electronics Challenge (FEC) and the Electronic Product Environmental Assessment Tool (EPEAT). The Federal Electronics Challenge (FEC) is a voluntary partnership program that encourages federal facilities and agencies to purchase greener

electronic products, reduce impacts of electronic products during use, and manage obsolete electronics in an environmentally safe way.

Additional information about the P2 programs listed here can be found at: http://www.epa.gov/p2/pubs/partnerships.htm

2. Data Definition and Source Reporting

2a. Original Data Source

Green Suppliers Network (GSN) and Energy, Economy, and the Environment (E3): The source of P2-related data is the technical assistance provider reviewing the facility. This professional provides an estimate of the potential reductions and savings achievable at the facility being reviewed. This person is usually an environmental expert from the state environmental agency or its designee.

Environmentally Preferable Products (EPP): For the Federal Electronics Challenge, the data source is federal facility and agency partners. EPA obtains data on annual sales of Electronic Product Environmental Assessment Tool (EPEAT) registered electronics products from the Green Electronics Council, which obtains the data from manufacturers of the products.

2b. Source Data Collection

Date/time intervals covered by source data:

Green Suppliers Network (GSN) and Energy, Economy and the Environment (E3): For GSN, performance data are collected by the National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership (MEP) on a monthly, quarterly, and annual basis. Currently, E3 results are reported on an annual basis, but the NIST MEP is working with its regional managers to develop a more efficient method of providing E3 results.

Environmentally Preferable Products (EPP): Data are collected on an annual basis. FY 2011 data will be collected for the Federal Electronics Challenge in January 2012 and for the Electronic Product Environmental Assessment Tool products (EPEAT) in 2012.

EPA QA requirements/guidance governing collection:

Green Suppliers Network (GSN) and Energy, Economy, and the Environment (E3): Data are collected and verified under NIST MEP's QA/QC plan, which guides the NIST MEP Centers as grantees to the Department of Commerce. Environmental data are collected under the QA/QC requirements of the state environmental agency participating in GSN and E3 program. States utilize these data for their own purposes as well. An E3 database is currently being developed that will track these same metrics for E3. In the interim the E3 metrics are being captured by NIST regional managers on EXCEL spreadsheets and shared with EPA.

EPP: Instructions and guidelines are provided to partners submitting applications to the Federal Electronics Challenge on how to report data. Manufacturers of EPEAT-registered products sign a Memorandum of Understanding in which they warrant the accuracy of the data they provide.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: *Green Suppliers Network (GSN) and Energy, Economy, and the Environment (E3)* : The NIST MEP Center representative enters data into the Customer Relationship Management (CRM) database, which the NIST MEP program uses to collect NIST and EPA performance metrics for the MEP/GSN/E3 programs. MEP headquarters enters data

into the CRM on economic and environmental outcomes from technical assistance providers conducting facility reviews.

Timing and frequency of reporting: For GSN, results are provided by NIST MEP on a monthly, quarterly, and annual basis. Currently E3 results are reported on an annual basis. However, NIST MEP is working with its regional managers to develop a more efficient method of providing E3 results while the E3 data base is being developed.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Green Suppliers Network (GSN) and Energy, Economy, and the Environment (E3) : EPA uses the National Institute of Standards and Technology's (NIST's) Customer Relationship Management (CRM) database, which the NIST Manufacturing Extension Partnership (NIST MEP) program uses to collect NIST and EPA performance metrics for the MEP/GSN/E3 programs. MEP headquarters enters data into the CRM on economic and environmental outcomes from technical assistance providers conducting facility reviews.

Environmentally Preferable Products (EPP): Results for Environmentally Preferable Purchasing (EPP) are derived from the Federal Electronics Challenge (FEC) and the Electronic Product Environmental Assessment Tool (EPEAT). FEC uses the FEC Administrative Database for storage and retrieval of annual reporting information from FEC government partners.

3b. Data Quality Procedures

OPPT: All OPPT programs operate under the Information Quality Guidelines as found at http://www.epa.gov/quality/informationguidelines, as well as under the Pollution Prevention and Toxics Quality Management Plan (QMP) ("Quality Management Plan for the Office of Pollution Prevention and Toxics; Office of Prevention, Pesticides and Toxic Substances," November 2008), and the programs will ensure that those standards and procedures are applied to this effort. The Quality Management Plan is for internal use only.

The P2 Program established a Standard Operating Procedures report to govern its collection, tracking, analyzing, and publicly reporting of data on environmental and other performance parameters. These SOPs pertain to the type, format and quality of data to be submitted to the Agency by partners, contractors, and program beneficiaries for use in reporting P2 Program performance.

EPP: EPA staff review the submitted forms. FEC data undergo thorough internal technical review before they are run through the EEBC calculator.

The assumptions needed for the EEBC to translate environmental attributes and activities into environmental benefits are relatively extensive and were reviewed when the EEBC underwent the original peer review process, and again when they were updated during the development of version 2.0 of the EEBC.

3c. Data Oversight

Branch Chief, Planning and Assessment Branch

3d. Calculation Methodology

Unit of analysis: MTCO2e

Green Suppliers Network (GSN) and Energy, Economy, and the Environment (E3) : The program assumes that many partner facilities will choose not to submit any actual P2 outcome data to maintain confidentiality and that facility partners will not accept NIST MEP headquarters sharing any non-aggregated potential or actual P2 data with EPA.

To accommodate facility preferences for confidentiality, the Program uses an implementation-rate methodology to calculate and report results. Based on actual results reported in the Michigan multiple-facility projects, the Program assumes the following GSN P2-cost savings implementation rates, assuming energy-related savings occur at a higher rate and represent a larger share of total savings (2010, 30%; 2011, 32%; 2012, 34%; 2013, 36%, 2014, 38%; and, 2015, 40%). Also based on the Michigan project, the Program assumes the following GSN energy-based (MTCO2e) implementation rates (2010, 35%; 2011, 37%; 2012, 39%; 2013, 41%; 2014, 43%; and 2015, 45%) and the following implementation rates for other environmental projects, taking into account the economy (2010, 15%; 2011, 17%; 2012, 19%; 2013, 21%; 2014, 23%, and 2015, 25%).

The implementation rates for E3 projects are assumed to be higher for energy-based recommendations because of more highly leveraged resources for implementation and the higher visibility of E3. Implementation rates used for E3 energy-based recommendations (related to MTCO2e) are as follows: 2010, 50%; 2011, 52%; 2012, 54%; 2013, 56%; 2015, 58%; and, 2015, 60%. Implementation rates used for E3 cost savings are as follows: 2010, 41%; 2011, 44%; 2012, 47%; 2013, 49%; 2014, 52%; and, 2015, 55%. Implementation rates used for E3 other environmental projects are as follows: 2010, 15%; 2011, 20%; 2012, 25%; 2013, 30% 2014, 35%; and 2015, 40%.

EPA counts recurring results from GSN and E3 facility implementation of equipment and process changes that are expected to be observed for multiple years. EPA is using an average lifetime of equipment or process change as a factor to apply to all GSN and E3 results achieved. Preliminary bench-marking indicates that a six-year period is an appropriate average lifetime for GSN technology and process changes. In the future, EPA may be able to access case-specific data efficiently to determine specific depreciation rates for equipment and process changes installed.

Environmentally Preferable Products (EPP): EPP staff run annually reported data from Federal Electronics Competition partners and annual sales data of Electronic Product Environmental Assessment Tool (EPEAT) products through an Electronics Environmental Benefits Calculator (EEBC) to calculate pounds of hazardous pollution reduced, units of energy conserved, and costs saved (among other benefits). The assumptions needed for the EEBC to translate environmental attributes and activities into environmental benefits are relatively extensive and are laid out in the EEBC (e.g., the average lifecycle of a computer, the weight of packaging for a computer, etc.)

Energy savings per dollar invested in FEC are calculated by comparing energy savings data to FEC program resource data that are housed in a central OPPT finance database.

EPP counts benefit estimates that encompass the purchase, use, and disposal of green electronics products over a five year product life-cycle. As additional electronics products are explored, benefits will be counted according to respective product life-cycles.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Planning and Accountability Lead in the Resource Management Staff in the Office of Program Management Operations. Reporting semiannually: mid-year and end-of-year.

4b. Data Limitations/Qualifications

Green Suppliers Network (GSN) and Energy, Economy, and the Environment (E3) : To a degree, EPA assumes that partner facilities report actual data accurately to NIST Manufacturing Extension Partnership (NIST MEP) headquarters, that MEP and State technical assistance providers make accurate estimates of potential P2 results if projects are implemented, and that NIST MEP headquarters accurately

aggregates the data before sharing them with EPA.

The program assumes that many partner facilities will choose not to submit actual P2 outcome data to maintain confidentiality and that facility partners will not accept NIST MEP headquarters sharing any non-aggregated potential or actual P2 data with EPA.

Facilities reviewed by NIST MEP and State technical assistance providers are often reluctant to have their individual facility opportunity assessments shared with EPA or to share proprietary information on quantitative benefits with NIST or EPA. MEP programs can also vary in the level of detail they report from the facility-level opportunity assessments (potential results) to MEP Headquarters, where data are aggregated and then sent to EPA. To address these limitations, EPA has strengthened the Request for Proposals requirements for the grantee MEP centers eligible to perform GSN and E3 reviews.

EPP: FEC has a built-in reliance on partners for data reporting. EPEAT relies on manufacturers of EPEAT-registered products, and the GEC, for data reporting.

4c. Third-Party Audits

EPP: The Electronics Environmental Benefits Calculator (EEBC) underwent internal and external review during its development phases. It was also reviewed and beta-tested during development of version 2.0.

Record Last Updated: 02/08/2012 09:07:47 AM

Performance Data Quality Record (DQR)

NPO Name (OECA) Measure 400: Millions of pounds of air pollutants reduced, treated, or eliminated through concluded enforcement actions.

1. Measure and DQR Metadata	
Goal Number and Title	5 - Enforcing Environmental Laws
Objective Number and Title	1 - Enforce Environmental Laws
Sub-Objective Number and Title	2 - Support Taking Action on Climate Change and Improving Air Quality
Strategic Target Code and Title	1 - By 2015, reduce, treat, or eliminate 2,400 million estimated cumulative pounds of air pollutants
Managing Office	Office of Compliance

Performance Measure Term Definitions

Air pollutants:

The Clean Air Act lists the pollutants and sources of pollutants that are to be regulated by EPA. Pollutants include hazardous air pollutants, criteria pollutants, and chemicals that destroy stratospheric ozone. Sources of pollutants include stationary sources (e.g., chemical plants, gas stations, and power plants) and mobile sources (e.g., cars, trucks, and planes).

For more information, see: http://www.epa.gov/air/airpollutants.html

Reduced, Treated or Eliminated: Reduced, treated, or eliminated is the quantity of pollutant(s) that will no longer be released to the environment as a result of a non-complying facility returning to its allowable permit limits through the successful completion of an enforcement settlement. Facilities may further reduce, treat or eliminate pollutants by carrying out voluntary Supplemental Environmental Projects.

Concluded enforcement actions: For purposes of this measure, there are two categories of concluded enforcement actions counted.

The first are **administrative enforcement actions** which are undertake by EPA through authority granted to it under various federal environmental statutes, such as CERCLA, RCRA, CAA, CWA, TSCA, and others. Administrative enforcement actions can take several forms, including EPA issuing an administrative order requiring a facility to implement specific corrective measures to filing an administrative complaint commencing a formal administrative adjudication. An administrative action is concluded when a written agreement between the defendant/respondent and EPA resolving the complaint is documented, signed by the Regional Administrator or designee, and is filed with the regional hearing clerk.

The second type of enforcement action is known as a civil judicial action which is a formal lawsuit, filed in court, against a person who has either failed to comply with a statutory or regulatory requirement or an administrative order. **Civil judicial actions** attorneys from the U.S. Department of Justice prosecute civil cases for EPA. A concluded action occurs when a consent decree is signed by all parties to the action and filed in the appropriate court and signed by a judge or a written ruling or decision is made by a judge after a full trial.

2. Data Definition and Source Reporting

2a. Original Data Source

EPA Regional Enforcement Organizations
EPA Regional Program Organizations
EPA Headquarters Enforcement Organizations
Facility Personnel and Facility Contractors
DOJ

2b. Source Data Collection

EPA calculates the estimated pollutant reductions after case settlement or during discussions with the facility personnel over specific plans for compliance. The final enforcement documents often spell out the terms and methodologies the facility must follow to mitigate and prevent the future release of pollutants. These documents serve as the starting point for EPA's calculations.

Example of consent decree document containing pollutant mitigation instructions to the facility:
http://www.epa.gov/compliance/resources/cases/civil/caa/essroc.html

2c. Source Data Reporting

When a formal administrative or judicial enforcement case is "concluded" enforcement staff enters information into ICIS to document the environmental benefits achieved by the concluded enforcement case. Original source documents may include facility permits, legal documents such as consent decrees and administrative orders, inspection reports, case engineer reports and facility reports. For civil judicial cases, the information is reported when a consent decree or court order, or judgment is entered (not lodged). For administrative cases, information is reported when an administrative order or final agreement is signed.

Environmental benefits should be reported in the year the case is settled, regardless of when the benefits will occur. Reductions are calculated after the judicial consent decree is lodged or entered, or when the administrative compliance order is signed by the region designee and filed with the regional hearing clerk.

FY2012 CCDS.docx

3. Information Systems and Data Quality Procedures

3a. Information Systems

The ICIS FE&C data system meets Office of Environmental Information (OEI) Lifecycle Management Guidance, which includes data validation processes, internal screen audit checks and verification, system and user documents, data quality audit reports, third party testing reports, and detailed report specifications data calculation methodology. *Reference: Quality Assurance and Quality Control procedures:*

Data Quality: Life Cycle Management Policy, (EPA CIO2121, April 7, 2006)

The Integrated Compliance Information System (ICIS) is a three phase multi-year modernization project that improves the ability of EPA and the states to ensure compliance with the nation's environmental laws with the collection of comprehensive enforcement and compliance information. Phase I, implemented in FY02, replaced several legacy systems, and created an integrated system to support federal enforcement and compliance tracking, targeting and reporting, including GPRA reporting. Phase II, also called Permit Compliance System (PCS) Modernization, expands ICIS to include the National Pollutant Discharge Elimination System (NPDES) program and enables improved management of the complete program (e.g., stormwater) as well as replacing the legacy PCS. PCS is currently identified as an Agency Federal Managers' Financial Integrity Act (FMFIA) weakness, and the modernization of the system is critical to address the weakness. Phase II was first implemented in FY06 for 21 states and 11 tribes/territories that use ICIS to directly manage their NPDES programs. In FY08, seven more states moved to ICIS from the legacy PCS and began electronically flowing their Discharge Monitoring Report (DMR) data from their states systems via the Exchange Network and CDX to ICIS. In FY09, Phase II continued with implementation of the National Installation of NetDMR allowing NPDES permittees to electronically submit DMR data from permitted facility systems via the Exchange Network to ICIS and migrated three additional states. In FY11 OECA implemented Full-Batch Release 1 of Phase II allowing Batch Flows of permits and facility data from states. FY12 will include Full-Batch Release 2 enabling batch flow will allow Batch Flows of inspection data from states. Inspection information and was implemented early in FY12. The final part of Phase II which will add the remaining NPDES Batch Flows and migrate and all remaining states is projected to be completed in FY13. Phase III will modernize the Air Facility System (AFS) into ICIS. AFS is used by EPA and States to track Clean Air Act enforcement and compliance activities. Integration of AFS into ICIS will modernize and replace a legacy system that does not meet current business needs. Implementation of this phase is projected for FY14.

ICIS contains both source data and transformed data.

OECA's Data System Quality Assurance Plan

Data System Quality Assurance Plan (ICIS).doc

3b. Data Quality Procedures

Annual Data Certification Process - OECA has instituted a semi-annual data certification process for the collection and reporting of enforcement and compliance information. The certification process was set up to ensure all reporting entities are aware of the reporting deadlines, receive the most up-to-date reporting instructions for select measures, follow best data management practices to assure reporting accuracy, and have access to the recent methodologies for calculating pounds of pollutants reduced. The air pounds of pollutants reduced measure is covered by the annual data certification process.

As part of the annual data certification process, regions are provided a checklist to assist them in their data quality procedures.

FY11 Data Quality Check List.pdf

Data System Quality Assurance Plan (ICIS).doc

Quality Management Plan - September 2011

OC QMP Concurrence Signatures.pdf OC QMP 2011 Final.docx

3c. Data Oversight

Source Data Reporting Oversight

HQ - Director, Enforcement Targeting and Data Division
Region 1 - Division Director, Office of Environmental Stewardship
Region 2 - Director, Office of Enforcement and Compliance Assistance
Region 3 - Director, Office of Enforcement, Compliance and Environmental Justice
Region 4 - Regional Counsel and Director, Office of Environmental Accountability
Region 5 - Director, Office of Enforcement and Compliance Assurance
Region 6 - Compliance Assurance and Enforcement Division Director
Region 7 - Enforcement Coordinator
Region 8 - Director, Policy, Information Management and Environmental Justice
Region 9 - Enforcement Coordinator
Region 10 - Director, Office of Compliance and Enforcement

Information Systems Oversight Personnel

HQ - ICIS System Administrator
Region 1 - ICIS Steward and Data Systems Administrator
Region 2 - ICIS System Administrator
Region 3 - ICIS Data Steward and System Administrator
Region 4 - ICIS System Administrator, Regional Compliance and Enforcement Data Steward
Region 5 - ICIS Data Steward and Systems Administrator
Region 6 - ICIS Data Steward
Region 7 - ICIS Data Steward and Systems Administrator
Region 8 - ICIS System Administrator
Region 9 - ICIS System Administrator
Region 10 - ICIS System Administrator and Data Steward

3d. Calculation Methodology

The Case Conclusion Data Sheet (CCDS) is a manual data collection tool HQ implemented in FY 1996, updated in FY 2012, to collect information on concluded federal enforcement cases including the case name and identification number, injunctive relief, environmental benefits (including environmental benefits from Supplemental Environmental Projects [SEPs]), and assessed penalties. The CCDS data are entered into the Integrated Information and Compliance System (ICIS). OECA uses data obtained from the CCDS via ICIS to assess the environmental outcomes of its enforcement program.

The CCDS guidance provides detailed calculation methodologies for estimating the environmental benefits on a variety of environmental statutes including air, water, waste, toxics and pesticides. Additionally, the CCDS provides specific instruction on how to enter the environmental benefits information into ICIS.

To view the the CCDS guidance in its entirety go to:

CCDS.xps

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Oversight of Final Reporting:
The Deputy Regional Administrators, the Office of Civil Enforcement Director, and the Monitoring, Assistance and Program Division Director all must sign the attached certification form.

Data Certification Form.pdf

Timing of Results Reporting: Semiannually

4b. Data Limitations/Qualifications

Pollutant reductions or eliminations reported in ICIS project an estimate of pollutants to be reduced or eliminated if the defendant carries out the requirements of the settlement. The estimates use information available at the time a case settles or an order is issued. In some instances, EPA develops and enters this information on pollutant reduction estimates after the settlement or during continued discussions over specific plans for compliance. Due to the time required for EPA to negotiate a settlement agreement with a defendant, there may be a delay in completing the CCDS. Additionally, because of unknowns at the time of settlement, different levels of technical proficiency, or the nature of a case, OECA's expectation is that the overall amount of pollutants reduced or eliminated is prudently underestimated based on CCDS information. EPA also bases the pollutant estimates on the expectation that the defendant/respondent implements the negotiated settlement agreement.

4c. Third-Party Audits

Inspector General Report on Pounds of Pollutants Reduced Estimates:

Projected Lbs of Pollutants Reduced.pdf

Record Last Updated: 02/08/2012 09:07:04 AM

Performance Data Quality Record (DQR)

NPO Name (OECA) Measure 402: Millions of pounds of water pollutants reduced, treated, or eliminated through concluded enforcement actions.

1. Measure and DQR Metadata	
Goal Number and Title	5 - Enforcing Environmental Laws
Objective Number and Title	1 - Enforce Environmental Laws
Sub-Objective Number and Title	3 - Support Protecting America's Waters
Strategic Target Code and Title	1 - By 2015, reduce, treat, or eliminate 1,600 million estimated cumulative pounds of water pollutants
Managing Office	Office of Compliance
Performance Measure Term Definitions	

Water pollutants:

EPA divides water pollution sources into two categories: point and non-point. Point sources of water pollution are stationary locations such as sewage treatment plants, factories and ships. Non-point sources are more diffuse and include agricultural runoff, mining activities and paved roads. Under the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. EPA works with state and local authorities to monitor pollution levels in the nations water and provide status and trend information on a representative variety of ecosystems.

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was significantly reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1977.

Under the CWA, EPA has implemented pollution control programs such as setting wastewater standards for industry. We have also set water quality standards for all contaminants in surface waters.

The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have

a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

Nonpoint source (NPS) pollution, or polluted runoff, is the major source and cause of water quality impairment for waters on the state water quality limited segment lists required under CWA 303(d). Polluted runoff occurs when rain, snowmelt, irrigation water, and other water sources move across and through land, picking up pollutants and carrying them into lakes, rivers, wetlands, coastal waters and underground sources of drinking water. Taking a watershed approach to environmental issues provides an excellent opportunity for communities and agencies to work together to achieve water quality improvements.

Reduced, Treated or Eliminated: Reduced, treated, or eliminated is the quantity of pollutant(s) that will no longer be released to the environment as a result of a non-complying facility returning to its allowable permit limits through the successful completion of an enforcement settlement. Facilities may further reduce, treat or eliminate pollutants by carrying out voluntary Supplemental Environmental Projects.

Concluded enforcement actions: For purposes of this measure, there are two categories of concluded enforcement actions counted.

The first are **administrative enforcement actions** which are undertake by EPA through authority granted to it under various federal environmental statutes, such as CERCLA, RCRA, CAA, CWA, TSCA, and others. Administrative enforcement actions can take several forms, including EPA issuing an administrative order requiring a facility to implement specific corrective measures to filing an administrative complaint commencing a formal administrative adjudication. An administrative action is concluded when a written agreement between the defendant/respondent and EPA resolving the complaint is documented, is signed by the Regional Administrator or designee, and is filed with the regional hearing clerk.

The second type of enforcement action is known as a civil judicial action which is a formal lawsuit, filed in court, against a person who has either failed to comply with a statutory or regulatory requirement or an administrative order. **Civil judicial actions** attorneys from the U.S. Department of Justice prosecute civil cases for EPA. A concluded action occurs when a consent decree is signed by all parties to the action and filed in the appropriate court and signed by a judge or a written ruling or decision is made by a judge after a full trial.

2. Data Definition and Source Reporting

2a. Original Data Source

EPA Regional Enforcement Organizations
EPA Regional Program Organizations
EPA Headquarters Enforcement Organizations
Facility Personnel and Facility Contractors
DOJ

2b. Source Data Collection

EPA calculates the estimated pollutant reductions after case settlement or during discussions with the facility personnel over specific plans for compliance. The final enforcement documents often spell out the terms and methodologies the facility must follow to mitigate and

prevent the future release of pollutants. These documents serve as the starting point for EPA's calculations.

Example of consent decree document containing pollutant mitigation instructions to the facility:
http://www.epa.gov/compliance/resources/cases/civil/caa/essroc.html

2c. Source Data Reporting

When a formal administrative or judicial enforcement case is "concluded" enforcement staff enters information into ICIS to document the environmental benefits achieved by the concluded enforcement case. Original source documents may include facility permits, legal documents such as consent decrees and administrative orders, inspection reports, case engineer reports and facility reports. For civil judicial cases, the information is reported when a consent decree or court order, or judgment is entered (not lodged). For administrative cases, information is reported when an administrative order or final agreement is signed.

Environmental benefits should be reported in the year the case is settled, regardless of when the benefits will occur. Reductions are calculated after the judicial consent decree is lodged or entered, or when the administrative compliance order is signed by the region designee and filed with the regional hearing clerk.

FY2012 CCDS.docx

3. Information Systems and Data Quality Procedures

3a. Information Systems

The ICIS FE&C data system meets Office of Environmental Information (OEI) Lifecycle Management Guidance, which includes data validation processes, internal screen audit checks and verification, system and user documents, data quality audit reports, third party testing reports, and detailed report specifications data calculation methodology. *Reference: Quality Assurance and Quality Control procedures: Data Quality: Life Cycle Management Policy, (EPA CIO2121, April 7, 2006)*

The Integrated Compliance Information System (ICIS) is a three phase multi-year modernization project that improves the ability of EPA and the states to ensure compliance with the nation's environmental laws with the collection of comprehensive enforcement and compliance information. Phase I, implemented in FY02, replaced several legacy systems, and created an integrated system to support federal enforcement and compliance tracking, targeting and reporting, including GPRA reporting. Phase II, also called Permit Compliance System (PCS) Modernization, expands ICIS to include the National Pollutant Discharge Elimination System (NPDES) program and enables improved management of the complete program (e.g., stormwater) as well as replacing the legacy PCS. PCS is currently identified as an Agency Federal Managers' Financial Integrity Act (FMFIA) weakness, and the modernization of the system is critical to address the weakness. Phase II was first implemented in FY06 for 21 states and 11 tribes/territories that use ICIS to directly manage their NPDES programs. In FY08, seven more states moved to ICIS from the legacy PCS and began electronically flowing their Discharge Monitoring Report (DMR) data from their states systems via the Exchange Network and CDX to ICIS. In FY09, Phase II continued with implementation of the National Installation of NetDMR allowing NPDES permittees to electronically submit DMR data from permitted facility systems via the Exchange Network to ICIS and migrated three additional states. In FY11 OECA implemented Full-Batch Release 1 of Phase II allowing Batch Flows of permits and facility data from states. FY12 will include Full-Batch Release 2 enabling batch flow will

allow Batch Flows of inspection data from states. Inspection information and was implemented early in FY12. The final part of Phase II which will add the remaining NPDES Batch Flows and migrate and all remaining states is projected to be completed in FY13. Phase III will modernize the Air Facility System (AFS) into ICIS. AFS is used by EPA and States to track Clean Air Act enforcement and compliance activities. Integration of AFS into ICIS will modernize and replace a legacy system that does not meet current business needs. Implementation of this phase is projected for FY14.

ICIS contains both source data and transformed data.

OECA's Data System Quality Assurance Plan

Data System Quality Assurance Plan (ICIS).doc

3b. Data Quality Procedures

Annual Data Certification Process - OECA has instituted a semi-annual data certification process for the collection and reporting of enforcement and compliance information. The certification process was set up to ensure all reporting entities are aware of the reporting deadlines, receive the most up-to-date reporting instructions for select measures, follow best data management practices to assure reporting accuracy, and have access to the recent methodologies for calculating pounds of pollutants reduced. The air pounds of pollutants reduced measure is covered by the annual data certification process.

As part of the annual data certification process, regions are provided a checklist to assist them in their data quality procedures.

FY11 Data Quality Check List.pdf

OECA's Quality Management Plan - September 2011

OC QMP Concurrence Signatures.pdf OC QMP 2011 Final.docx

3c. Data Oversight

Source Data Reporting Oversight

HQ - Director, Enforcement Targeting and Data Division
Region 1 - Division Director, Office of Environmental Stewardship
Region 2 - Director, Office of Enforcement and Compliance Assistance
Region 3 - Director, Office of Enforcement, Compliance and Environmental Justice
Region 4 - Regional Counsel and Director, Office of Environmental Accountability
Region 5 - Director, Office of Enforcement and Compliance Assurance
Region 6 - Compliance Assurance and Enforcement Division Director
Region 7 - Enforcement Coordinator
Region 8 - Assistant Regional Administrator for Enforcement, Compliance and Environmental Justice
Region 9 - Enforcement Coordinator
Region 10 - Director, Office of Compliance and Enforcement

Information Systems Oversight Personnel
HQ - ICIS System Administrator
Region 1 - ICIS Steward and Data Systems Administrator
Region 2 - ICIS System Administrator
Region 3 - ICIS Data Steward and System Administrator
Region 4 - ICIS System Administrator, Regional Compliance and Enforcement Data Steward
Region 5 - ICIS Data Steward and Systems Administrator
Region 6 - ICIS Data Steward
Region 7 - ICIS Data Steward and Systems Administrtor
Region 8 - ICIS System Administrator
Region 9 - ICIS System Administrator
Region 10 - ICIS System Administrator and Data Steward

3d. Calculation Methodology

The Case Conclusion Data Sheet (CCDS) is a manual data collection tool HQ implemented in FY 1996, updated in FY 2012, to collect information on concluded federal enforcement cases including the case name and identification number, injunctive relief, environmental benefits (including environmental benefits from Supplemental Environmental Projects [SEPs]), and assessed penalties. The CCDS data are entered into the Integrated Information and Compliance System (ICIS). OECA uses data obtained from the CCDS via ICIS to assess the environmental outcomes of its enforcement program.

The CCDS guidance provides detailed calculation methodologies for estimating the environmental benefits on a variety of environmental statutes including air, water, waste, toxics and pesticides. Additionally, the CCDS provides specific instruction on how to enter the environmental benefits information into ICIS.

To view the the CCDS guidance in its entirety go to:

CCDS.xps

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Oversight of Final Reporting:
The Deputy Regional Administrators, the Office of Civil Enforcement Director, and the Monitoring, Assistance and Program Division Director all must sign the attached certification form.

Data Certification Form.pdf

Timing of Results Reporting: Semiannually

4b. Data Limitations/Qualifications

Pollutant reductions or eliminations reported in ICIS project an estimate of pollutants to be reduced or eliminated if the defendant carries out the requirements of the settlement. (Information on expected outcomes of state enforcement is not available.) The estimates use information available at the time a case settles or an order is issued. In some instances, EPA develops and enters this information on pollutant reduction estimates after the settlement or during continued discussions over specific plans for compliance. Due to the time required for EPA to negotiate a settlement agreement with a defendant, there may be a delay in completing the CCDS. Additionally, because of unknowns at the time of settlement, different levels of technical proficiency, or the nature of a case, OECA's expectation is that the overall amount of pollutants reduced or eliminated is prudently underestimated based on CCDS information. EPA also bases the pollutant estimates on the expectation that the defendant/respondent implements the negotiated settlement agreement.

4c. Third-Party Audits

Inspector General Report on Pounds of Pollutants Reduced:

Projected Lbs of Pollutants Reduced.pdf

Record Last Updated: 02/08/2012 09:07:19 AM

Performance Data Quality Record (DQR)

NPO Name (OECA) Measure 404: Millions of pounds of toxic and pesticide pollutants reduced, treated, or eliminated through concluded enforcement actions.

1. Measure and DQR Metadata	
Goal Number and Title	5 - Enforcing Environmental Laws
Objective Number and Title	1 - Enforce Environmental Laws
Sub-Objective Number and Title	5 - Support Ensuring the Safety of Chemicals and Preventing Pollution
Strategic Target Code and Title	1 - By 2015, reduce, treat, or eliminate 19 million estimated cumulative pounds of toxic and pesticide
Managing Office	Office of Compliance

Performance Measure Term Definitions

Toxic and pesticide pollutants:
The Toxic Substances Control Act of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements; and restrictions relating to chemical substances and/or mixtures; and the production, importation, use, and disposal of specific chemicals, including lead-based paint, polychlorinated biphenyls (PCBs), and asbestos. Lead-based paint is particularly dangerous to children: exposure may cause reduced intelligence, learning disabilities, behavior problems and slowed physical development. Because LBP is found in pre-1978 buildings, it is more common in communities predominated by older housing, which usually are low-income, minority and EJ communities. Asbestos in schools, if not properly managed, can expose children, teachers and other school staff to harm that may not manifest for years. PCBs bioaccumulate and thus cause a variety of adverse health effects. Asbestos and PCBs are also generally found in older buildings. Additionally, PCBs are generally found in older transformers, capacitors and some hydraulic equipment and more recently in recycled and used oil. Inappropriate abatement and disposal of asbestos and PCBs can be dangerous. For more information on the Toxics program go to: http://www.epa.gov/compliance/civil/tsca/tscaenfstatreq.html

The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) provides EPA the authority to regulate pesticides to prevent unreasonable adverse affects on the environment. The term "unreasonable adverse effects on the environment" means: "(1) any unreasonable risk to man or the environment, taking into account the economic, social, and environmental costs and benefits of the use of any pesticide, or (2) a human dietary risk from residues that result from a use of a pesticide in or on any food inconsistent with the standard under section 408 of the Federal Food, Drug, and Cosmetic Act." The term pesticide includes many kinds of ingredients in products, such as insect repellants, weed killers, disinfectants, and swimming pool chemicals which are designed to prevent, destroy, repel or reduce pests of any sort. Pesticides are found in nearly every home, business, farm, school, hospital and park in the United States. EPA must evaluate pesticides thoroughly before they can be marketed and used in the United States to ensure that they will meet federal safety standards to protect human health and the environment. Pesticides that meet the requirements are granted a license or "registration" which permits their distribution, sale, and use according to specific use directions and requirements identified on the label. For more information on the pesticide program go to: http://www.epa.gov/compliance/civil/fifra/fifraenfstatreq.html

Reduced, Treated or Eliminated: Reduced, treated, or eliminated is the quantity of pollutant(s) that will no longer be released to the environment as a result of a non-complying facility returning to its allowable permit limits through the successful completion of an enforcement settlement. Facilities may further reduce, treat or eliminate pollutants by carrying out voluntary Supplemental Environmental

Projects.

Concluded enforcement actions: For purposes of this measure, there are two categories of concluded enforcement actions counted.

The first are **administrative enforcement actions** which are undertake by EPA through authority granted to it under various federal environmental statutes, such as CERCLA, RCRA, CAA, CWA, TSCA, and others. Administrative enforcement actions can take several forms, including EPA issuing an administrative order requiring a facility to implement specific corrective measures to filing an administrative complaint commencing a formal administrative adjudication. An administrative action is concluded when a written agreement between the defendant/respondent and EPA resolving the complaint is documented, signed by the Regional Administrator or designee, and is filed with the regional hearing clerk.

The second type of enforcement action is known as a civil judicial action which is a formal lawsuit, filed in court, against a person who has either failed to comply with a statutory or regulatory requirement or an administrative order. **Civil judicial actions** attorneys from the U.S. Department of Justice prosecute civil cases for EPA. A concluded action occurs when a consent decree is signed by all parties to the action and filed in the appropriate court and signed by a judge or a written ruling or decision is made by a judge after a full trial.

2. Data Definition and Source Reporting

2a. Original Data Source

EPA Regional Enforcement Organizations
EPA Regional Program Organizations
EPA Headquarters Enforcement Organizations
Facility Personnel and Facility Contractors
DOJ

2b. Source Data Collection

EPA calculates the estimated pollutant reductions after case settlement or during discussions with the facility personnel over specific plans for compliance. The final enforcement documents often spell out the terms and methodologies the facility must follow to mitigate and prevent the future release of pollutants. These documents serve as the starting point for EPA's calculations.

Example of consent decree document containing pollutant mitigation instructions to the facility:
http://www.epa.gov/compliance/resources/cases/civil/caa/essroc.html

2c. Source Data Reporting

When a formal administrative or judicial enforcement case is “concluded” enforcement staff enters information into ICIS to document the environmental benefits achieved by the concluded enforcement case. Original source documents may include facility permits, legal documents such as consent decrees and administrative orders, inspection reports, case engineer reports and facility reports. For civil judicial cases, the information is reported when a consent decree or court order, or judgment is entered (not lodged). For administrative cases, information is reported when an administrative order or final agreement is signed.

Environmental benefits should be reported in the year the case is settled, regardless of when the benefits will occur. Reductions are calculated after the judicial consent decree is lodged or entered, or when the administrative compliance order is signed by the region designee and filed with the regional hearing clerk.

FY2012 CCDS.docx

3. Information Systems and Data Quality Procedures

3a. Information Systems

The ICIS FE&C data system meets Office of Environmental Information (OEI) Lifecycle Management Guidance, which includes data validation processes, internal screen audit checks and verification, system and user documents, data quality audit reports, third party testing reports, and detailed report specifications data calculation methodology. *Reference: Quality Assurance and Quality Control procedures: Data Quality: Life Cycle Management Policy, (EPA CIO2121, April 7, 2006)*

The Integrated Compliance Information System (ICIS) is a three phase multi-year modernization project that improves the ability of EPA and the states to ensure compliance with the nation's environmental laws with the collection of comprehensive enforcement and compliance information. Phase I, implemented in FY02, replaced several legacy systems, and created an integrated system to support federal enforcement and compliance tracking, targeting and reporting, including GPRA reporting. Phase II, also called Permit Compliance System (PCS) Modernization, expands ICIS to include the National Pollutant Discharge Elimination System (NPDES) program and enables improved management of the complete program (e.g., stormwater) as well as replacing the legacy PCS. PCS is currently identified as an Agency Federal Managers' Financial Integrity Act (FMFIA) weakness, and the modernization of the system is critical to address the weakness. Phase II was first implemented in FY06 for 21 states and 11 tribes/territories that use ICIS to directly manage their NPDES programs. In FY08, seven more states moved to ICIS from the legacy PCS and began electronically flowing their Discharge Monitoring Report (DMR) data from their states systems via the Exchange Network and CDX to ICIS. In FY09, Phase II continued with implementation of the National Installation of NetDMR allowing NPDES permittees to electronically submit DMR data from permitted facility systems via the Exchange Network to ICIS and migrated three additional states. In FY11 OECA implemented Full-Batch Release 1 of Phase II allowing Batch Flows of permits and facility data from states. FY12 will include Full-Batch Release 2 enabling batch flow will allow Batch Flows of inspection data from states. Inspection information and was implemented early in FY12. The final part of Phase II which will add the remaining NPDES Batch Flows and migrate and all remaining states is projected to be completed in FY13. Phase III will modernize the Air Facility System (AFS) into ICIS. AFS is used by EPA and States to track Clean Air Act enforcement and compliance activities. Integration of AFS into ICIS will modernize and replace a legacy system that does not meet current business needs. Implementation of this phase is projected for FY14.

ICIS contains both source data and transformed data.

OECA's Data System Quality Assurance Plan

Data System Quality Assurance Plan (ICIS).doc

3b. Data Quality Procedures

Annual Data Certification Process - OECA has instituted a semi-annual data certification process for the collection and reporting of enforcement and compliance information. The certification process was set up to ensure all reporting entities are aware of the reporting deadlines, receive the most up-to-date reporting instructions for select measures, follow best data management practices to assure reporting

accuracy, and have access to the recent methodologies for calculating pounds of pollutants reduced. The toxics and pesticides pounds of pollutants reduced measure is covered by the annual data certification process.

As part of the annual data certification process, regions are provided a checklist to assist them in their data quality procedures.

FY11 Data Quality Check List.pdf

OECA's QMP - September 2011

OC QMP Concurrence Signatures.pdf OC QMP 2011 Final.docx

3c. Data Oversight

Source Data Reporting Oversight:
HQ - Director, Enforcement Targeting and Data Division
Region 1 - Division Director, Office of Environmental Stewardship
Region 2 - Director, Office of Enforcement and Compliance Assistance
Region 3 - Director, Office of Enforcement, Compliance and Environmental Justice
Region 4 - Regional Counsel and Director, Office of Environmental Accountability
Region 5 - Director, Office of Enforcement and Compliance Assurance
Region 6 - Compliance Assurance and Enforcement Division Director
Region 7 - Enforcement Coordinator
Region 8 - Director, Policy, Information Management and Environmental Justice
Region 9 - Enforcement Coordinator
Region 10 - Director, Office of Compliance and Enforcement

Information Systems Oversight Personnel
HQ - ICIS System Administrator
Region 1 - ICIS Steward and Data Systems Administrator
Region 2 - ICIS System Administrator
Region 3 - ICIS Data Steward and System Administrator
Region 4 - ICIS System Administrator, Regional Compliance and Enforcement Data Steward
Region 5 - ICIS Data Steward and Systems Administrator
Region 6 - ICIS Data Steward
Region 7 - ICIS Data Steward and Systems Administrtor
Region 8 - ICIS System Administrator
Region 9 - ICIS System Administrator
Region 10 - ICIS System Administrator and Data Steward

3d. Calculation Methodology

The Case Conclusion Data Sheet (CCDS) is a manual data collection tool HQ implemented in FY 1996, updated in FY 2012, to collect information on concluded federal enforcement cases including the case name and identification number, injunctive relief, environmental benefits (including environmental benefits from Supplemental Environmental Projects [SEPs]), and assessed penalties. The CCDS data are

entered into the Integrated Information and Compliance System (ICIS). OECA uses data obtained from the CCDS via ICIS to assess the environmental outcomes of its enforcement program.

The CCDS guidance provides detailed calculation methodologies for estimating the environmental benefits on a variety of environmental statutes including air, water, waste, toxics and pesticides. Additionally, the CCDS provides specific instruction on how to enter the environmental benefits information into ICIS.

To view the the CCDS guidance in its entirety go to:

CCDS.xps

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Oversight of Final Reporting: The Deputy Regional Administrators, the Office of Civil Enforcement Director, and the Monitoring, Assistance and Program Division Director all must sign the attached certification form.

Data Certification Form.pdf

Timing of Results Reporting: Semiannually

4b. Data Limitations/Qualifications

Pollutant reductions or eliminations reported in ICIS project an estimate of pollutants to be reduced or eliminated if the defendant carries out the requirements of the settlement. (Information on expected outcomes of state enforcement is not available.) The estimates use information available at the time a case settles or an order is issued. In some instances, EPA develops and enters this information on pollutant reduction estimates after the settlement or during continued discussions over specific plans for compliance. Due to the time required for EPA to negotiate a settlement agreement with a defendant, there may be a delay in completing the CCDS. Additionally, because of unknowns at the time of settlement, different levels of technical proficiency, or the nature of a case, OECA's expectation is that the overall amount of pollutants reduced or eliminated is prudently underestimated based on CCDS information. EPA also bases the pollutant estimates on the expectation that the defendant/respondent implements the negotiated settlement agreement.

4c. Third-Party Audits

Inspector General Report on Pounds of Pollution Reduced Estimates:

Projected Lbs of Pollutants Reduced.pdf

Record Last Updated: 02/08/2012 09:07:33 AM

Performance Data Quality Record (DQR)

NPO Name (OECA) Measure 405: Millions of pounds of hazardous waste reduced, treated, or eliminated through concluded enforcement actions.

1. Measure and DQR Metadata	
Goal Number and Title	5 - Enforcing Environmental Laws
Objective Number and Title	1 - Enforce Environmental Laws
Sub-Objective Number and Title	4 - Support Cleaning Up Communities and Advancing Sustainable Development
Strategic Target Code and Title	1 - By 2015, reduce, treat, or eliminate 32,000 million estimated pounds of hazardous waste
Managing Office	Office of Compliance

Performance Measure Term Definitions

Hazardous waste: Hazardous waste is defined as liquid, solid, contained gas, or sludge wastes that contain properties that are dangerous or potentially harmful to human health or the environment.

Hazardous wastes are generally regulated by the Resource Conservation and Recovery Act (RCRA) and cleaned up under the RCRA Corrective Action Program or CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act; also known as Superfund). RCRA is comprised of three major programs: Subtitle C (the hazardous waste management program), Subtitle D (the solid waste program), and Subtitle I (the UST program). Under Subtitle C, EPA has developed a comprehensive program to ensure that all hazardous waste is safely managed from the time it is generated to its final disposition at a Treatment, Storage, or Disposal (TSD) facility. The objective of the "cradle-to-grave" management system is to ensure that hazardous waste is handled in a manner that protects human health and the environment. To this end, there are Subtitle C regulations for the generation, transportation, and treatment, storage, or disposal of hazardous wastes.
Through the RCRA Corrective Action Program, EPA requires the investigation and cleanup, or in-situ or ex-situ treatment of hazardous releases at RCRA facilities. The corrective action program is structured around elements common to most cleanups under other EPA programs: an initial site assessment, characterization of the contamination, and the evaluation and implementation of cleanup alternatives, both immediate and long-term. Components of a cleanup action can impact all media types, including releases to the air, surface or groundwater, and cleanup of contaminated soil.

For more information on the different types of hazardous waste go to: http://www.epa.gov/wastes/hazard/wastetypes/index.htm

Reduced, Treated or Eliminated: Reduced, treated, or eliminated is the quantity of pollutant(s) that will no longer be released to the environment as a result of a non-complying facility returning to its allowable permit limits through the successful completion of an enforcement settlement. Facilities may further reduce, treat or eliminate pollutants by carrying out voluntary Supplemental Environmental Projects.

Concluded enforcement actions: For purposes of this measure, there are two categories of concluded enforcement actions counted.

The first are **administrative enforcement actions** which are undertake by EPA through authority granted to it under various federal

environmental statutes, such as CERCLA, RCRA, CAA, CWA, TSCA, and others. Administrative enforcement actions can take several forms, including EPA issuing an administrative order requiring a facility to implement specific corrective measures to filing an administrative complaint commencing a formal administrative adjudication. An administrative action is concluded when a written agreement between the defendant/respondent and EPA resolving the complaint is documented, signed by the Regional Administrator or designee, and is filed with the regional hearing clerk.

The second type of enforcement action is known as a civil judicial action which is a formal lawsuit, filed in court, against a person who has either failed to comply with a statutory or regulatory requirement or an administrative order. **Civil judicial actions** attorneys from the U.S. Department of Justice prosecute civil cases for EPA. A concluded action occurs when a consent decree is signed by all parties to the action and filed in the appropriate court and signed by a judge or a written ruling or decision is made by a judge after a full trial.

2. Data Definition and Source Reporting

2a. Original Data Source

EPA Regional Enforcement Organizations
EPA Regional Program Organizations
EPA Headquarters Enforcement Organizations
Facility Personnel and Facility Contractors
DOJ

2b. Source Data Collection

EPA calculates the estimated pollutant reductions after case settlement or during discussions with the facility personnel over specific plans for compliance. The final enforcement documents often spell out the terms and methodologies the facility must follow to mitigate and prevent the future release of pollutants. These documents serve as the starting point for EPA's calculations.

Example of consent decree document containing pollutant mitigation instructions to the facility:
http://www.epa.gov/compliance/resources/cases/civil/caa/essroc.html

2c. Source Data Reporting

When a formal administrative or judicial enforcement case is “concluded” enforcement staff enters information into ICIS to document the environmental benefits achieved by the concluded enforcement case. Original source documents may include facility permits, legal documents such as consent decrees and administrative orders, inspection reports, case engineer reports and facility reports. For civil judicial cases, the information is reported when a consent decree or court order, or judgment is entered (not lodged). For administrative cases, information is reported when an administrative order or final agreement is signed.

Environmental benefits should be reported in the year the case is settled, regardless of when the benefits will occur. Reductions are calculated after the judicial consent decree is lodged or entered, or when the administrative compliance order is signed by the region designee and filed with the regional hearing clerk.

FY2012 CCDS.docx

3. Information Systems and Data Quality Procedures

3a. Information Systems

The ICIS FE&C data system meets Office of Environmental Information (OEI) Lifecycle Management Guidance, which includes data validation processes, internal screen audit checks and verification, system and user documents, data quality audit reports, third party testing reports, and detailed report specifications data calculation methodology. *Reference: Quality Assurance and Quality Control procedures: Data Quality: Life Cycle Management Policy, (EPA CIO2121, April 7, 2006)*

The Integrated Compliance Information System (ICIS) is a three phase multi-year modernization project that improves the ability of EPA and the states to ensure compliance with the nation's environmental laws with the collection of comprehensive enforcement and compliance information. Phase I, implemented in FY02, replaced several legacy systems, and created an integrated system to support federal enforcement and compliance tracking, targeting and reporting, including GPRA reporting. Phase II, also called Permit Compliance System (PCS) Modernization, expands ICIS to include the National Pollutant Discharge Elimination System (NPDES) program and enables improved management of the complete program (e.g., stormwater) as well as replacing the legacy PCS. PCS is currently identified as an Agency Federal Managers' Financial Integrity Act (FMFIA) weakness, and the modernization of the system is critical to address the weakness. Phase II was first implemented in FY06 for 21 states and 11 tribes/territories that use ICIS to directly manage their NPDES programs. In FY08, seven more states moved to ICIS from the legacy PCS and began electronically flowing their Discharge Monitoring Report (DMR) data from their states systems via the Exchange Network and CDX to ICIS. In FY09, Phase II continued with implementation of the National Installation of NetDMR allowing NPDES permittees to electronically submit DMR data from permitted facility systems via the Exchange Network to ICIS and migrated three additional states. In FY11 OECA implemented Full-Batch Release 1 of Phase II allowing Batch Flows of permits and facility data from states. FY12 will include Full-Batch Release 2 enabling batch flow will allow Batch Flows of inspection data from states. Inspection information and was implemented early in FY12. The final part of Phase II which will add the remaining NPDES Batch Flows and migrate and all remaining states is projected to be completed in FY13. Phase III will modernize the Air Facility System (AFS) into ICIS. AFS is used by EPA and States to track Clean Air Act enforcement and compliance activities. Integration of AFS into ICIS will modernize and replace a legacy system that does not meet current business needs. Implementation of this phase is projected for FY14.

ICIS contains both source data and transformed data.

OECA's Data System Quality Assurance Plan

Data System Quality Assurance Plan (ICIS).doc

3b. Data Quality Procedures

Annual Data Certification Process - OECA has instituted a semi-annual data certification process for the collection and reporting of enforcement and compliance information. The certification process was set up to ensure all reporting entities are aware of the reporting deadlines, receive the most up-to-date reporting instructions for select measures, follow best data management practices to assure reporting accuracy, and have access to the recent methodologies for calculating pounds of pollutants reduced. The hazardous waste pounds of pollutants reduced measure is covered by the annual data certification process.

As part of the annual data certification process, regions are provided a checklist to assist them in their data quality procedures.

FY11 Data Quality Check List.pdf

OECA's Quality Management Plan - September 2011

OC QMP Concurrence Signatures.pdf OC QMP 2011 Final.docx

3c. Data Oversight

Source Data Reporting Oversight

HQ - Director, Enforcement Targeting and Data Division
Region 1 - Division Director, Office of Environmental Stewardship
Region 2 - Director, Office of Enforcement and Compliance Assistance
Region 3 - Director, Office of Enforcement, Compliance and Environmental Justice
Region 4 - Regional Counsel and Director, Office of Environmental Accountability
Region 5 - Director, Office of Enforcement and Compliance Assurance
Region 6 - Compliance Assurance and Enforcement Division Director
Region 7 - Enforcement Coordinator
Region 8 - Assistant Regional Administrator for Enforcement, Compliance and Environmental Justice
Region 9 - Enforcement Coordinator
Region 10 - Director, Office of Compliance and Enforcement

Information Systems Oversight Personnel

HQ - ICIS System Administrator
Region 1 - ICIS Steward and Data Systems Administrator
Region 2 - ICIS System Administrator
Region 3 - ICIS Data Steward and System Administrator
Region 4 - ICIS System Administrator, Regional Compliance and Enforcement Data Steward
Region 5 - ICIS Data Steward and Systems Administrator
Region 6 - ICIS Data Steward
Region 7 - ICIS Data Steward and Systems Administrtor
Region 8 - ICIS System Administrator
Region 9 - ICIS System Administrator
Region 10 - ICIS System Administrator and Data Steward

3d. Calculation Methodology

The Case Conclusion Data Sheet (CCDS) is a manual data collection tool HQ implemented in FY 1996, updated in FY 2012, to collect information on concluded federal enforcement cases including the case name and identification number, injunctive relief, environmental benefits (including environmental benefits from Supplemental Environmental Projects [SEPs]), and assessed penalties. The CCDS data are entered into the Integrated Information and Compliance System (ICIS). OECA uses data obtained from the CCDS via ICIS to assess the environmental outcomes of its enforcement program.

The CCDS guidance provides detailed calculation methodologies for estimating the environmental benefits on a variety of environmental statutes including air, water, waste, toxics and pesticides. Additionally, the CCDS provides specific instruction on how to enter the environmental benefits information into ICIS.

To view the the CCDS guidance in its entirety go to:

CCDS.xps

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Oversight of Final Reporting: The Deputy Regional Administrators, the Office of Civil Enforcement Director, and the Monitoring, Assistance and Program Division Director all must sign the attached certification form.

Data Certification Form.pdf

Timing of Results Reporting: Semiannually

4b. Data Limitations/Qualifications

Pollutant reductions or eliminations reported in ICIS project an estimate of pollutants to be reduced or eliminated if the defendant carries out the requirements of the settlement. (Information on expected outcomes of state enforcement is not available.) The estimates use information available at the time a case settles or an order is issued. In some instances, EPA develops and enters this information on pollutant reduction estimates after the settlement or during continued discussions over specific plans for compliance. Due to the time required for EPA to negotiate a settlement agreement with a defendant, there may be a delay in completing the CCDS. Additionally, because of unknowns at the time of settlement, different levels of technical proficiency, or the nature of a case, OECA's expectation is that the overall amount of pollutants reduced or eliminated is prudently underestimated based on CCDS information. EPA also bases the pollutant estimates on the expectation that the defendant/respondent implements the negotiated settlement agreement.

4c. Third-Party Audits

Inspector General Report on Pounds of Pollutants Reduced estimates:

Projected Lbs of Pollutants Reduced.pdf

Performance Data Quality Record (DQR)

NPO Name (OECA) Measure 410: Number of civil judicial and administrative enforcement cases initiated.

1. Measure and DQR Metadata	
Goal Number and Title	5 - Enforcing Environmental Laws
Objective Number and Title	1 - Enforce Environmental Laws
Sub-Objective Number and Title	1 - Maintain Enforcement Presence
Strategic Target Code and Title	2 - By 2015, initiate 19,500 civil judicial and administrative enforcement cases
Managing Office	Office of Compliance

Performance Measure Term Definitions

Civil Judicial Enforcement Cases: a civil judicial enforcement case is a formal lawsuit, filed in court, against a person who has either failed to comply with a statutory or regulatory requirement, administrative order, or against a person who has contributed to a release. Civil judicial actions are often employed in situations that present repeated or significant violations or where there are serious environmental concerns. Attorneys from the U.S. Department of Justice prosecute civil judicial enforcement cases for the Agency.

Civil Administrative Enforcement Cases: A civil administrative enforcement case is an enforcement action taken by EPA under its own authority. Administrative enforcement cases can take several forms, including EPA issuing an administrative order requiring a facility to implement specific corrective measures to filing an administrative complaint commencing a form administrative adjudication. Administrative actions tend to be resolved quickly and can often be quite effective in bringing the facility into compliance with the regulations or in remedying a potential threat to human health of the environment.

Initiated: A civil judicial enforcement case is considered initiated when it has been referred to DOJ. A referral is a formal written request to another agency or unit of government to proceed with judicial enforcement relating to the violation(s) in question.

Civil administrative enforcement cases are considered initiated when an administrative order or an administrative penalty order on consent has been issued by a Regional Administrator or designee.

2. Data Definition and Source Reporting

2a. Original Data Source

EPA attorneys
EPA regional hearing clerks
DOJ attorneys
Federal and state courts

2b. Source Data Collection

The source data for this measure is found on initiated enforcement documents. For example, the attached initiated administrative order was

issued by the Region 4 Assistant Administrator. An enforcement record is created in ICIS with the regional administrator's signature date which indicates the case has been initiated.

Example of an initiated case document:

Admin Order.pdf

2c. Source Data Reporting

Referral Letters
Administrative Penalty Orders
Administrative Compliance Orders
Unilateral Administrative Orders

3. Information Systems and Data Quality Procedures

3a. Information Systems

The ICIS FE&C data system meets Office of Environmental Information (OEI) Lifecycle Management Guidance, which includes data validation processes, internal screen audit checks and verification, system and user documents, data quality audit reports, third party testing reports, and detailed report specifications data calculation methodology. *Reference: Quality Assurance and Quality Control procedures: Data Quality: Life Cycle Management Policy, (EPA CIO2121, April 7, 2006)*

The Integrated Compliance Information System (ICIS) is a three phase multi-year modernization project that improves the ability of EPA and the states to ensure compliance with the nation's environmental laws with the collection of comprehensive enforcement and compliance information. Phase I, implemented in FY02, replaced several legacy systems, and created an integrated system to support federal enforcement and compliance tracking, targeting and reporting, including GPRA reporting. Phase II, also called Permit Compliance System (PCS) Modernization, expands ICIS to include the National Pollutant Discharge Elimination System (NPDES) program and enables improved management of the complete program (e.g., stormwater) as well as replacing the legacy PCS. PCS is currently identified as an Agency Federal Managers' Financial Integrity Act (FMFIA) weakness, and the modernization of the system is critical to address the weakness. Phase II was first implemented in FY06 for 21 states and 11 tribes/territories that use ICIS to directly manage their NPDES programs. In FY08, seven more states moved to ICIS from the legacy PCS and began electronically flowing their Discharge Monitoring Report (DMR) data from their states systems via the Exchange Network and CDX to ICIS. In FY09, Phase II continued with implementation of the National Installation of NetDMR allowing NPDES permittees to electronically submit DMR data from permitted facility systems via the Exchange Network to ICIS and migrated three additional states. In FY11 OECA implemented Full-Batch Release 1 of Phase II allowing Batch Flows of permits and facility data from states. FY12 will include Full-Batch Release 2 enabling batch flow will allow Batch Flows of inspection data from states. Inspection information and was implemented early in FY12. The final part of Phase II which will add the remaining NPDES Batch Flows and migrate and all remaining states is projected to be completed in FY13. Phase III will modernize the Air Facility System (AFS) into ICIS. AFS is used by EPA and States to track Clean Air Act enforcement and compliance activities. Integration of AFS into ICIS will modernize and replace a legacy system that does not meet current business needs. Implementation of this phase is projected for FY14.

ICIS contains both source data and transformed data.

OECA's Data System Quality Assurance Plan

Data System Quality Assurance Plan (ICIS).doc

3b. Data Quality Procedures

Annual Data Certification Process - OECA has instituted a semi-annual data certification process for the collection and reporting of enforcement and compliance information. The certification process was set up to ensure all reporting entities are aware of the reporting deadlines, receive the most up-to-date reporting instructions for select measures, follow best data management practices to assure reporting accuracy, and have access to the recent methodologies for calculating pounds of pollutants reduced. The cases initiated measure is covered by the annual data certification process.

As part of the annual data certification process, regions are provided a checklist to assist them in their data quality procedures.

FY11 Data Quality Check List.pdf

OECA's Quality Management Plan - September 2011

OC QMP Concurrence Signatures.pdf OC QMP 2011 Final.docx

3c. Data Oversight

Source Data Reporting Oversight

HQ - Director, Enforcement Targeting and Data Division
Region 1 - Division Director, Office of Environmental Stewardship
Region 2 - Director, Office of Enforcement and Compliance Assistance
Region 3 - Director, Office of Enforcement, Compliance and Environmental Justice
Region 4 - Regional Counsel and Director, Office of Environmental Accountability
Region 5 - Director, Office of Enforcement and Compliance Assurance
Region 6 - Compliance Assurance and Enforcement Division Director
Region 7 - Enforcement Coordinator
Region 8 - Director, Policy, Information Management and Environmental Justice
Region 9 - Enforcement Coordinator
Region 10 - Director, Office of Compliance and Enforcement

Information Systems Oversight Personnel

HQ - ICIS System Administrator
Region 1 - ICIS Steward and Data Systems Administrator
Region 2 - ICIS System Administrator
Region 3 - ICIS Data Steward and System Administrator
Region 4 - ICIS System Administrator, Regional Compliance and Enforcement Data Steward
Region 5 - ICIS Data Steward and Systems Administrator
Region 6 - ICIS Data Steward
Region 7 - ICIS Data Steward and Systems Administrtor

Region 8 - ICIS System Administrator
Region 9 - ICIS System Administrator
Region 10 - ICIS System Administrator and Data Steward

3d. Calculation Methodology

A civil or judicial case is counted as initiated when one instance of the following occurs:

Civil judicial enforcement cases are considered initiated when a referral has been made to DOJ.

Civil administrative enforcement cases are considered initiated when an administrative order or an administrative penalty order on consent has been issued by a Regional Administrator or designee.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Deputy Regional Administrators, the Office of Civil Enforcement Director, and the Monitoring, Assistance and Program Division Director all must sign the attached certification form.

Data Certification Form.pdf

4b. Data Limitations/Qualifications

The potential always exists that there are facilities, not yet identified as part of the regulated universe, subject to an EPA enforcement action.

4c. Third-Party Audits

None to-date.

Record Last Updated: 02/08/2012 09:07:55 AM

Performance Data Quality Record (DQR)

NPO Name (OECA) Measure 411: Number of civil judicial and administrative enforcement cases concluded.

1. Measure and DQR Metadata	
Goal Number and Title	5 - Enforcing Environmental Laws
Objective Number and Title	1 - Enforce Environmental Laws
Sub-Objective Number and Title	1 - Maintain Enforcement Presence
Strategic Target Code and Title	3 - By 2015, conclude 19,000 civil judicial and administrative enforcement cases
Managing Office	Office of Compliance

Performance Measure Term Definitions

Civil Judicial Enforcement Cases: a civil judicial enforcement case is a formal lawsuit, filed in court, against a person who has either failed to comply with a statutory or regulatory requirement, administrative order, or against a person who has contributed to a release. Civil judicial actions are often employed in situations that present repeated or significant violations or where there are serious environmental concerns. Attorneys from the U.S. Department of Justice prosecute civil judicial enforcement cases for the Agency.

Civil Administrative Enforcement Cases: A civil administrative enforcement case is an enforcement action taken by EPA under its own authority. Administrative enforcement cases can take several forms, including EPA issuing an administrative order requiring a facility to implement specific corrective measures to filing an administrative complaint commencing a form administrative adjudication. Administrative actions tend to be resolved quickly and can ofte be quite effective in bringing the facility into compliance with the regulations or in remedying a potential threat to human health of the environment.

Concluded: For purposes of this measure, there are two types of concluded enforcement actions counted.

The first are **administrative enforcement actions** which are undertake by EPA through authority granted to it under various federal environmental statutes, such as CERCLA, RCRA, CAA, CWA, TSCA, and others. An administrative action is concluded when a written agreement between the defendant/respondent and EPA resolving the complaint is documented in a Consent Agreement/Final Order (CA/FOs), is signed by the Regional Administrator or designee, and is filed with the regional hearing clerk.

The second type of enforcement action is known as a civil judicial action. **Civil judicial actions** attorneys from the U.S. Department of Justice prosecute civil cases for EPA. A concluded action occurs when a consent decree is signed by all parties to the action and filed in the appropriate court and signed by a judge or a written ruling or decision is made by a judge after a full trial.

2. Data Definition and Source Reporting

2a. Original Data Source

EPA attorneys
EPA regional hearing clerks
DOJ attorneys

Federal and state courts

2b. Source Data Collection

The source data for this measure is found on completed enforcement documents. For example, the attached final consent agreement and final order (CAFO) contains the final date stamp affixed by the regional hearing clerk. An enforcement record is created in ICIS with the CAFO's final date indicating the case has been concluded.

Example of a concluded enforcement case document:

CAFO.pdf

2c. Source Data Reporting

Administrative Penalty Orders
Administrative Penalty Orders on Consent
Consent Decrees
Notice of Determination
Unilateral Administrative Orders

3. Information Systems and Data Quality Procedures

3a. Information Systems

The ICIS FE&C data system meets Office of Environmental Information (OEI) Lifecycle Management Guidance, which includes data validation processes, internal screen audit checks and verification, system and user documents, data quality audit reports, third party testing reports, and detailed report specifications data calculation methodology. *Reference: Quality Assurance and Quality Control procedures: Data Quality: Life Cycle Management Policy, (EPA CIO2121, April 7, 2006)*

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ICIS contains both source data and transformed data.

Data System Quality Assurance Plan

Data System Quality Assurance Plan (ICIS).doc

3b. Data Quality Procedures

Annual Data Certification Process - OECA has instituted a semi-annual data certification process for the collection and reporting of enforcement and compliance information. The certification process was set up to ensure all reporting entities are aware of the reporting deadlines, receive the most up-to-date reporting instructions for select measures, follow best data management practices to assure reporting accuracy, and have access to the recent methodologies for calculating pounds of pollutants reduced. The cases concluded measure is covered by the annual data certification process.

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FY11 Data Quality Check List.pdf

OECA's Quality Management Plan - September 2011

OC QMP Concurrence Signatures.pdf OC QMP 2011 Final.docx

3c. Data Oversight

Source Data Reporting Oversight:
HQ - Director, Enforcement Targeting and Data Division
Region 1 - Division Director, Office of Environmental Stewardship
Region 2 - Director, Office of Enforcement and Compliance Assistance
Region 3 - Director, Office of Enforcement, Compliance and Environmental Justice
Region 4 - Regional Counsel and Director, Office of Environmental Accountability
Region 5 - Director, Office of Enforcement and Compliance Assurance
Region 6 - Compliance Assurance and Enforcement Division Director
Region 7 - Enforcement Coordinator
Region 8 - Director, Policy, Information Management and Environmental Justice
Region 9 - Enforcement Coordinator
Region 10 - Director, Office of Compliance and Enforcement

Information Systems Oversight Personnel
HQ - ICIS System Administrator
Region 1 - ICIS Steward and Data Systems Administrator

Region 2 - ICIS System Administrator
Region 3 - ICIS Data Steward and System Administrator
Region 4 - ICIS System Administrator, Regional Compliance and Enforcement Data Steward
Region 5 - ICIS Data Steward and Systems Administrator
Region 6 - ICIS Data Steward
Region 7 - ICIS Data Steward and Systems Administrtor
Region 8 - ICIS System Administrator
Region 9 - ICIS System Administrator
Region 10 - ICIS System Administrator and Data Steward

3d. Calculation Methodology

A civil or judicial case is counted as concluded when one instance of the following occurs:

An administrative action is concluded when a written agreement between the defendant/respondent and EPA resolving the complaint is documented in a Consent Agreement/Final Order (CA/FOs), is signed by the Regional Administrator or designee, and is filed with the regional hearing clerk.

A civil judicial action is concluded when a consent decree is signed by all parties to the action and filed in the appropriate court and signed by a judge or a written ruling or decision is made by a judge after a full trial.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Deputy Regional Administrators, the Office of Civil Enforcement Director, and the Monitoring, Assistance and Program Division Director all must sign the attached certification form.

Data Certification Form.pdf

4b. Data Limitations/Qualifications

The potential always exists that there are facilities, not yet identified as part of the regulated universe, subject to an EPA enforcement action.

4c. Third-Party Audits

None to-date.

Record Last Updated: 02/08/2012 09:07:52 AM

Performance Data Quality Record (DQR)

NPO Name (OECA) Measure 418: Percentage of criminal cases having the most significant health, environmental, and deterrence impacts.

1. Measure and DQR Metadata	
Goal Number and Title	5 - Enforcing Environmental Laws
Objective Number and Title	1 - Enforce Environmental Laws
Sub-Objective Number and Title	1 - Maintain Enforcement Presence
Strategic Target Code and Title	5 - Each year through 2015, support cleanups and save federal dollars for sites
Managing Office	Office of Criminal Enforcement

Performance Measure Term Definitions

Criminal Case Docket: A criminal case exists when EPA's criminal enforcement program, specifically special agents in the Criminal Investigation Division (CID), investigate allegations of criminal violations of environmental law. The EPA active ("open") criminal case docket consists of cases in all stages of the legal process – from initial investigations to charged cases to convicted cases that are awaiting sentencing or are on appeal.

Most Significant Health, Environmental, and Deterrence Impacts: The most significant cases are defined by the categories of **health effects (**e.g., death, serious injury, or exposure, etc.**), pollutant release and discharge characteristics** (e.g., documented exposure, need for remediation, etc.) and **defendant profiles (e.g., size of business, compliance history, etc.)** The cases with the most significant health, environmental and deterrent impacts fall into Tier 1 and Tier 2 of four possible categories of tiers (as calculated by the tiering methodology (**cf section 3d).** The tier designation is used throughout the investigative process including case selection and prosecution.

For more information about EPA's Criminal Enforcement Program, visit http://www.epa.gov/compliance/criminal/ .

2. Data Definition and Source Reporting

2a. Original Data Source

All data used to calculate and classify the "most significant cases" result from evidence collected during the investigative process. The Criminal Investigation Division (CID) special agent assigned to the case creates an Investigative Activity Report (**IAR, cf 419,420, 421**). The IAR is the primary means used to document all investigative activity operational activities, judicial activities, or responses to investigative tasking or leads. Investigative activities include interviews, surveillance, electronic monitoring, arrests, searches, evidence handling and disposition, and document reviews. Operational activities include undercover reports, and consensual monitoring. Judicial activities include legal documents such as indictments, criminal informations, criminal complaints, guilty pleas, trials, convictions, and sentencing hearings and results. Investigative tasking relates to collateral requests from CID headquarters and other offices, as well as memorializing activity conducted in furtherance of lead inquiries.

2b. Source Data Collection

Source Data Collection Methods:

Tabulation of records or activities. Information used for the case tiering methodology (**cf section 3d**) comes from the evidence collected

during the course of the investigation. Forensic evidence gathering (e.g., environmental sampling and analysis) is conducted by the National Enforcement Investigations Center (NEIC) or other EPA laboratories or programs in conformity with their established protocols.

The data for case tiering is compiled through the IARs and legal documents which are collected and entered into the Criminal Case Reporting System (CCRS**, cf section 3a**). OCEFT collects data on a variety of case attributes to describe the range, complexity, and quality of the national docket. Data for selected attributes are being used to categorize the cases into four tiers based on the severity of the crime associated with the alleged violation.

Date/Time Intervals Covered by Source Data:
Ongoing.

EPA QA requirements/guidance governing collection:
All criminal enforcement special agents receive training on the accurate completion of IAR reports and the entry of criminal case data into the CCRS.

Geographical Extent of Source Data:
National.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system:
After a criminal case is opened, all major data and information is entered into CCRS and is tracked through all subsequent stages of the criminal enforcement process. All case information and data that will be used for the case tiering methodology is entered into CCRS, including information about the pollutants involved and the impact on the public and the environment that result from forensic sampling and analysis undertaken as a routine part of the investigation of the alleged violations.

Timing and frequency of reporting: The status of the case is updated as the legal process proceeds.

3. Information Systems and Data Quality Procedures

3a. Information Systems

CCRS stores criminal enforcement data in an enforcement sensitive database which contains historical data on all criminal enforcement prosecutions as well as information about the pollutants involved and the impact on the public and the environment. CCRS contains a drop down menu for entering all data used to assign a case to a specific tier. When all required fields are populated, the system automatically determines the tier for the case. Designating a tier is mandatory for all open criminal cases.

CCRS is an internal EPA database; All public legal documents relating to prosecuted criminal cases (e.g., the indictments, guilty pleas, trial verdicts and judge's sentencing decisions) are publicly available through **Public Access to Court Electronic Records (PACER**), an electronic public access service that allows users to obtain case and docket information from federal appellate, district and bankruptcy courts (http://www.pacer.gov/).

3b. Data Quality Procedures

Environmental and forensic data used to conduct case tiering is supplied from EPA's National Enforcement Investigations Center (NEIC), national databases, and other EPA programs. This data has been QA/QCd following the protocols established by those programs. It should

be noted that the data will often serve as evidence in criminal judicial enforcement proceedings, so the quality and sufficiency of the data is carefully reviewed.

3c. Data Oversight

Initial oversight at the field level is the responsibility of the Special Agent-in-Charge and Assistant Special Agent-in-Charge of the criminal office managing the case. That information is further reviewed by OCEFT HQ through semi-annual case management reviews conducted by the Assistant Director for Investigations, CID.

3d. Calculation Methodology

The methodology for the measure "percent of criminal cases with the most significant health, environmental and deterrence impact" used the FY 2010 criminal enforcement docket to develop the baseline and targets for FY 2011-15.. The cases are analyzed and scored on a variety of case attributes describing the range, complexity and quality of the criminal enforcement docket. Cases are then entered into one of four categories ("tiers") depending upon factors such as the human health (e.g., death, serious injury) and environmental impacts, the nature of the pollutant and its release into the environment, and violator characteristics (e.g., repeat violator, size and location(s) of the regulated entity)

Many of the data elements used in the tier method are directly linked to the Federal Sentencing Guidelines:

http://www.ussc.gov/guidelines/2010_guidelines/index.cfm

See the two attachments for graphic representations of the criminal case tier methodology and the explanations of the categories. They indicate the process used to assign a case to one of the four tiers.

tiering.pptx tieirngmethodology2012.ppt

Tiering is based upon these decision rules:

Tier 1 (1st or highest): any case involving death or actual serious injury; otherwise a case that possesses specified attributes in at least three of four established categories.

Tier 2 (second): two categories out of four

Tier 3 (third): one category out of four

Tier 4 (fourth): no category

Tier 1 and Tier 2 cases added together and divided by the total number of open cases in the criminal case docket is how the "most significant cases" cases measure, that also serves as the Key Performance indicator for the criminal enforcement program, is calculated. The measure only reflects the percentage of cases in the upper two tiers.

Time frame: Updated throughout the fiscal year as the case docket changes. Fiscal Year (October – September) Semiannual reporting.

Unit of analysis: Percent.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Oversight of Final Reporting:: Once initial case tiering has been conducted by the case agent, initial oversight, review and quality assurance at the field level is the responsibility of the Special Agent-in-Charge and Assistant Special Agent–in-Charge of the criminal enforcement office managing the case. It receives a second round of review in HQ by CID's Assistant Director for Investigations, who also conducts a semi-annual review of all cases in the criminal case docket . The review includes discussions of any new evidence or information that would potentially affect or change the tier in which a case had been assigned. Any decision to categorize a case as being a Tier 4 (lowest level) case must be approved by both the SAC and the Assistant Director for Investigations. Data is verified on an on-going basis.

Timing of Results Reporting: Semiannually.

4b. Data Limitations/Qualifications

A case's tier classification may change as cases are investigated and additional information uncovered. Potential data limitations include inaccurate environmental sampling or mistakes in evidence gathering that can result in improper classification or "tiering" of an individual case. Determining data for some characteristics used in tiering may be based upon ranges or estimates (e.g., the extent of documented human population exposure to a toxic pollutant may be based upon a consensus or "best estimate" of the geographic area surrounding the release rather than a detailed examination of all people potentially exposed).

4c. Third-Party Audits

N/A

Record Last Updated: 02/08/2012 09:07:49 AM

Performance Data Quality Record (DQR)

NPO Name (OECA) Measure 419: Percentage of criminal cases with individual defendants.

1. Measure and DQR Metadata	
Goal Number and Title	5 - Enforcing Environmental Laws
Objective Number and Title	1 - Enforce Environmental Laws
Sub-Objective Number and Title	1 - Maintain Enforcement Presence
Strategic Target Code and Title	7 - By 2015, maintain an 85 percent conviction rate for criminal defendants
Managing Office	Office of Criminal Enforcement

Performance Measure Term Definitions

Criminal Cases: A criminal case exists when EPA's criminal enforcement program, specifically special agents in the Criminal Investigation Division (CID), investigate allegations of criminal violations of environmental law. The EPA active ("open") criminal case docket consists of cases in all stages of the legal process – from initial investigations to charged cases to convicted cases that are awaiting sentencing or are on appeal.

A criminal case with charges filed is one in which, based upon an investigation by the EPA criminal enforcement program, the U.S. Department of Justice formally files charges against one or more defendants (either a person, company or both) alleging a criminal violation of one or more of the environmental statutes and/or associated violations of the U.S. Criminal Code in U.S. District Court.

Individual Defendants: An individual defendant is a person, as opposed to a company. Criminal enforcement can be employed against persons and companies. Individuals, unlike companies, can be sentenced to prison, as well as paying a monetary fine, for breaking the criminal law. It is the possibility of incarceration that most distinguishes criminal law from civil law and, therefore, enables criminal law to provide the most deterrence.

For more information about EPA's Criminal Enforcement Program, visit http://www.epa.gov/compliance/criminal/ .

2. Data Definition and Source Reporting

2a. Original Data Source

As part of the investigative process, the Criminal Investigation Division (CID) special agent assigned creates an Investigative Activity Report (IAR). The IAR is the primary means used to document all investigative activity, operational activities, judicial activities, or responses to investigative tasking or leads. Investigative activities include interviews, surveillance, electronic monitoring, arrests, searches, evidence handling and disposition, and document reviews. Operational activities include undercover reports, and consensual monitoring. Judicial activities include indictments, criminal informations, criminal complaints, guilty pleas, trials, convictions, and sentencing hearings and results. Investigative tasking relates to collateral requests from CID headquarters and other offices, as well as memorializing activity conducted in furtherance of lead inquiries.

All relevant data is entered into the Criminal Case Reporting System (CCRS, **cf section 3a**), which tracks a criminal investigation from the

time it is first opened through all stages of the legal process to a conclusion (e.g., when the case is indicted, when a defendant is found guilty, sentenced or acquitted.) CCRS is used to create the IAR.

Once the defendants are charged, the data used to compile the measure is based upon the legal documents outlining the criminal charges (which can either take the form of a criminal information or criminal indictment) that is filed by either the Office of the U.S. Attorney or the Environmental Crimes Section at DOJ HQ and filed in the U.S. District Court in which the alleged criminal violations occurred. The charges are part of the case file.

2b. Source Data Collection

Source Data Collection Methods: The measure is based upon enforcement and legal documents which memorialize the status of a criminal prosecution. As noted above, the data for the measure are formally compiled through the IARs and DOJ legal documents entered into CCRS. In addition, all public legal documents relating to a charged case (e.g., the indictment or criminal information), including the names of all defendants, is also entered into and are publicly available through **Public Access to Court Electronic Records (PACER**), an electronic public access service that allows users to obtain case and docket information from federal appellate, district and bankruptcy courts http://www.pacer.gov/).

Date/Time Intervals Covered by Source Data:
Ongoing.

EPA QA Requirements/Guidance Governing collection*:*
All criminal enforcement special agents receive training on the accurate completion of IAR reports and the entry of criminal case data into the CCRS.

Geographical Extent of Source Data:
National.

2c. Source Data Reporting

After DOJ formally charges the defendants, the information is entered into CCRS (e.g., all the violations alleged, all of the defendants charged, as well as forensic information about the pollutants involved and the impact on the public and the environment.) The status of the case is updated as the legal process proceeds. The case agents update and enter into CCRS or submit to their superior IARs which highlight changes in the case and all subsequent stages of the criminal enforcement process (e.g., a case is dismissed or the defendants are either acquitted or convicted and sentenced.)

Timing and frequency of reporting: The status of the case is updated as the legal process proceeds.

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Criminal Case Reporting System (CCRS) stores criminal enforcement information and data in an enforcement sensitive database which contains historical data on all criminal enforcement prosecutions as well as information about the pollutants involved and the impact on the public and the environment. CCRS maintains information pertaining to individuals and companies associated with the Criminal Investigation Division's criminal leads and cases, as well as other information related to the conduct of criminal investigations.

The data is used to document the progress and results of criminal investigations. The data used for all criminal enforcement performance

measures are in the CCRS database.

The status of the case is updated on CCRS as the legal process proceeds. All legal documents relating to a prosecution are entered into the system

3b. Data Quality Procedures

The Criminal Investigations Division (CID) has a process for document control and records and has Quality Management Plans in place. The information on charged cases that is entered into CCRS goes through several layers of review. Initial verification of the quality and accuracy of case information is the responsibility of the Special Agent-in-Charge (SAC) of the office that is managing the case. HQ responsibility for QA/QC is conducted by the System Administrator of CCRS.

3c. Data Oversight

Initial oversight at the field level is the responsibility of the Assistant Special Agent-in-Charge (ASAC) and Special Agent-in-Charge (SAC) of the criminal enforcement office managing the case. That information is further reviewed by OCEFT HQ through semi-annual case management reviews conducted by the Assistant Director of Investigations, CID and quarterly reports by the System Administrator of CCRS. The System Administrator, who creates all statistical and management reports based on information in CCRS, conducts regular oversight of the data entered by the criminal enforcement field offices to ensure that all data entered into CCRS is complete and accurate.

3d. Calculation Methodology

The methodology for the criminal enforcement measure “Percent of criminal cases with individual defendants" employed a three year analysis (FY2008-2010) to develop the baseline and targets.

The decision rules reflect the legal status of the individuals who are named as charged defendants. The data files relevant to this analysis include defendant names and type (individual or company), date of charges filed and the actual statutes (either or both environmental or U.S. Criminal Code) listed in the criminal indictment or criminal information.

There are no assumptions or “quantifiers” used in calculating the measure. The measure is based upon the legal status of cases, i.e., whether the case has at least one individual person charged as a defendant that is being prosecuted. The measure is calculated by dividing the number of charged cases that have at least one individual defendant during the current Fiscal Year (numerator) by the total number of charged criminal cases during the current Fiscal Year (denominator).

Timeframe: Fiscal Year (October – September) Semiannual reporting.

Unit of analysis: Percent.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The System Administrator of the CCRS has the responsibility for compiling and verifying the accuracy of the report on charged defendants. Once compiled, data goes through a second level of verification through the Assistant Director of Investigations, CID. While data is verified on an on-going basis, final verification is conducted at the end of the fiscal year.

Timing of Results Reporting:

Semiannually.

4b. Data Limitations/Qualifications

N/A, since the measure is based on the legal status of prosecuted individual defendants

4c. Third-Party Audits

N/A

Record Last Updated: 02/08/2012 09:07:48 AM

Performance Data Quality Record (DQR)

NPO Name (OECA) Measure 420: Percentage of criminal cases with charges filed.

1. Measure and DQR Metadata	
Goal Number and Title	5 - Enforcing Environmental Laws
Objective Number and Title	1 - Enforce Environmental Laws
Sub-Objective Number and Title	1 - Maintain Enforcement Presence
Strategic Target Code and Title	6 - By 2015, increase the number of criminal cases with charges filed
Managing Office	Office of Criminal Enforcement

Performance Measure Term Definitions

Criminal Cases: A criminal case exists when EPA's criminal enforcement program, specifically special agents in the Criminal Investigation Division (CID), investigate allegations of criminal violations of environmental law. The EPA active ("open") criminal case docket consists of cases in all stages of the legal process – from initial investigations to charged cases to convicted cases that are awaiting sentencing or are on appeal.

Charges Filed: A criminal case with charges filed is one in which, based upon an investigation by the EPA criminal enforcement program, the U.S. Department of Justice formally files charges against one or more defendants (either a person, company or both) alleging a criminal violation of one or more of the environmental statutes and/or associated violations of the U.S. Criminal Code in U.S. District Court.

For more information about EPA's Criminal Enforcement Program, visit http://www.epa.gov/compliance/criminal/ .

2. Data Definition and Source Reporting

2a. Original Data Source

As part of the investigative process, the Criminal Investigation Division (CID) special agent assigned to the case completes an Investigation Activity Report (IAR). The IAR is the primary means used to document all investigative activity, operational activities, judicial activities, or responses to investigative tasking or leads. Investigative activities include interviews, surveillance, electronic monitoring, arrests, searches, evidence handling and disposition, and document reviews. Operational activities include undercover reports, and consensual monitoring. Judicial activities include indictments, criminal informations, criminal complaints, guilty pleas, trials, convictions, and sentencing hearings and results. Investigative tasking relates to collateral requests from CID headquarters and other offices, as well as memorializing activity conducted in furtherance of lead inquiries.

All relevant data is entered into the Criminal Case Reporting System (CCRS, **cf section 3a**), which tracks a criminal investigation from the time it is first opened through all stages of the legal process to a conclusion (e.g., when the case is indicted, when a defendant is found guilty, sentenced or acquitted.) CCRS is used to create the IAR.

Once the defendants are charged, the data used to compile the measure is based upon the legal documents outlining the criminal charges

(which can either take the form of a criminal information or criminal indictment) that is filed by either the Office of the U.S. Attorney or the Environmental Crimes Section at DOJ HQ and filed in the U.S. District Court in which the alleged criminal violations occurred. The charges are part of the case file.

2b. Source Data Collection

Source Data Collection Methods: The measure is based upon enforcement and legal documents which memorialize the status of a criminal prosecution. As noted above, the data for the measure are formally compiled through the IARs and DOJ legal documents entered into CCRS. In addition, all public legal documents relating to a charged case (e.g., the indictment or criminal information), including the names of all defendants, is also entered into and are publicly available through **Public Access to Court Electronic Records (PACER**), an electronic public access service that allows users to obtain case and docket information from federal appellate, district and bankruptcy courts **(**http://www.pacer.gov/**).**

Date/time Intervals Covered by Source Data:
Ongoing.

EPA QA Requirements/Guidance Governing Collection:
All criminal enforcement special agents receive training on the accurate completion of IAR reports and the entry of criminal case data into the CCRS.

Geographical Extent of Source Data:
National.

2c. Source Data Reporting

After DOJ formally charges the defendants, the information is entered into CCRS (e.g., all the violations alleged, all of the defendants charged, as well as forensic information about the pollutants involved and the impact on the public and the environment.) The status of the case is updated as the legal process proceeds. The case agents update and enter into CCRS or submit to their superior IARs which highlight changes in the case and all subsequent stages of the criminal enforcement process (e.g., a case is dismissed or the defendants are either acquitted or convicted and sentenced.)

Timing and frequency of reporting: The status of the case is updated as the legal process proceeds

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Criminal Case Reporting System (CCRS) stores criminal enforcement information and data in an enforcement sensitive database which contains historical data on all criminal enforcement prosecutions as well as information about the pollutants involved and the impact on the public and the environment. CCRS maintains information pertaining to individuals and companies associated with the Criminal Investigation Division's criminal leads and cases, as well as other information related to the conduct of criminal investigations.

. The data is used to document the progress and results of criminal investigations. The data used for all criminal enforcement performance measures are in the CCRS database.

The status of the case is updated on CCRS as the legal process proceeds. All legal documents relating to a prosecution are entered into the system

3b. Data Quality Procedures

The Criminal Investigations Division (CID) has a process for document control and records and has Quality Management Plans in place. The information on charged cases that is entered into CCRS goes through several layers of review. Initial verification of the quality and accuracy of case information is the responsibility of the Special Agent-in-Charge (SAC) of the office that is managing the case. HQ responsibility for QA/QC is conducted by the System Administrator of CCRS

3c. Data Oversight

Initial oversight at the field level is the responsibility of the Assistant Special Agent-in-Charge (ASAC) and Special Agent-in-Charge (SAC) of the criminal enforcement office managing the case. That information is further reviewed by OCEFT HQ through semi-annual case management reviews conducted by the Assistant Director of Investigations, CID, and quarterly reports by the System Administrator of CCRS. The System Administrator, who creates all statistical and management reports based on information in CCRS, conducts regular oversight of the data entered by the criminal enforcement field offices to ensure that all data entered into CCRS is complete and accurate.

3d. Calculation Methodology

The methodology for the criminal enforcement measure “Percent of criminal cases with charges filed" employed a five year analysis (FY2006-2010) to develop the baseline and targets. The decision rules reflect the legal status of the defendants charged. The data files relevant to this analysis include defendant names and type (individual or company), date of charges filed and the actual statutes (either or both environmental or U.S. Criminal Code) listed in the criminal indictment or criminal information.

There are no “assumptions” or “quantifiers” used in calculating the measure. The measure is based upon the legal status of cases, i.e., whether the case has been closed without prosecution or is being prosecuted. The measure is calculated by dividing the number of cases that have been charged (i.e., with an indictment or criminal information) during the current Fiscal Year (numerator) by the total number of criminal cases that were closed during the current Fiscal Year (denominator).

Time frame: Semiannual reporting.

Unit of analysis: Percent.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The System Administrator of the OCEFT CCRS has the responsibility for compiling and verifying the accuracy of the report on charged defendants. Once compiled, data goes through a second level of verification through the Assistant Director of Investigations, CID. While data is verified on an on-going basis, final verification is conducted at the end of the fiscal year.

Timing of Results Reporting:

Semiannually.

4b. Data Limitations/Qualifications

N/A since the measure is based upon the legal status of charged cases

4c. Third-Party Audits

N/A

Record Last Updated: 02/08/2012 09:07:48 AM

Performance Data Quality Record (DQR)

NPO Name (OECA) Measure 421: Percentage of conviction rate for criminal defendants.

1. Measure and DQR Metadata	
Goal Number and Title	5 - Enforcing Environmental Laws
Objective Number and Title	1 - Enforce Environmental Laws
Sub-Objective Number and Title	1 - Maintain Enforcement Presence
Strategic Target Code and Title	7 - By 2015, maintain an 85 percent conviction rate for criminal defendants
Managing Office	Office of Criminal Enforcement

Performance Measure Term Definitions

Criminal Cases: A criminal case exists when EPA's criminal enforcement program, specifically special agents in the Criminal Investigation Division (CID), investigate allegations of criminal violations of environmental law. The EPA active ("open") criminal case docket consists of cases in all stages of the legal process – from initial investigations to charged cases to convicted cases that are awaiting sentencing or are on appeal.

A criminal case with charges filed is one in which, based upon an investigation by the EPA criminal enforcement program, the U.S. Department of Justice formally files charges against one or more defendants (either a person, company or both) alleging a criminal violation of one or more of the environmental statutes and/or associated violations of the U.S. Criminal Code in U.S. District Court.

Conviction: A defendant (either a person or company) who has been previously charged with committing one or more environmental crimes is found legally "guilty" of at least one of those crimes. Legal guilt (conviction) occurs either when the defendant pleads guilty or is convicted following a trial.

For more information about EPA's Criminal Enforcement Program, visit http://www.epa.gov/compliance/criminal/ .

2. Data Definition and Source Reporting

2a. Original Data Source

As part of the investigative process, the Criminal Investigation Division (CID) special agent assigned completes an Investigation Activity Report (IAR). The IAR is the primary means used to document all investigative activity, operational activities, judicial activities, or responses to investigative tasking or leads. Investigative activities include interviews, surveillance, electronic monitoring, arrests, searches, evidence handling and disposition, and document reviews. Operational activities include undercover reports, and consensual monitoring. Judicial activities include indictments, criminal informations, criminal complaints, guilty pleas, trials, convictions, and sentencing hearings and results. Investigative tasking relates to collateral requests from CID headquarters and other offices, as well as memorializing activity conducted in furtherance of lead inquiries.

All relevant data is entered into the Criminal Case Reporting System (CCRS, **cf section 3a**), which tracks a criminal investigation from the time it is first opened through all stages of the legal process to a conclusion (e.g., when the case is indicted, when a defendant is convicted,

sentenced or acquitted).CCRS is used to create the IAR

The data used to compile the measure is based upon the legal documents filed in the U.S. District Court where the defendant is prosecuted. Charges can be dismissed after exculpatory evidence in their favor was entered into the record or the legal process can results in either a conviction or an acquittal. A conviction is also reaffirmed at the subsequent sentencing of a convicted defendant, when the judge imposes the sentence through a legal document known as the Judgment and Commitment Notice. (J&C).

2b. Source Data Collection

Source Data Collection Methods:
The measure is based upon enforcement and legal documents which memorialize the status of a criminal prosecution. As noted above, the data for the measure are formally compiled through the IARs and DOJ legal documents entered into CCRS. In addition, all public legal documents relating to a charged case, including the conviction, are also entered into and are publicly available through **Public Access to Court Electronic Records (PACER**), an electronic public access service that allows users to obtain case and docket information from federal appellate, district and bankruptcy courts

(http://www.pacer.gov/**).**

Date/Time Intervals Covered by Source Data:
Ongoing.

Geographical Extent of Source Data:
National.

2c. Source Data Reporting

The status of the case is updated as the legal process proceeds. The case agents update and enter into CCRS or submit to their superior IARs which highlight changes in the case and all subsequent stages of the criminal enforcement process (e.g., a case is dismissed or the defendants are either acquitted or convicted and sentenced)

Timing and frequency of reporting: The status of the case is updated as the legal process proceeds

3. Information Systems and Data Quality Procedures

3a. Information Systems

The Criminal Case Reporting System (CCRS) stores criminal enforcement data in an enforcement sensitive database which contains historical data on all criminal enforcement prosecutions as well as information about the pollutants involved and the impact on the public and the environment. CCRS maintains information pertaining to individuals and companies associated with the Criminal Investigation Division's criminal leads and cases, as well as other information related to the conduct of criminal investigations.

The data is used to document the progress and results of criminal investigations. The data used for all criminal enforcement performance measures are in the CCRS database.

The status of the case is updated on CCRS as the legal process proceeds. All legal documents relating to a prosecution are entered into the

system.

3b. Data Quality Procedures

The Criminal Investigations Division (CID) has a process for document control and records management and has Quality Management Plans in place. The information on defendant dismissals, convictions or acquittals that is entered into CCRS goes through several layers of review. Initial verification of the quality and accuracy of case information is the responsibility of the Special Agent-in-Charge (SAC) of the office that is managing the case. HQ responsibility for QA/QC is conducted by the System Administrator of CCRS.

3c. Data Oversight

Initial oversight, review and quality assurance at the field level is the responsibility of the Special Agent-in-Charge (SAC) and Assistant Special Agent-in-Charge (ASAC) of the criminal enforcement office managing the case. That information is further reviewed by OCEFT HQ through semi-annual case management reviews conducted by the Assistant Director of Investigations, CID**,** and quarterly reports by the System Administrator of CCRS. The System Administrator, who creates all statistical and management reports based on information in CCRS, conducts regular oversight of the data entered by the criminal enforcement field offices to ensure that all data entered into CCRS is complete and accurate.

3d. Calculation Methodology

The methodology for the criminal enforcement measure “Conviction rate for criminal defendants" employed a five year analysis (FY2006-2010) to develop the baseline and targets. The decision rules reflect the legal status of the defendants. The data files relevant to this analysis include defendant names and type (individual or company), date of charges filed and the results (convicted, acquitted, or charges dismissed) of the prosecution regarding each of the charges on which the defendant was found guilty or not guilty (either or both environmental law or general U.S. Criminal Code). A defendant is defined as having been "convicted" if he is guilty of at least one of the criminal counts of which he has been charged.

There are no "assumptions" or "quantifiers” used in calculating the measure. The measure is based upon the legal status of cases, i.e., whether the defendant has been convicted, acquitted or had the charges dismissed after exculpatory evidence in their favor was entered into the record. The measure is calculated by dividing the total number of defendants who have been convicted during the current Fiscal Year (numerator) by the total number of defendants with a legal result of their case in the current Fiscal Year (denominator). The “legal result” denominator includes all defendants whose charges were dismissed, who were acquitted or had their charges overturned on appeal following conviction.

Semiannual reporting.

Unit of analysis: Percent.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Oversight of Final Reporting: The System Administrator of the OCEFT CCRS has the responsibility for compiling and verifying the accuracy of the report on the percentage of convicted defendants. Once compiled, data goes through a second level of verification through the Assistant Director of Investigations, CID. While data is verified on an on-going basis, final verification is conducted at the end of the year.

Timing of Results Reporting:
Semiannually.

4b. Data Limitations/Qualifications

The only data limitations that result (although infrequently) occur when a defendant who has been initially convicted of one or more environmental crimes has all of his charges overturned by the U.S. Appellate Court on appeal in a subsequent fiscal year than the one in which the measure is being reported. The conviction rate for charged defendants has historically been in the 90% range, and is not materially affected by post-conviction appeals, so the low incidence of defendants having their convictions eventually overturned does not limit the suitability of the performance measure.

4c. Third-Party Audits

N/A

Record Last Updated: 02/08/2012 09:07:48 AM

Performance Data Quality Record (DQR)

NPO Name (OARM) Measure 007: Percent of GS employees (DEU) hired within 80 calendar days.

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	-

Performance Measure Term Definitions

GS employees: The General Schedule (GS) classification and pay system covers the majority of civilian white-collar Federal employees. GS classification standards, qualifications, pay structure, and related human resources policies (e.g., general staffing and pay administration policies) are administered by the U.S. Office of Personnel Management (OPM) on a Government-wide basis. Each agency classifies its GS positions and appoints and pays its GS employees filling those positions following statutory and OPM guidelines. The General Schedule has 15 grades--GS-1 (lowest) to GS-15 (highest).

DEU: This measure will track the hiring timeliness for non-federal applicants using the delegated examining recruitment process. Delegated examining authority is an authority OPM grants to agencies to fill competitive civil service jobs with applicants applying from outside the Federal workforce, Federal employees who do not have competitive service status, or Federal employees with competitive service status. Appointments made by agencies through delegated examining authority are subject to civil service laws and regulations. This is to ensure fair and open competition, recruitment from all segments of society, and selection on the basis of the applicants' competencies or knowledge, skills, and abilities (see 5 U.S.C. § 2301).

Hired within 80 calendar days:
This is the measure used to track the time to hire for all Job Opportunity Announcements (JOAs) posted on USAJobs from the time the announcement is drafted until the time of entry on duty (EOD) .

Background:

OPM's original End-to-End 80-day hiring initiative focused on the Agency's entire hiring process from the time a hiring request is initiated until the employee comes on board; the 80-day hiring initiative focused on those non-federal employees hired through the delegated examining recruitment process.

OPM's 80-day hiring model is designed to assess the time to hire federal employees where a job opportunity announcement was posted on USAJOBs.

The President's May 2010 "Hiring Reform Initiative" memo seeks agencies to improve the timeliness of "all" hiring actions and in particular hiring actions for Mission Critical Occupations and commonly-filled positions. Agency specific reporting requirements for time to hire statistics are uncertain and not yet finalized (please see

http://www.whitehouse.gov/the-press-office/presidential-memorandum-improving-federal-recruitment-and-hiring-process).

For more information, please see http://www.opm.gov/publications/EndToEnd-HiringInitiative.pdf.

2. Data Definition and Source Reporting

2a. Original Data Source

The original data source is EPA employees who request, prepare, and process SF-52s, Requests for Personnel Actions, and other documents, (e.g., staffing requisition, position description, job analysis, etc.) associated with processing hiring actions.

2b. Source Data Collection

The source data is collected from the SF-52, Request for Personnel Action, and other documents associated (e.g., staffing requisition, position description, job analysis, etc.) with processing hiring actions, as well as steps taken by staff in processing these actions. Staff in the three Human Resources Shared Service Centers use dates on the SF-52s to enter dates in the Human Resources Activities and Communication Tracking System (HRACTS). They also record information, such as vacancy announcement numbers and comments in HRACTS. Data in HRACTS is reviewed quarterly by the SSC staff to ensure completeness and accuracy. Customers serve as an additional review layer as they have access to HRACTS and can raise any inconsistencies in data entered.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system:

The servicing human resources personnel at EPA's 3 Shared Service Centers enter data into the system. Data is typically transmitted through scanning and emailing to a designated email box from the hiring decision-makers to the SSC staff. Once received, the servicing human resources personnel at EPA's 3 Shared Service Centers enter data into the system.

Timing and frequency of reporting:

The data is reported quarterly to the Office of Personnel Management. In addition, Agency-wide, Office-level, and SSC reports can be prepared on an annual, quarterly, or selected time period basis.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Office of Human Resources (OHR) HRACTS.
Office of Human Resources (OHR) Human Resources Activity Communication Tracking System (HRACTS).

EPA's Human Resources Activity and Communication Tracking System (HRACTS) is an in-house, lotus-notes based system designed to track and monitor HR workload including recruitment actions at the Agency's Shared Service Centers. HRACTS also tracks other HR workload activity including awards, reassignment, etc.; tracks EPA's status towards achieving OPM's original 80-day hiring goal for delegated examining recruitment actions and provides status reports to customers. HRACTS has multiple date fields for inputting the date for each step in the hiring process. HRACTS can track the time throughout EPA's hiring process from the time a hiring request is initiated until the employee comes on board. Upon HR office consolidation to the Shared Service Center in FY09, HRACTS was refined to be useful in tracking Agency-wide hiring timeliness, standards for data quality were developed; and types of hiring methods used (e.g. MP, DEU, etc) were incorporated.

HRACTS is continually undergoing changes and modifications to meet the constant clarification and unique needs of the 80-day end-to-end hiring model. HRACTS has been revised to meet the diverse demands for easy access by Agency-wide managers to track the status of hiring actions. HRACTS reports are being revised to provide organizations with in-depth information on the status of their pending recruitment actions in a secure and controlled environment. The system was refined to notify applicants of the status of their vacancy application throughout the hiring process and also provide managers with a link to survey their perspective of the overall hiring process. Revisions also include better reporting templates to track trends and anomalies along the hiring process timeline.

Agency-wide, Office-level, and SSC reports can be prepared on an annual, quarterly, or selected time period basis. Manager access was made available to better enable tracking of the status of their individual recruitment actions.

While HRACTS can track by the type of recruitment action (DEU, MP, etc), HRACTS is currently not capable of tracking by occupational series (e.g. Mission Critical Occupations and commonly-filled positions).

The system meets the quality control standards of lotus notes.

Additional information:
Further system enhancements may be needed to track hiring timeliness for MCOs and commonly-filled positions to meet the President's Hiring Reform Initiatives.

3b. Data Quality Procedures

SSC / OHR staff review and analyze the reports to determine trends and assess workload. SSC staff review and validate the data, identify anomalies or data-entry errors, make corrections, and provide the updated information so that the system's reports can be current and accurate. Agency managers can be provided with system access to further enhance data integrity. Questions about the data or resolution of data issues are frequently resolved through discussion and consultation with the SSC and OHR.

3c. Data Oversight

The Lotus Notes Manager of the Information Resources Management Division is responsible for overseeing the source data reporting and making changes/modifications to the system to further improve tracking and reporting; run reports; train authorized staff on the use of the system, and makes enhancements to the system to meet time to hire goals.

3d. Calculation Methodology

Data is entered to track all hires where a JOA was posted on USAJOBs. The system tracks each step of the hiring process. The steps included in the metrics are: SSC drafts/posts JOA; JOA open period; SSC prepares certificates; customer has certificates (interview/selection process; SSC makes tentative offer; conduct background check; make formal job offer; selectee enters on duty. We were instructed to track the Senior Executive Service (SES) hiring process as well, although these are two very different hiring processes.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Reporting Oversight Personnel is the HR Director. Responsibilities include monitoring progress against milestones and measures; work with OPM and HR community to achieve timelines and targets for correcting agency hiring by reducing substantially the time to hire for Mission Critical Occupations (MCOs) and commonly filled positions; measuring/improving the quality and speed of the hiring process, and analyzing the causes of agency hiring problems and establishing timelines/targets for reducing them. Time to hire information is

reported on a quarterly basis.

4b. Data Limitations/Qualifications

HRACTS is not integrated with the Agency's People Plus System, the Agency's official personnel system, therefore, discrepancies may arise such as the total number of hires. While HRACTS can track by the type of recruitment action (DEU, MP, etc.), HRACTS is currently not capable of tracking by occupational series (e.g., Mission Critical Occupations and commonly-filled positions.)

4c. Third-Party Audits

EPA OIG released a report on OARM's revised hiring process, including timing and technological capability, in 2010. Please see http://www.epa.gov/oig/reports/2010/20100809-10-P-0177.pdf.

OPM conducted a review of EPA's hiring process. Please see http://www.opm.gov/hiringtoolkit/docs/EPAcasestudy.pdf.

Record Last Updated: 02/08/2012 09:06:43 AM

Performance Data Quality Record (DQR)

NPO Name (OARM) Measure 008: Percent of GS employees (all hires) hired within 80 calendar days

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	-

Performance Measure Term Definitions

GS employees: The General Schedule (GS) classification and pay system covers the majority of civilian white-collar Federal employees. GS classification standards, qualifications, pay structure, and related human resources policies (e.g., general staffing and pay administration policies) are administered by the U.S. Office of Personnel Management (OPM) on a Government-wide basis. Each agency classifies its GS positions and appoints and pays its GS employees filling those positions following statutory and OPM guidelines. The General Schedule has 15 grades--GS-1 (lowest) to GS-15 (highest).

Other than DEU:
This measure will track the hiring timeliness for all hires not using the delegated examining recruitment process. Delegated examining authority is an authority OPM grants to agencies to fill competitive civil service jobs with applicants applying from outside the Federal workforce, Federal employees who do not have competitive service status, or Federal employees with competitive service status. Appointments made by agencies through delegated examining authority are subject to civil service laws and regulations. This is to ensure fair and open competition, recruitment from all segments of society, and selection on the basis of the applicants' competencies or knowledge, skills, and abilities (see 5 U.S.C. § 2301).

Hired within 80 calendar days:
This is the measure used to track the time to hire for all Job Opportunity Announcements (JOAs) posted on USAJobs from the time the announcement is drafted until the time of entry on duty (EOD) .

Background:

OPM's original End-to-End 80-day hiring initiative focused on the Agency's entire hiring process from the time a hiring request is initiated until the employee comes on board; the 80-day hiring initiative focused on those non-federal employees hired through the delegated examining recruitment process.

OPM's 80-day hiring model is designed to assess the time to hire federal employees where a job opportunity announcement was posted on USAJOBs.

The President's May 2010 "Hiring Reform Initiative" memo seeks agencies to improve the timeliness of "all" hiring actions and in particular hiring actions for Mission Critical Occupations and commonly-filled positions. Agency specific reporting requirements for time to hire statistics are uncertain and not yet finalized (please see

http://www.whitehouse.gov/the-press-office/presidential-memorandum-improving-federal-recruitment-and-hiring-process).

For more information, please see http://www.opm.gov/publications/EndToEnd-HiringInitiative.pdf.

2. Data Definition and Source Reporting

2a. Original Data Source

The original data source is EPA employees who request, prepare, and process SF-52s, Requests for Personnel Actions, and other documents, (e.g., staffing requisition, position description, job analysis, etc.) associated with processing hiring actions.

2b. Source Data Collection

The source data is collected from the SF-52, Request for Personnel Action, and other documents associated (e.g., staffing requisition, position description, job analysis, etc.) with processing hiring actions, as well as steps taken by staff in processing these actions. Staff in the three Human Resources Shared Service Centers use dates on the SF-52s to enter dates in the Human Resources Activities and Communication Tracking System (HRACTS). They also record information, such as vacancy announcement numbers and comments in HRACTS. Data in HRACTS is reviewed quarterly by the SSC staff to ensure completeness and accuracy. Customers serve as an additional review layer as they have access to HRACTS and can raise any inconsistencies in data entered.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system:

The servicing human resources personnel at EPA's 3 Shared Service Centers enter data into the system. Data is typically transmitted through scanning and emailing to a designated email box from the hiring decision-makers to the SSC staff. Once received, the servicing human resources personnel at EPA's 3 Shared Service Centers enter data into the system.

Timing and frequency of reporting:

The data is reported quarterly to the Office of Personnel Management. In addition, Agency-wide, Office-level, and SSC reports can be prepared on an annual, quarterly, or selected time period basis.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Office of Human Resources (OHR) HRACTS.
Office of Human Resources (OHR) Human Resources Activity Communication Tracking System (HRACTS).

EPA's Human Resources Activity and Communication Tracking System (HRACTS) is an in-house, lotus-notes based system designed to track and monitor HR workload including recruitment actions at the Agency's Shared Service Centers. HRACTS also tracks other HR workload activity including awards, reassignment, etc.; tracks EPA's status towards achieving OPM's original 80-day hiring goal for delegated examining recruitment actions and provides status reports to customers. HRACTS has multiple date fields for inputting the date for each step in the hiring process. HRACTS can track the time throughout EPA's hiring process from the time a hiring request is initiated until the employee comes on board. Upon HR office consolidation to the Shared Service Center in FY09, HRACTS was refined to be useful in tracking Agency-wide hiring timeliness, standards for data quality were developed; and types of hiring methods used (e.g. MP, DEU, etc) were incorporated.

HRACTS is continually undergoing changes and modifications to meet the constant clarification and unique needs of the 80-day end-to-end

hiring model. HRACTS has been revised to meet the diverse demands for easy access by Agency-wide managers to track the status of hiring actions. HRACTS reports are being revised to provide organizations with in-depth information on the status of their pending recruitment actions in a secure and controlled environment. The system was refined to notify applicants of the status of their vacancy application throughout the hiring process and also provide managers with a link to survey their perspective of the overall hiring process. Revisions also include better reporting templates to track trends and anomalies along the hiring process timeline.

Agency-wide, Office-level, and SSC reports can be prepared on an annual, quarterly, or selected time period basis. Manager access was made available to better enable tracking of the status of their individual recruitment actions.

While HRACTS can track by the type of recruitment action (DEU, MP, etc), HRACTS is currently not capable of tracking by occupational series (e.g. Mission Critical Occupations and commonly-filled positions).

The system meets the quality control standards of Lotus Notes.

Additional information:
Further system enhancements may be needed to track hiring timeliness for MCOs and commonly-filled positions to meet the President's Hiring Reform Initiatives.

3b. Data Quality Procedures

SSC / OHR staff review and analyze the reports to determine trends and assess workload. SSC staff review and validate the data, identify anomalies or data-entry errors, make corrections, and provide the updated information so that the system's reports can be current and accurate. Agency managers can be provided with system access to further enhance data integrity. Questions about the data or resolution of data issues are frequently resolved through discussion and consultation with the SSC and OHR.

3c. Data Oversight

The Lotus Notes Manager of the Information Resources Management Division is responsible for overseeing the source data reporting and making changes/modifications to the system to further improve tracking and reporting; run reports; train authorized staff on the use of the system, and makes enhancements to the system to meet time to hire goals.

3d. Calculation Methodology

Data is entered to track all hires where a JOA was posted on USAJOBs. The system tracks each step of the hiring process. The steps included in the metrics are: SSC drafts/posts JOA; JOA open period; SSC prepares certificates; customer has certificates (interview/selection process; SSC makes tentative offer; conduct background check; make formal job offer; selectee enters on duty. We were instructed to track the Senior Executive Service (SES) hiring process as well, although these are two very different hiring processes.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Reporting Oversight Personnel is the HR Director. Responsibilities include monitoring progress against milestones and measures; work with OPM and HR community to achieve timelines and targets for correcting agency hiring by reducing substantially the time to hire for Mission Critical Occupations (MCOs) and commonly filled positions; measuring/improving the quality and speed of the hiring process, and analyzing the causes of agency hiring problems and establishing timelines/targets for reducing them. Time to hire information is reported on a quarterly basis.

4b. Data Limitations/Qualifications

HRACTS is not integrated with the Agency's People Plus System, the Agency's official personnel system, therefore, discrepancies may arise such as the total number of hires. While HRACTS can track by the type of recruitment action (DEU, MP, etc.), HRACTS is currently not capable of tracking by occupational series (e.g., Mission Critical Occupations and commonly-filled positions.)

4c. Third-Party Audits

EPA OIG released a report on OARM's revised hiring process, including timing and technological capability, in 2010. Please see http://www.epa.gov/oig/reports/2010/20100809-10-P-0177.pdf.

OPM conducted a review of EPA's hiring process. Please see http://www.opm.gov/hiringtoolkit/docs/EPAcasestudy.pdf.

Record Last Updated: 02/08/2012 09:06:44 AM

Performance Data Quality Record (DQR)

NPO Name (OARM) Measure 009: Increase in number and percentage of certified acquisition staff (1102)

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	-

Performance Measure Term Definitions

Certified acquisition staff (1102): The GS-1102 series includes positions that manage, supervise, perform, or develop policies and procedures for professional work involving the procurement of supplies, services, construction, or research and development using formal advertising or negotiation procedures; the evaluation of contract price proposals; and the administration or termination and close out of contracts. The work requires knowledge of the legislation, regulations, and methods used in contracting; and knowledge of business and industry practices, sources of supply, cost factors, and requirements characteristics. The purpose of the Federal Acquisition Certification in Contracting (FAC-C) program is to establish core requirements for education, training, and experience for contracting professionals in civilian agencies. The federal certification in contracting is not mandatory for all GS-1102s; however, members of the workforce issued new Contracting Officer (CO) warrants on or after January 1, 2007, regardless of GS series, must be certified at an appropriate level to support their warrant obligations, pursuant to agency policy.

Background:

It is essential that the Federal Government have the capacity to carry out robust and thorough management and oversight of its contracts in order to achieve programmatic goals, avoid significant overcharges, and curb wasteful spending. A GAO study last year of 95 major defense acquisitions projects found cost overruns of 26 percent, totaling $295 billion over the life of the projects. Improved contract oversight could reduce such sums significantly.

Executive Agencies were requested to propose plans to increase the Acquisition Workforce by 5%. OMB provided tools to the Agencies to determine what the appropriate size would be for the acquisition workforce which is how EPA determined that we need 351 1102s by FY2014. We proposed adding new contracting personnel annually, in even increments, through 2014 in order to reach this goal. Since EPA is always working on certifying our contracting personnel, the target certification levels for FY2012 include certifying the personnel that EPA is bringing onboard to satisfy the increase in the acquisition workforce and certifying those already at EPA. Since EPA's proposed plan included bringing on mid- and senior-level 1102s, it is expected that many will already be certified.

Certification and warranting procedures are initiated by the individual seeking the certification/warrant. There may be eligible individuals already in the acquisition workforce who have not yet applied for certification that EPA is unable to track.

For more information, please see:

Presidential Memorandum for the Heads of Executive Departments and Agencies – Subject: Government Contracting, http://www.whitehouse.gov/the_press_office/Memorandum-for-the-Heads-of-Executive-Departments-and-Agencies-Subject-Government/,

March 4, 2009

October 27, 2009 OMB Memorandum for Chief Acquisition Officers, Senior Procurement Executives, Chief Financial Officers, Chief Human Capital Officers – Subject: Acquisition Workforce Development Strategic Plan for Civilian Agencies – FY 2010 – 2014.
http://www.whitehouse.gov/sites/default/files/omb/assets/procurement_workforce/AWF_Plan_10272009.pdf
The link is correct as it applies to the Acquisition Workforce Strategic Plan for Civilian Agencies-FY 2010- 2014 relative to increasing the by 5% as stated in the Background summary for EPA.

2. Data Definition and Source Reporting

2a. Original Data Source

The Agency Acquisition Career Manager (ACM) reviews and approves the final completed package for an applicant's certification. The EPA has a Certification and Warrant Database that is used as the tool for approval and tracking the number of FAC-C and warrants issued in the Agency. This data is reported as the total assigned number of EPA 1102s assigned and the percentage of the total 1102 staff the certified. The baseline is 324 assigned 1102s in FY 09 with 70% of the total 1102s assigned in FY 09 certified.

2b. Source Data Collection

Source Data Collection Methods:

Before an individual is certified, there are three levels of review and approval of documentation proving certification eligibility. An initial review is performed on every individual's documentation for certification by an EPA Policy Analyst that specializes in FAC-C certification eligibility. The Analyst aids the applicant in preparing a complete package to be reviewed for approval. Once the package is completed, it is provided to the Policy Analyst's Team Leader for review and approval. Once it is determined that the package is ready for final review by the Agency Acquisition Career Manager (ACM) the final completed package is sent forward for review and approval. Once approved, FAC-C level I, II, or III is granted based on the information provided and applied for. The FAC-C certification allows for a warrant to be applied for and issued.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system:

The data in the "Federal Acquisition Certification, Warrants, and BPAs" database is reviewed and inputted by EPA Procurement Analysts who are trained to verify documents submitted by employees for Federal Acquisition Certification in Contracting (FAC-C) certification and approval. The individual uploads his or her documents for review and approval into the email the FAC-C mailbox where the EPA Procurement Analyst can review the uploaded documentation to support the education, experience and training requirements for FAC-C certification. Once this review is completed the Procurement Analyst releases the file to the supervisor of record for approval/disapproval. After the supervisor's approval/disapproval, the system notifies the ACM that the file is ready for review and approval/disapproval. After the ACM approves the application, the FAC-C certificate is then ready for printing and signature by the ACM.

Timing and frequency of reporting:

Once the individual uploads all the documents in their application request for certification, there are system notifications generated that flow in the review and approval to the Procurement Analyst, Supervisor, and ACM. After the FAC-C Level I, II, or III certificate is signed by the ACM, it is scanned and emailed to the applicant in advance of receiving the original in the mail. The 1102 certification data is reported annually consistent with the OMB, OFPP reporting guidance for the Annual Acquisition Human Plan (AHCP).

3. Information Systems and Data Quality Procedures

3a. Information Systems

The information for tracking the certification targets is currently maintained in the EPA's "Federal Acquisition Certification, Warrants, and BPAs" database.
The EPA's "Federal Acquisition Certification, Warrants, and BPAs" database Warrants/Certifications is a Lotus Notes Database which contains scanned copies of EPA Warrants. For reporting purposes, information is pulled manually from the scanned Warrant and placed on each record. This information includes Warrant Number, Level, Type, Authority (name and title), Issue Date, Limitation, Start Date, AAShip and Division. Access is closely kept; each record can only be accessed by the FAC/C and warrant holder, the supervisor, and such administrative officers as are listed in the configuration. Contents are reviewed and updated twice yearly by a designated PTOD POC.

As Warrants are added or cancelled, a group of specialists in OCFO and ITSC are notified so as to keep records up to date in other systems. Updates to other systems are manual. The source data exists on the paper documents. There is no transformation i.e., aggregated, modeled, normalized, etc.).

EXAMPLES of system integrity standards include the System Life Cycle Management Policy and the IT security policy. This is a stand-alone reporting system built on the EPA approved Lotus Notes platform. It is in the Operations and Maintenance portion of the System Life Cycle Management. It rests on secured, internal EPA server and does not replicate. Proper access is applied to each document. All reporting is done in the Notes Client in canned reporting views. There is no web access.

3b. Data Quality Procedures

This is not public data viewable outside of EPA information system. The data in the "Federal Acquisition Certification, Warrants, and BPAs" database is reviewed and inputted by EPA Procurement Analysts who are trained to verify documents submitted by employees for Federal Acquisition Certification in Contracting (FAC-C) certification and approval. Once this review is completed the Procurement Analyst releases the file to the supervisor of record for approval/disapproval. After the supervisor's approval/disapproval, the system notifies the ACM that the file is ready for review and approval/disapproval. After the ACM approves the application, the FAC-C certificate is then ready for printing and signature by the ACM.

3c. Data Oversight

Source Data Reporting Oversight Personnel: The Agency Senior Procurement Executive (SPE) oversees the final reporting of 1102 certification data consistent with the OMB, OFPP reporting guidance in the Annual Acquisition Human Plan (AHCP). The Agency Acquisition Career Manager (ACM) is responsible for data research, data collection, data validation, and preparation of the Annual AHCP.

Information system Oversight Personnel: The Senior Procurement Executive (SPE) of the Environmental Protection Agency (EPA) is responsible for establishing an effective acquisition management system which ensures that quality goods and services are obtained at reasonable prices, in a timely fashion, and in accordance with the statutory and regulatory requirements and the programmatic needs of the agency. The Agency Senior Procurement Executive (SPE) oversees the final reporting of 1102 certification data consistent with the OMB, OFPP reporting guidance in the Annual Acquisition Human Plan (AHCP). As warrants are added or cancelled in the EPA "Federal Acquisition Certification, Warrants, and BPAs" database, a group of specialists in OCFO and ITSC are notified so as to keep records up to date in other systems. As warrants are added or cancelled, a group of specialists in OCFO and ITSC are notified so as to keep records up to date in other systems.

3d. Calculation Methodology

This data is reported as the total assigned number of EPA 1102s assigned and the percentage of the total 1102 staff the certified. The baseline is 324 assigned 1102s in FY 09 with 70% of the total 1102s assigned in FY 09 certified. The projected target for 2012 for total assigned 1102s is 335 with a projected 80% of the total assigned staff certified. EPA is continually working on certifying our 1102

acquisition workforce; however, the estimates proposed targets rely upon receiving the additional FTEs for the acquisition workforce.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Agency Senior Procurement Executive (SPE) oversees the final reporting of 1102 certification data consistent with the OMB, OFPP reporting guidance in the Annual Acquisition Human Plan (AHCP).

4b. Data Limitations/Qualifications

An error estimate has not been calculated for this measure. The EPA has a Certification and Warrant Database that is used as the tool for approval and tracking the number of FAC-C and warrants issued in the Agency. The database is a stand-alone reporting system built on the EPA approved Lotus Notes platform. It is in the Operations and Maintenance portion of the System Life Cycle Management. It rests on secured, internal EPA server and does not replicate. Proper access is applied to each document. All reporting is done in the Notes Client in canned reporting views. There is no web access. The source data exist on paper documents. There is no transformation of data (i.e., aggregated, modeled, normalized, etc.).

4c. Third-Party Audits

There are no independent third party audits of the data flow for this performance measure at this time. However, future audits could be conducted by relevant OIG, GAO, and OMB.

As an internal management control tool, the Senior Procurement Executive (SPE) has established the Balanced Scorecard Performance Measurement and Performance Management Program (Balanced Scorecard- BSC). The purpose of the BSC program establishes an Acquisition System Performance Management Plan framework under which the Office of Acquisition Management (OAM) may ensure that business systems adhere to EPA's mission and vision, and strategy statements follow best business management practices, and comply with applicable statutes, regulations, and contract terms and conditions. Through the utilization of the Balance Scorecard framework, OAM will be able to identify opportunities to strengthen the EPA's Acquisition Workforce Strategic Human Capital Plan, thus allowing EPA to purse all available authorities and strategies to ensure that the Agency appropriate resources and the best qualified staff to provide mission support. The BSC program operates with performance measures, self-assessment, and peer review/oversight components.

Performance Data Quality Record (DQR)

NPO Name (OARM) Measure 010: Cumulative percentage reduction in GreenHouse Gas (GHG) Scopes 1 & 2 emissions.

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	-

Performance Measure Term Definitions

GreenHouse Gas (GHG) Scope 1 emissions: Scope 1 GHG emissions are emissions associated with fossil fuel burned at EPA facilities or in EPA vehicles and equipment. Sources of Scope 1 GHG emissions include fuel oil and natural gas burned in boilers, gasoline used in vehicles, and diesel fuel used in emergency generators.

GreenHouse Gas (GHG) Scope 2 emissions: Scope 2 GHG emissions are emissions associated with indirect sources of energy such as electricity, chilled water, or purchased steam. For example, the GHG emissions from the coal and natural gas used to generate the electricity supplied to EPA facilities are considered EPA Scope 2 GHG emissions.

Note: This measure reports cumulative percentage reduction in Scope 1 and 2 emissions aggregately.

EPA's 34 reporting facilities: The EPA facilities at which the Agency controls building operations, pays utility bills directly to the utility company, and reports annual energy and water consumption data to the U.S. Department of Energy in order to demonstrate compliance with federal energy and water reduction requirements.

1) Research Triangle Park, NC New Main
2) Research Triangle Park, NC RTF
3) Research Triangle Park, NC National Computer Center
4) Research Triangle Park, NC Incinerator
5) Research Triangle Park, NC Child Care Center
6) Research Triangle Park, NC Page Road
7) Chapel Hill, NC
8) Cincinnati – AWBERC, OH
9) Cincinnati- T and E, OH
10) Cincinnati- Center Hill, OH
11) Cincinnati – Child Care
12) Cincinnati – PUBS, OH
13) Ann Arbor, MI
14) Fort Meade, MD
15) Edison, NJ

16) Edison – REAC, NJ
17) Duluth, MN
18) Las Vegas, NV
19) Narragansett, RI
20) Richmond, CA
21) Corvallis-Main, OR
22) Corvallis-WRS, OR
23) Houston, TX
24) Athens-ORD, GA
25) Athens SESD, GA
26) Manchester, WA
27) Kansas City STC, KS
28) Golden, CO
29) Chelmsford, MA
30) Gulf Breeze, FL
31) Newport, OR
32) Ada, OK
33) Montgomery, AL
34) Grosse Ile, MI

FY 2008 baseline: 140,911 metric tons of carbon dioxide equivalent ($MTCO_2e$). A breakdown of this baseline is available at http://www.epa.gov/oaintrnt/documents/epa_ghg_targets_letter_omb.pdf.

Background: This measure tracks EPA's performance in meeting Executive Order 13514 (Federal Leadership in Environmental, Energy, and Economic Performance) and demonstrating leadership in GHG emissions reductions. For more information on Executive Order 13514, please see http://www.epa.gov/oaintrnt/practices/eo13514.htm. More information on EPA's GHG reduction goals and strategies is available at http://www.epa.gov/oaintrnt/ghg/strategies.htm, and EPA's letter informing OMB of the Agency's Scope 1 and 2 GHG emissions reduction goal is available at http://www.epa.gov/oaintrnt/documents/epa_ghg_targets_letter_omb.pdf. An OIG evaluation of EPA's progress in meeting its GHG reduction goals is available at http://www.epa.gov/oig/reports/2011/20110412-11-P-0209.pdf.

2. Data Definition and Source Reporting

2a. Original Data Source

EPA Contractor

2b. Source Data Collection

Source Data Collection Methods:

Scope 1 emissions. See section on Energy Consumption Goal for detail on Enegy and Water Data collection. For other foundation information needed for GHG emissions calculations, EPA relies primarily on federal wide data systems to collect other information necessary to collect foundation data for GHG Scope 1 and 2 emissions. These data systems are used by all federal agencies, with some minor exceptions. For example, EPA utilizes GSA's FAS system to gather fleet fuel use; however EPA keeps a separate parallel system to ensure data quality.

Scope 2 emissions. See section on Energy Consumption Goal for detail on Enegy and Water Data collection.

EPA uses the DOE data portal to convert foundation information into GHG emissions equivalents.

Date/Time Intervals Covered by Source Data:
Quarterly; FY2008 to present
While EPA collects energy and water use data quarterly, use of the DOE Data Portal to calculate GHG Scope 1 and 2 emissions is done once each Fiscal Year.

EPA QA Requirements/Guidance Governing Collection:
The contractor is responsible for reviewing and quality assuring/quality checking (QA/QCing) the data. Specifically, the contractor performs an exhaustive review of all invoices and fuel logs to verify that reported consumption and cost data are correct. Once the energy data is reviewed and verified, the contractor will review and verify the GHG equivalents data ensuring they are using the current translation factors.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system:

EPA has abandoned its earlier system of GHG emissions calculations and relies primarily on the DOE Data Portal to calculate its GHG emissions. EPA merely reports out the DOE generated data as it's performance metrics.

Scope 1 emissions. See section on Energy Consumption Goal for detail on Enegy and Water Data collection
Scope 2 emissions. See section on Energy Consumption Goal for detail on Enegy and Water Data collection.

For other foundation information needed for GHG emissions calculations, EPA relies primarily on federal wide data systems to collect other information necessary to collect foundation data for GHG Scope 1 and 2 emissions. These data systems are used by all federal agencies, with some minor exceptions. For example, EPAUtilizes GSA's FAS system to gather fleet fuel use; however EPA keeps a separate parallel system to ensure data quality.

Timing and frequency of reporting:
The contractor provides GHG production information to the Agency quarterly and annually.

3. Information Systems and Data Quality Procedures

3a. Information Systems

Energy and Water Database.

The Energy and Water Database is a collection of numerous spreadsheets that track energy consumption and GHG production data supplied by the Agency's contractor.

Beginning on January 31, 2011 and annually thereafter, EPA contractors enter basic energy use and green power purchase information into a new Department of Energy Data Portal. This portal takes the energy use data and green power purchase information for each federal agency, for the previous fiscal year, and calculates Scope 1 and 2 GHG emissions.

3b. Data Quality Procedures

EPA's Sustainable Facilities Practices Branch compares reported and verified energy use at each reporting facility against previous years' verified data to see if there are any significant and unexplainable increases or decreases in energy consumption and costs.

3c. Data Oversight

The Chief, Sustainable Facilities Practices Branch, is responsible for overseeing the data entry into the DOE Data Portal. This position manages EPA's energy conservation program, including forecasting, project development, data reporting, and EPA's GHG inventory.

Source Data Reporting Oversight Personnel:

Detailed Standard Operating Procedures have been developed, that includes specific requirements for quality control of energy data collection and reporting, covering areas such as data verification, data entry, and other steps in the energy data reporting process

Information Systems Oversight Personnel:

While EPA is still developing experience with advanced metering systems, it has procedures in place to insure data accuracy. These include running manual data collection and advanced metering data collection in parallel, typically for at least one year, to confirm accuracy of advanced metered data. We also compare current period information with historic information to identify any variances.

Agency feedback to DOE serves as a QA/QC mechanism for formula and conversion factor changes in the DOE Data Portal system..

3d. Calculation Methodology

Timeframe: Cumulative from FY2008 to end of most recent fiscal year

The Department of Energy, EPA, and GSA in cooperation with CEQ and OMB developed Greenhouse Gas Accounting Guidance for federal government GHG reporting in 2010. DOE developed a data portal for federal GHG reporting in the same year. This Data Portal receives foundation data (i.e. energy use) and converts the data into GHG emissions for each federal agency. In January 2011, EPA entered the various energy, water, transportation, travel, and commuting data for FY 2008 and FY 2010 into the DOE Data Portal. While some calculations or conversion factors change periodically in the Data Portal, each change is vetted by federal government working groups, DOE, CEQ and OMB. EPA is currently in the process of uploading FY 2011 foundation data into the DOE Data Portal, and will complete this by no later than January 31, 2012.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Chief, Sustainable Facilities Practices Branch, is responsible for overseeing the data entry into the DOE Data Portal. This position manages EPA's energy conservation program, including forecasting, project development, data reporting, and EPA's GHG inventory.

4b. Data Limitations/Qualifications

EPA does not currently have a formal meter verification program to ensure that an on-site utility meter reading corresponds to the charges included in the utility bill. However, as EPA implements the advance metering requirements of the Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007, which is currently underway, EPA will move to annual calibration of advanced meters.

4c. Third-Party Audits

Currently, EPA relies on DOE to maintain the appropriate conversion formulas to calculate GHG emissions.

Record Last Updated: 02/08/2012 09:06:43 AM

Performance Data Quality Record (DQR)

NPO Name (OARM) Measure 098: Cumulative percentage reduction in energy consumption.

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	-

Performance Measure Term Definitions

Energy consumption:
Per guidance issued by DOE and CEQ on the implementation of the Energy Policy Act of 2005, Energy Independence Act of 2007, and EO 13514, energy consumption is defined as the electricity, natural gas, steam, high temperature hot water, chilled water, fuel oil, propane, and other energy used in EPA occupied facilities where EPA pays directly for utilities. This group of "reporting facilities" consists of EPA laboratories – either owned by EPA, leased by EPA. or leased by GSA for EPA. This definition of energy consumption matches that used by all federal agencies in implementing the above referenced legislation and EO. Energy consumption reductions are measured using a BTUs/Gross Square Foot/Year metric that is described in the above referenced guidance and used by all federal agencies.

EPA's 34 reporting facilities: The EPA facilities at which the Agency controls building operations, pays utility bills directly to the utility company, and reports annual energy and water consumption data to the U.S. Department of Energy in order to demonstrate compliance with federal energy and water reduction requirements.

FY2003 baseline:
EPA's energy consumption baseline for FY 2003 is 388,190 BTUs/GSF/Year.

Background:
Per statute and EO, EPA must reduce energy use at its "reporting" facilities by 3% annually, for a cumulative reduction of 30% by FY 2015, from a FY 2003 baseline. EPA must reduce its energy use 18% below its FY 2003 baseline by the end of FY 2011, 21% by the end of FY 2012, and 24% by FY 2013. EPA's energy cumulative energy reduction was 18.1% in FY 2011.

2. Data Definition and Source Reporting

2a. Original Data Source

EPA Contractor

2b. Source Data Collection

Source Data Collection Methods:
The Agency's contractor requests and collects quarterly energy and water reporting forms, utility invoices, and fuel consumption logs from

energy reporters at each of EPA's "reporting" facilities. The reported data are based on metered readings from the laboratory's utility bills for certain utilities (natural gas, electricity, purchased steam, chilled water, high temperature hot water, and potable water) and from on-site consumption logs for other utilities (propane and fuel oil). In instances when data are missing and cannot be retrieved, reported data are based on a proxy or historical average. It is relatively rare for EPA to use proxy data, and even more rare for EPA to use proxy data over a significant period of time. In the relatively few cases where a meter breaks, or an advanced metering system loses data, EPA develops proxy data to substitute for the missing data. For example, if a week's worth of data is missing from a particular meter, an average of the previous week's data and the following week's data is used. These adjustments are similar to those used in the private sector and in most Advanced Metering software systems, which typically flag duplicate data or missing data, and use comparable operating period data to fill in any gaps. Again, the use of proxy data is rare, and would alter EPA's reported energy use by +/- 0.25% at most on an annual basis.

Date/Time Intervals Covered by Source Data:
Quarterly; FY2003 to present

EPA QA Requirements/Guidance Governing Collection:
The contractor is responsible for reviewing and quality assuring/quality checking (QA/QCing) the data. Specifically, the contractor performs an exhaustive review of all invoices and fuel logs to verify that reported consumption and cost data are correct. Once the energy data is reviewed and verified, the contractor will review and verify the GHG equivalents data ensuring they are using the current translation factors.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system:

EPA currently relies on a paper based system to collect and report out energy data. A contractor receives hard or PDF copies of all utility bills from reporting locations, assimilates and reports out the data in predetermined quarterly and annual data reports. The standard operating procedures for Energy Reporting include multiple QA/QC practices at each step of the data collection and analysis process.

EPA's contractors use DOE provided conversion factors to convert native fuel units into BTU equivalents. These conversion factors are used by all federal agencies in their mandatory energy reporting. Shortly EPA expects to switch a significant portion of its energy reporting to an advanced metering system (approximately 74% of energy use), but will run the current paper based system for at least a year to ensure quality and continuity of energy data.

Timing and frequency of reporting:
EPA collects and distributes energy data on a quarterly basis. .

3. Information Systems and Data Quality Procedures

3a. Information Systems

Energy and Water Database.

The Energy and Water Database is a collection of numerous spreadsheets that track energy consumption and GHG production data supplied by the Agency's contractor.

In addition, beginning on January 31, 2011 and annually thereafter, EPA must enter this data into a Department of Energy Data Portal.

This portal gathers energy use data for each federal agency, for the previous fiscal year.

3b. Data Quality Procedures

EPA's Sustainable Facilities Practices Branch compares reported and verified energy use at each reporting facility against previous years' verified data to see if there are any significant and unexplainable increases or decreases in energy consumption and costs.

3c. Data Oversight

The Chief, Sustainable Facilities Practices Branch, is responsible for overseeing the energy and water data collection system. This position manages EPA's energy conservation program, including forecasting, project development, and data reporting.

Source Data Reporting Oversight Personnel:

Detailed Standard Operating Procedures have been developed, that includes specific requirements for quality control of energy data collection and reporting, covering areas such as data verification, data entry, and other steps in the energy data reporting process.

Information Systems Oversight Personnel:

While EPA is still developing experience with advanced metering systems, it has procedures in place to insure data accuracy. These include running manual data collection and advanced metering data collection in parallel, typically for at least one year, to confirm accuracy of advanced metered data. We also compare current period information with historic information to identify any variances.

3d. Calculation Methodology

Timeframe:

Cumulative from FY2003 to end of most recent fiscal year

Generally, any change in energy data reporting procedures involves running the previous method in parallel with the new methof for at least a year, prior to standardizing a new methodology. For example, when our Research Triangle Park, North Carolina laboratory installed an advanced metering system, we ran the old and the new data streams for two years in ensure accuracy/continuity of data.

See attached Standard Operating Procedures.

EPA Energy Database SOP 1st Q FY 2012.pdf

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The Chief, Sustainable Facilities Practices Branch, is responsible for overseeing the energy and water data collection system. This position manages EPA's energy conservation program, including forecasting, project development, and data reporting. EPA reports energy data internally to facility managers and staff involved in energy management, and annually to DOE and CEQ.

4b. Data Limitations/Qualifications

EPA does not currently have a formal meter verification program to ensure that an on-site utility meter reading corresponds to the charges included in the utility bill. However, as EPA implements the advance metering requirements of the Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007, which is currently underway, EPA will move to annual calibration of advanced meters.

4c. Third-Party Audits

EPA reports energy data internally to facility managers and staff involved in energy management, and annually to DOE and CEQ.

Record Last Updated: 02/08/2012 09:06:37 AM

Performance Data Quality Record (DQR)

NPO Name (OEI) Measure 998: EPA's TRI program will work with partners to conduct data quality checks to enhance accuracy and reliability of environmental data.

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	Office of Information Analysis and Access

Performance Measure Term Definitions

TRI Program: Number of Data Quality Checks - the Regions and HQ will identify possible data quality issues and follow up with approximately 500 facilities annually to ensure accuracy of TRI data on HQ-generated lists of facilities.

2. Data Definition and Source Reporting

2a. Original Data Source

EPA receives this data from companies or entities required to report annually under EPCRA (see 2b.) The data quality checks are performed by EPA HQ and regional offices on the facility data submitted.

2b. Source Data Collection

All covered facilities are required to annually submit toxic chemical release and other waste management quantities and facility-specific information for the previous calendar year on or before July 1 to EPA and the States if reporting threshold requirements [40 CFR Part 372] are exceeded. EPA makes the collected data available to the public through EPA's TRI National Analysis and various online tools (e.g., Envirofacts TRI Explorer, TRI.NET, and my RTK.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA's system: More than 97 percent of covered facilities use EPA's web-based electronic reporting tool - TRI-MEweb - to report their releases and other waste management information on the TRI program. Timing and frequency of reporting: covered facilities are required to submit release and waste management information for previous calendar year on or before July 1 if they meet reporting requirements.

3. Information Systems and Data Quality Procedures

3a. Information Systems

TRI-MEweb and TRIPS databases

3b. Data Quality Procedures

• EPA provides guidance documents (general, chemical-specific and sector-specific), training modules and TRI hotline assistance.

• EPA performs multiple quality control and quality assurance checks during reporting (TRI-MEweb DQ checks) and at the end of the reporting period (in-house DQ checks). Here are few examples:

• Facilities that reported large changes in release, disposal or waste management practices on sector-level for certain chemicals (e.g., PBT chemicals);

• Facilities that submit invalid Chemical Abstract Service (CAS) numbers that do not match the chemical name;

• Facilities that report invalid North American Industry Classification System (NAICs) codes;

• Facilities that report invalid/incorrect RCRA facility IDs when they send wastes to offsite locations for management;

• Facilities that did not report for the current reporting year but reported for the previous reporting year; and

• Facilities that reported incorrect quantities on Form R Schedule 1 for dioxin and dioxin-like compounds;

The TRI Program generates a list of facilities with potential data quality issues and sends the list to the 10 TRI Regional coordinators. The TRI Program HQ staff and Regional coordinators contact the facilities and discuss data quality issues. The facilities may revise their reports where errors are identified. Certain facilities may be referred to enforcement for further examination. For each annual TRI collection received on or before July 1, headquarters and regional personnel will identify potential data quality issues and work with the Regions to contact facility reporters and resolve the issues during the following fall and spring.

3c. Data Oversight

EPA performs several data quality analyses to support the TRI National Analysis. For this measure, the Regions and the HQ staff annually identify potential data quality issues and contact approximately 500 facilities for follow up.

3d. Calculation Methodology

Unit of Analysis: Number of facilities contacted

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

For TRI reports (due to EPA and the states annually on July 1), the TRI program will identify potential data quality issues and work with the Regions to contact facility reporters and resolve the issues during the following fall and spring.

4b. Data Limitations/Qualifications

Over 97% of all TRI reporting facilities use TRI-MEweb.

4c. Third-Party Audits

This program does not conduct third-party audits of the data quality data.

Record Last Updated: 02/08/2012 09:06:44 AM

Performance Data Quality Record (DQR)

NPO Name (OEI) Measure 052: Number of major EPA environmental systems that use the CDX electronic requirements enabling faster receipt, processing, and quality checking of data.

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	Office of Information Collection

Performance Measure Term Definitions

Major EPA Environmental Systems: Major environmental systems are those that use CDX services to support the electronic reporting or exchange of information among trading partners or from the regulated entities to EPA.

Enabling Faster Receipt, Processing, and Quality Checking of Data: This terminology means the services used to ensure quality data entering the data and that they are submitted in a much faster way than the previous legacy methods, e.g., electronic and Internet-based as opposed to a paper or other method that involves mailing to the Agency.

CDX: Central Data Exchange. CDX is the point of entry on the Environmental Information Exchange Network (Exchange Network) for environmental data submissions to the Agency.

CDX assembles the registration/submission requirements of many different data exchanges with EPA and the States, Tribes, local governments and the regulated community into a centralized environment. This system improves performance tracking of external customers and overall management by making those processes more consistent and comprehensive. The creation of a centralized registration system, coupled with the use of web forms and web-based approaches to submitting the data, invite opportunities to introduce additional automated quality assurance procedures for the system and reduce human error. For more information, visit: http://www.epa.gov/cdx/index.htm

2. Data Definition and Source Reporting

2a. Original Data Source

Users of CDX from the Private sector, State, local, and Tribal government; entered into the CDX Customer Registration Subsystem

CDX Users at EPA program offices include the:

- Office of Air and Radiation (OAR)
- Office of Enforcement and Compliance Assurance (OECA)
- Office of Environmental Information (OEI)
- Office of Prevention, Pesticides and Toxic Substances (OPPTS)

- Office of Solid Waste and Emergency Response (OSWER)
- Office of Water (OW)

2b. Source Data Collection

Source Data Collection Methods:
Reports are routinely generated from log files on CDX servers that support user registration and identity management.

EPA QA Requirements/Guidance Governing Collection:
QA/QC is performed in accordance with a CDX Quality Assurance Plan ["Quality Assurance Project Plan for the Central Data Exchange," 10/8/2004] and the CDX Design Document v.3, Appendix K registration procedures[*Central Data Exchange Electronic Reporting Prototype System Requirements* : Version 3; Document number: EP005S3; December 2000]. Specifically, data are reviewed for authenticity and integrity. Automated edit checking routines are performed in accordance with program specifications and the CDX Quality Assurance Plan. EPA currently has a draft plan developed in August 2007. In FY 2011, CDX will develop robust quality criteria, which will include performance metric results and align with the schedule for the upcoming CDX contract recompete.

Spatial Detail Covered By the Source Data: This is not applicable other than a user's address.

2c. Source Data Reporting

Form/Mechanism for Receiving data and entering into EPA System:
CDX manages the collection of data and documents in a secure way either by users entering data onto web forms or via a batch file transfer, both of which are completed using the CDX environment. These data are then transported to the appropriate EPA system.

Timing and Frequency of Reporting: Annual

3. Information Systems and Data Quality Procedures

3a. Information Systems

CDX Customer Registration Subsystem. This subsystem is used to register external users for reporting or exchanging data with EPA via CDX.

CDX completed its last independent security risk assessment in June 2011, and all vulnerabilities are being reviewed or addressed.

Additional Information:
In addition, environmental data collected by CDX is delivered to National data systems in the Agency. Upon receipt, the National systems often conduct a more thorough data quality assurance procedure based on more intensive rules that can be continuously changing based on program requirements. As a result, CDX and these National systems appropriately share the responsibility for ensuring environmental data quality

3b. Data Quality Procedures

The CDX system collects, reports, and tracks performance measures on data quality and customer service. While its automated routines are sufficient to screen systemic problems/issues, a more detailed assessment of data errors/problems generally requires a secondary level of analysis that takes time and human resources.

CDX incorporates a number of features to reduce errors in registration data and that contribute greatly to the quality of environmental data entering the Agency. These features include pre-populating data either from CDX or National systems, conducting web-form edit checks, implementing XML schemas for basic edit checking and providing extended quality assurance checks for selected Exchange Network Data

flows using Schematron.

3c. Data Oversight

Although not officially termed, CDX is a general support application that provides centralized services to a multitude of program offices in the Agency and data trading partners on the Exchange Network. The general answer is that EPA Program Office System Managers and their management chains are responsible for oversight of the data quality. The closest individual responsible for "data integrity purposes" is the Chief of the Information Technology Branch.

3d. Calculation Methodology

Unit of analysis: Systems

No data transformations occur.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Oversight of Final Reporting: Reports on CDX quality and performance are conducted on an annual basis. The reports consist of both quantitative measures from system logs and qualitative measures from user and program office surveys.

Timing of Results Reporting:
Annually

4b. Data Limitations/Qualifications

The potential error in registration data, under CDX responsibility has been assessed to be less than 1%. This is accomplished through as combination of automated edit checks in web form fields and processes in place to confirm the identity of individuals prior to approving access to CDX data flows.

4c. Third-Party Audits

Third party security risk assessments are conducted every three years in accordance with FISMA requirements. Alternatives analysis reviews are also conducted in accordance with OMB CPIC requirements. Lastly, adhoc third party requirements are conducted internally.

Performance Data Quality Record (DQR)

NPO Name (OEI) Measure 053: States, tribes and territories will be able to exchange data with CDX through nodes in real time, using standards and automated data-quality checking.

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	Office of Information Collection

Performance Measure Term Definitions

Able to exchange data: A trading partner has the programmatic and technical infrastructure in place to exchange data across the Exchange Network.

Nodes: Nodes are points of presence on the Internet which are used to support the secure transport of data to trusted trading partners.

Real-time: When the data is generated and approved, it is automatically transported to the destination of another trading partner.

CDX: Central Data Exchange. CDX is the point of entry on the Environmental Information Exchange Network (Exchange Network) for environmental data submissions to the Agency.

CDX assembles the registration/submission requirements of many different data exchanges with EPA and the States, Tribes, local governments and the regulated community into a centralized environment. This system improves performance tracking of external customers and overall management by making those processes more consistent and comprehensive. The creation of a centralized registration system, coupled with the use of web forms and web-based approaches to submitting the data, invite opportunities to introduce additional automated quality assurance procedures for the system and reduce human error. For more information, visit: http://www.epa.gov/cdx/index.htm

2. Data Definition and Source Reporting

2a. Original Data Source

Users of CDX from the Private sector, State, local, and Tribal government; entered into the CDX Customer Registration Subsystem

CDX Users at EPA program offices include the:

- Office of Air and Radiation (OAR)
- Office of Enforcement and Compliance Assurance (OECA)
- Office of Environmental Information (OEI)
- Office of Prevention, Pesticides and Toxic Substances (OPPTS)

- Office of Solid Waste and Emergency Response (OSWER)
- Office of Water (OW)

2b. Source Data Collection

Source Data Collection Methods:
Reports are routinely generated from log files on CDX servers that support user registration and identity management.

Tabulation of records. Collection is ongoing.

EPA QA Requirements/Guidance Governing Collection:
QA/QC is performed in accordance with a CDX Quality Assurance Plan ["Quality Assurance Project Plan for the Central Data Exchange," 10/8/2004] and the CDX Design Document v.3, Appendix K registration procedures[*Central Data Exchange Electronic Reporting Prototype System Requirements* : Version 3; Document number: EP005S3; December 2000]. Specifically, data are reviewed for authenticity and integrity. Automated edit checking routines are performed in accordance with program specifications and the CDX Quality Assurance Plan. EPA currently has a draft plan developed in August 2007. In FY 2011, CDX will develop robust quality criteria, which will include performance metric results and align with the schedule for the upcoming CDX contract recompete.

Spatial Detail Covered By the Source Data: This is not applicable other than a user's address.

2c. Source Data Reporting

Form/Mechanism for Receiving Data and Entering into EPA System:
CDX manages the collection of data and documents in a secure way either by users entering data onto web forms or via a batch file transfer, both of which are completed using the CDX environment. These data are then transported to the appropriate EPA system.

Timing and Frequency of Reporting: Annual

3. Information Systems and Data Quality Procedures

3a. Information Systems

CDX Customer Registration Subsystem. This subsystem is used to register external users for reporting or exchanging data with EPA via CDX.

CDX completed its last independent security risk assessment in June 2011, and all vulnerabilities are being reviewed or addressed.

Additional Information:
In addition, environmental data collected by CDX is delivered to National data systems in the Agency. Upon receipt, the National systems often conduct a more thorough data quality assurance procedure based on more intensive rules that can be continuously changing based on program requirements. As a result, CDX and these National systems appropriately share the responsibility for ensuring environmental data quality

3b. Data Quality Procedures

The CDX system collects, reports, and tracks performance measures on data quality and customer service. While its automated routines are sufficient to screen systemic problems/issues, a more detailed assessment of data errors/problems generally requires a secondary level of analysis that takes time and human resources.

CDX incorporates a number of features to reduce errors in registration data and that contribute greatly to the quality of environmental data

entering the Agency. These features include pre-populating data either from CDX or National systems, conducting web-form edit checks, implementing XML schemas for basic edit checking and providing extended quality assurance checks for selected Exchange Network Data flows using Schematron.

3c. Data Oversight

Although not officially termed, CDX is a general support application that provides centralized services to a multitude of program offices in the Agency and data trading partners on the Exchange Network. The general answer is that EPA Program Office System Managers and their management chains are responsible for oversight of the data quality. The closest individual responsible for "data integrity purposes" is the Chief of the Information Technology Branch.

3d. Calculation Methodology

Unit of analysis: Users

No data transformations occur.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Oversight of Final Reporting: Reports on CDX quality and performance are conducted on an annual basis. The reports consist of both quantitative measures from system logs and qualitative measures from user and program office surveys.

Timing of Results Reporting:
Annually

4b. Data Limitations/Qualifications

The potential error in registration data, under CDX responsibility has been assessed to be less than 1%. This is accomplished through a combination of automated edit checks in web form fields and processes in place to confirm the identity of individuals prior to approving access to CDX data flows.

4c. Third-Party Audits

Third party security risk assessments are conducted every three years in accordance with FISMA requirements. Alternatives analysis reviews are also conducted in accordance with OMB CPIC requirements. Lastly, adhoc third party requirements are conducted internally

Performance Data Quality Record (DQR)

NPO Name (OEI) Measure 999: Total number of active unique users from states, tribes, laboratories, regulated facilities and other entities that electronically report environmental data to EPA through CDX.

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	Office of Information Collection

Performance Measure Term Definitions

Active unique users: Active accounts include those who have logged in within the last two years in which the statistic is generated. In addition, users who have multiple accounts are only counted as one account (unique). Active unique users include: States, Tribes, laboratories, and regulated facilities.

CDX: Central Data Exchange. CDX is the point of entry on the Environmental Information Exchange Network (Exchange Network) for environmental data submissions to the Agency.

CDX assembles the registration/submission requirements of many different data exchanges with EPA and the States, Tribes, local governments and the regulated community into a centralized environment. This system improves performance tracking of external customers and overall management by making those processes more consistent and comprehensive. The creation of a centralized registration system, coupled with the use of web forms and web-based approaches to submitting the data, invite opportunities to introduce additional automated quality assurance procedures for the system and reduce human error. For more information, visit: http://www.epa.gov/cdx/index.htm

2. Data Definition and Source Reporting

2a. Original Data Source

Users of CDX from the Private sector, State, local, and Tribal government; entered into the CDX Customer Registration Subsystem

CDX Users at EPA program offices include the:

- Office of Air and Radiation (OAR)
- Office of Enforcement and Compliance Assurance (OECA)
- Office of Environmental Information (OEI)
- Office of Prevention, Pesticides and Toxic Substances (OPPTS)
- Office of Solid Waste and Emergency Response (OSWER)
- Office of Water (OW)

2b. Source Data Collection

Source Data Collection Methods: Reports are routinely generated from log files on CDX servers that support user registration and identity management.

Tabulation of records: The records of registration provide an up-to-date, accurate count of users.

Date/Time Intervals Covered by Source Data: Ongoing

EPA QA Requirements/Guidance Governing Collection*:* QA/QC is performed in accordance with a CDX Quality Assurance Plan [“Quality Assurance Project Plan for the Central Data Exchange," 10/8/2004] and the CDX Design Document v.3, Appendix K registration procedures[*Central Data Exchange Electronic Reporting Prototype System Requirements* : Version 3; Document number: EP005S3; December 2000]. Specifically, data are reviewed for authenticity and integrity. Automated edit checking routines are performed in accordance with program specifications and the CDX Quality Assurance Plan. EPA currently has a draft plan developed in August 2007. In FY 2012, CDX will develop robust quality criteria, which will include performance metric results and align with the schedule for the upcoming CDX contract recompete.

2c. Source Data Reporting

Form/mechanism for receiving data and entering into EPA system: CDX manages the collection of data and documents in a secure way either by users entering data onto web forms or via a batch file transfer, both of which are completed using the CDX environment. These data are then transported to the appropriate EPA system.

Timing and frequency of reporting: Ongoing

3. Information Systems and Data Quality Procedures

3a. Information Systems

CDX Customer Registration Subsystem. Users identify themselves with several descriptors and use a number of CDX security mechanisms for ensuring the integrity of individuals’ identities

CDX completed its last independent security risk assessment in June 2011, and all vulnerabilities are being reviewed or addressed. CDX users register themselves via web forms on CDX to obtain access to data flows in which they receive privileges. This user information comes directly from the user and is not transformed.

Additional information:
In addition, environmental data collected by CDX is delivered to National data systems in the Agency. Upon receipt, the National systems often conduct a more thorough data quality assurance procedure based on more intensive rules that can be continuously changing based on program requirements. As a result, CDX and these National systems appropriately share the responsibility for ensuring environmental data quality.

3b. Data Quality Procedures

The CDX system collects, reports, and tracks performance measures on data quality and customer service. While its automated routines are sufficient to screen systemic problems/issues, a more detailed assessment of data errors/problems generally requires a secondary level of analysis that takes time and human resources.

CDX incorporates a number of features to reduce errors in registration data and that contribute greatly to the quality of environmental data

entering the Agency. These features include pre-populating data either from CDX or National systems, conducting web-form edit checks, implementing XML schemas for basic edit checking and providing extended quality assurance checks for selected Exchange Network Data flows using Schematron.

3c. Data Oversight

Although not officially termed, CDX is a general support application that provides centralized services to a multitude of program offices in the Agency and data trading partners on the Exchange Network. The general answer is that EPA Program Office System Managers and their management chains are responsible for oversight of the data quality. The closest individual responsible for "data integrity purposes" is the Chief of the Information Technology Branch.

3d. Calculation Methodology

Unit of Analysis: Users
EPA counts users based on the above definition in 1a.

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Oversight of Final Reporting: Reports on CDX quality and performance are conducted on an annual basis. The reports consist of both quantitative measures from system logs and qualitative measures from user and program office surveys.

Timing of Results Reporting: Annually

4b. Data Limitations/Qualifications

The potential error in registration data, under CDX responsibility has been assessed to be less than 1%. This is accomplished through a combination of automated edit checks in web form fields and processes in place to confirm the identity of individuals prior to approving access to CDX data flows.

4c. Third-Party Audits

Third party security risk assessments are conducted every three years in accordance with FISMA requirements. Alternatives analysis reviews are also conducted in accordance with OMB CPIC requirements. Lastly, adhoc third party requirements are conducted internally.

Performance Data Quality Record (DQR)

NPO Name () Measure 35B: Environmental and business recommendations or risks identified for corrective action.

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	The OIG Office of Chief of Staff in the Immediate Office of the Inspector General
Performance Measure Term Definitions	

This is a measure of the number of OIG recommendations or risks identified for action, correction or improvement.

OIG performance results are a chain of linked events, starting with OIG outputs (e.g., recommendations, reports of best practices, and identification of risks). The subsequent actions taken by EPA or its stakeholders/partners, as a result of OIG's outputs, to improve operational efficiency and environmental program delivery are reported as intermediate outcomes. The resulting improvements in operational efficiency, risks reduced/eliminated, and conditions of environmental and human health are reported as outcomes. By using common categories of performance measures, quantitative results can be summed and reported. Each outcome is also qualitatively described, supported, and linked to an OIG product or output. The OIG can only control its outputs and has no authority, beyond its influence, to implement its recommendations that lead to environmental and management outcomes.

 # Recommendations for Improvement: Number of recommendations for action in OIG reports, formal presentations or analyses. When the final product is issued, the number of report recommendations should be recorded in PMRS whether or not the Agency has concurred with or implemented the recommendations. (Do not count observations, suggestions, or editorial comments.) Describe each recommendation and its implications for environmental or management action and improvement.

 # Best Practices Identified: Best practices identified by OIG work for environmental or management program implementation to resolve a problem or risk, or improve a condition, process or result (from any source: EPA, State, other agency, etc.). Results are measured by the number of best practices identified. Narrative should explain the significance by describing the potential environmental or management change, action or impact. Example 1: In reviewing several States' partnership roles for an audit issue, we found that one State had developed very efficient and cost-effective water quality measures that could be applicable to other States or nationwide. Example 2: An audit determines that a Region has improved its management of a grant program because of a workgroup the Region set up to coordinate grant and cooperative agreement functions.

 # Environmental or Business/ Operational/ Control Risks Identified (including noncompliance): Actual or potential environmental, health or operational risks identified by any OIG work. Measured in terms of the number of risks by type including the number of FMFIA disclosed program assurance issues, EPA management challenges and specific risks or internal control weaknesses. Includes issues presented in EPA financial statement audits and internal OIG reviews. Narrative should describe the risks and potential/actual

environmental, health, and safety vulnerabilities, behaviors or conditions, risk of financial or resource loss or internal control weakness and their implications. Example 1: An OIG report on hog farm waste identifies environmental risks for drinking water contamination in nearby wells. Example 2: An OIG report identified that grants were given to grantees without specific performance objectives or verification that the grantees had acceptable financial accountability systems or controls.

Additional Information:

U.S. EPA, Office of Inspector General, Audits, Evaluations, and Other Publications; Available on the Internet at www.epa.gov/oig , last updatedAugust 2011.

Federal Government Inspector General Quality Standards.
Except for justified exceptions, OIG adheres to the following standards, which apply across the federal government:
• **Overall Governance:** *Quality Standards for Federal Offices of Inspector General*. (President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE), October 2003). (http://www.ignet.gov/pande/standards/igstds.pdf) This document contains quality standards for the management, operation and conduct of the Federal Offices of Inspector General (OIG). This document specifies that each federal OIG shall conduct, supervise, and coordinate its audits, investigations, inspections, and evaluations in compliance with the applicable professional standards listed below:
• **For Investigations:** *Quality Standards for Investigations* . (President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE), December 2003). http://www.ignet.gov/pande/standards/invstds.pdf Consistent with appropriate Department of Justice Directives.
• **For Inspections and Evaluations:** *Quality Standards for Inspections* . (President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE), January 2005). http://www.ignet.gov/pande/standards/oeistds.pdf.
• **For Audits:** *Government Auditing Standards*, issued by the US General Accounting Office (GAO). The professional standards and guidance in the Yellow Book are commonly referred to as generally accepted government auditing standards (GAGAS). These standards and guidance provide a framework for conducting high quality government audits and attestation engagements with competence, integrity, objectivity, and independence. The current version of the Yellow Book (July 2007) can be located in its entirety at the following Website: www.gao.gov/govaud/d07162g.pdf.

EPA OIG-Specific Operating Standards. The *Project Management Handbook* is the Office of Inspector General (OIG) policy document for conducting audit, program evaluation, public liaison, follow-up, and related projects. The Handbook describes the processes and standards the OIG uses to conduct the various phases of its work and helps ensure the quality, consistency, and timeliness of its products. Each OIG office may issue, upon approval by the Inspector General, supplemental guidance over assignments for which that office has responsibility.... This Handbook describes the audit, evaluation, public liaison, and follow-up processes and phases; it does not address OIG investigative processes although it does apply to audits/evaluations performed by the Office of Investigations (OI) [within EPA OIG]....OIG audit, program evaluation, public liaison, and follow-up reviews are normally conducted in accordance with appropriate *Government Auditing Standards* , as issued by the Comptroller General of the United States, commonly known as the Yellow Book.

Staff may use GAGAS in conjunction with other sets of professional standards. OIG reports may cite the use of other standards as appropriate. Teams should use GAGAS as the prevailing standard for conducting a review and reporting results should inconsistencies exist between GAGAS and other professional standards.

For some projects, adherence to all of the GAGAS may not be feasible or necessary. For these projects, the Product Line Director (PLD) will provide a rationale, the applicable standards not followed, and the impact on project results. The PLD's decision should be made during

the design meeting, documented in the working papers, and described in the Scope and Methodology section of the report. [Source: *Project Management Handbook*].

Product Line Directors. Product Line Directors oversee one or more particular work areas and multiple project teams. The OIG product lines are as follows: Air/Research and Development; Water; Superfund/Land; Cross Media; Public Liaison and Special Reviews; Assistance Agreements; Contracts; Forensic Audits; Financial Management; Risk Assessment and Program Performance; Information Resources Management; Investigations; US Chemical Safety and Hazard Investigation Board; Legal Reviews; Briefings; OIG Enabling Support Programs; and Other Activities.

For more information on the PLD responsibilities, see Chapter 5 of the OIG *Project Management Handbook* , attached to this record.

2. Data Definition and Source Reporting

2a. Original Data Source

Data track environmental and business recommendations or risks identified for corrective action as a result of OIG performance evaluations, audits, inspections and investigations. OIG collects such data from EPA programs and from EPA's contractors, partners and stakeholders.

2b. Source Data Collection

Collection mode of information supporting this measure can vary.

OIG must determine whether the Agency's/auditee's corrective actions have adequately addressed and corrected the problems identified in the report. (Additional information on OIG's follow-up process can be found at at http://oigintra.epa.gov/policy/policies/documents/OIG-04Follow-upPolicy.pdf)
Project Managers (PMs) may make and document periodic inquiries concerning the Agency's/auditee's progress in implementing corrective actions resulting from OIG work. As part of this process, OIG may also request documentation supporting the progress or completion of actions taken to implement the Agency's corrective actions plan. OIG may also request the Agency's views and concurrence on the actual benefits resulting from the report. When a report is closed upon issuance, the transmittal memorandum should state that OIG will make periodic inquiries of the Agency's/auditee's progress in implementing corrective actions resulting from OIG work.

EPA Manual 2750 provides policy and direction for program managers to report and coordinate their corrective action plans with the OIG. (EPA's Audit Management Process, 2750 Change 2, December 3, 1988, Website: http://intranet.epa.gov/rmpolicy/ads/manuals/2750_2_t.pdf.) This document requires OIG, as part of an effective system of internal controls, to evaluate the adequacy of such efforts before the recommendations can be closed out in the Agency's follow-up database. Evaluation of the corrective actions taken will allow the OIG to measure performance and accountability against OIG's performance targets and strategic goals. On an annual basis, a portion of OIG resources will be devoted to conducting follow-up reviews on specific significant reports. Each Assistant Inspector General (AIG), in consultation with his or her Product Line Director (PLD), will identify such work during the annual planning process.

2c. Source Data Reporting

Data comes from OIG audit, evaluations and investigations that are performed under strict compliance with professional standard of the US Government Accountability Office and the US Department of Justice and subject to independent peer review. Data in the form of activities, output, and outcomes is entered by designated staff into the Inspector General Enterprise Management System. All original data is quality controlled for compliance with professional standard and data entered is quality reviewed for accuracy, completeness, timeliness

and adequately supported.

3. Information Systems and Data Quality Procedures

3a. Information Systems

OIG Performance Measurement and Results System (PMRS). PMRS captures and aggregates information on an array of OIG measures in a logic model format, linking immediate outputs with long-term intermediate outcomes and results. (The logic model can be found in OIG's Annual Performance Report at http://www.epa.gov/oig/planning.htm.) PMRS is the OIG official system for collecting performance results data, in relation to its strategic and annual goals. All outputs (recommendations, best practices, risks identified) and outcome results (actions taken, changes in policies, procedures, practices, regulations, legislation, risks reduced, certifications for decisions, environmental improvements) influenced by OIG's current or prior work, and recognized during FY 2010 and beyond, should be entered into PMRS.

PMRS was developed as a prototype in FY 2001. Since then, there have been system improvements for ease of use. For example, during FY 2009 the PMRS was converted to a relational database directly linked to the new Inspector General Enterprise Management System (IGEMS).

IGEMS is an OIG employee time-tracking and project cost-tracking database that generates management reports. IGEMS is used to generate a project tracking number and a work product number. This system also tracks project progress and stores all related cost information.

AutoAudit and Teammate. These are repositories for all project working papers.

3b. Data Quality Procedures

Data quality assurance and control are performed as an extension of OIG products and services, subject to rigorous compliance with the Government Auditing Standards of the Comptroller General, and are regularly reviewed by OIG management, an independent OIG Management Assessment Review Team, and external independent peer reviews (e.g., by accountancies qualified to evaluate OIG procedures against Government Auditing Standards). Each Assistant Inspector General certifies the completeness and accuracy of performance data.

All data reported are audited internally for accuracy and consistency.

OIG processes, including data processes, are governed by the quality standards described in "Additional Information" under the Performance Term Definition field. Notably, the *Project Management Handbook* (which governs audits) provides a QA checklist (see Appendix 4, of the 2008 *Project Management Handbook* , attached to this record). The Project Manager (PM) is responsible for completing the Quality Assurance (QA) checklist throughout the project. The PM prepares the checklist and submits it to the Product Line Director (PLD) upon completion of the Post Reporting Phase of the Project. The Checklist should be completed for all projects, recognizing that some steps in the checklist may not be applicable to all projects. The QA Checklist asks teams to ensure the integrity of data that resides in all of the OIG data systems. [Source: *Project Management Handbook*].

Policy101.PMH.Final.05.08.08.pdf

During FY 2008, OIG implemented an Audit Follow-up Policy to independently verify the status of Agency actions on OIG recommendations, which serve as the basis for OIG intermediate outcome results reported in the OIG PMRS.

(Additional information on the OIG's follow-up process can be found at http://oigintra.epa.gov/policy/policies/documents/OIG-04Follow-upPolicy.pdf

3c. Data Oversight

There are three levels of PMRS access: View Only, Edit and Administrator. Everyone with IGEMS access has view only privileges. Individuals tasked with adding or editing PMRS entries must be granted PMRS Edit privileges. Contact a PMRS administrator to request Edit privileges.

Each Product Line Director (PLD), each of whom oversees one or more OIG work areas (e.g., Superfund, Contracts, etc.) and multiple project management teams, is responsible for ensuring that teams maintain proper integrity, accessibility, and retrievability of working papers in accordance with OIG policies. Likewise, they must ensure that information in OIG's automated systems is updated regularly by the team. (See field 2i, Additional Information, for more information about PLDs.)

3d. Calculation Methodology

Database measures include numbers of: 1) recommendations for environmental and management improvement; 2) legislative, regulatory policy, directive, or process changes; 3) environmental, program management, security and resource integrity risks identified, reduced, or eliminated; 4) best practices identified and implemented; 5) examples of environmental and management actions taken and improvements made; 6) monetary value of funds questioned, saved, fined, or recovered; 7) criminal, civil, and administrative actions taken, 8) public or congressional inquiries resolved; and 9) certifications, allegations disproved, and cost corrections.

Because intermediate and long-term results may not be realized over a period of several years, only verifiable results are reported in the year completed.

Unit of measurement: Individual recommendations/risks

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

The OIG Assistant Inspectors General oversee the quality of the data used to generate reports of performance. The Office of the Chief of Staff oversee the data quality and the IG reviews the documents and date use for external consumption. Data is audited and quality test on a continuous basis through several steps from origin to final use.

4b. Data Limitations/Qualifications

Because intermediate and long-term results may not be realized over a period of several years, only verifiable results are reported in the year completed.

Although all OIG staff are responsible for data accuracy in their products and services, there is a possibility of incomplete, miscoded, or missing data in the system due to human error or time lags. Data supporting achievement of results are often from indirect or external

sources, with their own methods or standards for data verification/validation. Such data are reviewed according to the appropriate OIG quality standards (see "Additional Information"), and any questions about the quality of such data are documented in OIG reports and/or the PMRS.

The error rate for outputs is estimated at +/-2%, while the error rate for reported long-term outcomes is presumably greater because of the longer period needed for tracking results and difficulty in verifying a nexus between our work and subsequent actions and impacts beyond OIG's control. (The OIG logic model in the Annual Performance Report clarifies the kinds of measures that are output-oriented, like risks identified, versus outcome-oriented, like risks reduced.) Errors tend to be those of omission. Some errors may result from duplication as well.

4c. Third-Party Audits

There have not been any previous audit findings or reports by external groups on data or database weaknesses in PMRS.

A December 2008 independent audit (www.epa.gov/oig/reports/2009/QualityReviewofEPAOIG-20081216.pdf) found the following with regard to general OIG processes:
"We determined that the EPA OIG audits methodology, policies and procedures adequately complied with the Government Auditing Standards. The EPA OIG quality control system adequately documented compliance with professional and auditing standards for : Independence; Professional Judgment; Competence; Audit Planning; Supervision; Evidence and Audit Documentation; Reports on Performance Audits; Nonaudit Services; and the Quality Control Process. The auditors documented, before the audit report was issued, evidence of supervisory review of the work performed that supports findings, conclusions, and recommendations contained in the audit report.
"We determined that EPA OIG adequately followed the quality control policies established in the EPA OIG *Project Management Handbook* for conducting audit, program evaluation, and related projects. The audit documentation adequately includes evidence of work performed in the major three phases: Preliminary Research, Field Work and Reporting.
"We determined that EPA OIG adequately followed the standards and principles set forth in the PCIE and Executive Council on Integrity and Efficiency Quality Standards for Investigations, as applicable. The investigation adequately documented compliance with the guidelines applicable to the investigation efforts of criminal investigators working for the EPA OIG."
The audit also identified two minor conditions, related working paper review/approval and completion/update status. OIG agreed with the auditor recommendations related to the conditions and adapted its *Project Management Handbook* to address the concerns.

A June 2010 internal OIG review of OIG report quality (which included a review of reporting procedures) found no substantial issues (see http://www.epa.gov/oig/reports/2010/20100602-10-N-0134.pdf).

Performance Data Quality Record (DQR)

NPO Name () Measure 35A: Environmental and business actions taken for improved performance or risk reduction.

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	The OIG Office of Chief of Staff in the Immediate Office of the Inspector General
Performance Measure Term Definitions	

Number of environmental and business actions taken for improvements made or risks reduced in response to or influenced by OIG recommendations.

OIG performance results are a chain of linked events, starting with OIG outputs (e.g., recommendations, reports of best practices, and identification of risks). The subsequent actions taken by EPA or its stakeholders/partners, as a result of OIG's outputs, to improve operational efficiency and environmental program delivery are reported as intermediate outcomes. The resulting improvements in operational efficiency, risks reduced/eliminated, and conditions of environmental and human health are reported as outcomes. By using common categories of performance measures, quantitative results can be summed and reported. Each outcome is also qualitatively described, supported, and linked to an OIG product or output. The OIG can only control its outputs and has no authority, beyond its influence, to implement its recommendations that lead to environmental and management outcomes.

 # Environmental/Health Improvements: Identifiable and documented environmental or human health improvements resulting from, or influenced by, any OIG work. Measured by the number and types of improvements. Narrative should describe the type of improvement and results in better environmental or human health conditions. The significance in improvements or impacts can be described in terms of physical characteristics, numbers of people affected, health and behavioral changes, and compliance with standards, including a percent change in a recognized environmental/health performance measure or indicator. Example: Faster cleanup of toxic waste dumps resulted from a process improvement that was recommended by the OIG and implemented by EPA reducing cases of illness.

 # Best Practices Implemented: Environmental program or business/operational best practices that were disseminated through OIG work and implemented by Agency offices, States, or other government agencies. Describe each best practice implemented and its implication for efficiency, effectiveness or economy. Example 1: An OIG audit finds that one Region has improved its grants process through a best practice using a data control check system, resulting in better data accuracy and tracking of grant funds. OIG auditors recommend that another Region use the same system, and the best practice is successfully implemented to improve the Region's grants program. Example 2: An audit report describes a successful new method, developed by one EPA Region, to track and pursue fines for violators of waste manifest regulations. As a result of the report, several other EPA Regions decide to use the new method.

 # Risks Reduced or Eliminated: Environmental or business risks reduced or eliminated as a result of any OIG work. Measured in terms of

the number of types (not occurrences) of risks reduced or eliminated. Narrative should describe the risk by type of environmental or human health exposure, incidence, financial, integrity or security or threat. Agency actions, which were influenced by OIG recommendations or advice, taken to resolve management challenges, Agency level or material weaknesses. Describe FMFIA weakness or management challenge addressed, and the action taken and implications. Example: Indictment/conviction regarding illegal dumping, or closure of fraudulent asbestos removal company, reduces the risk of exposure to harmful pollutants.

Additional Information:

U.S. EPA, Office of Inspector General, Audits, Evaluations, and Other Publications; Available on the Internet at www.epa.gov/oig , last updatedAugust 2011.

Federal Government Inspector General Quality Standards.
Except for justified exceptions, OIG adheres to the following standards, which apply across the federal government:
• **Overall Governance:** *Quality Standards for Federal Offices of Inspector General*. (President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE), October 2003). (http://www.ignet.gov/pande/standards/igstds.pdf) This document contains quality standards for the management, operation and conduct of the Federal Offices of Inspector General (OIG). This document specifies that each federal OIG shall conduct, supervise, and coordinate its audits, investigations, inspections, and evaluations in compliance with the applicable professional standards listed below:
• **For Investigations:** *Quality Standards for Investigations* . (President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE), December 2003). http://www.ignet.gov/pande/standards/invstds.pdf Consistent with appropriate Department of Justice Directives.
• **For Inspections and Evaluations:** *Quality Standards for Inspections* . (President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE), January 2005). http://www.ignet.gov/pande/standards/oeistds.pdf.
• **For Audits:** *Government Auditing Standards*, issued by the US General Accounting Office (GAO). The professional standards and guidance in the Yellow Book are commonly referred to as generally accepted government auditing standards (GAGAS). These standards and guidance provide a framework for conducting high quality government audits and attestation engagements with competence, integrity, objectivity, and independence. The current version of the Yellow Book (July 2007) can be located in its entirety at the following Website: www.gao.gov/govaud/d07162g.pdf.

EPA OIG-Specific Operating Standards. The *Project Management Handbook* is the Office of Inspector General (OIG) policy document for conducting audit, program evaluation, public liaison, follow-up, and related projects. The Handbook describes the processes and standards the OIG uses to conduct the various phases of its work and helps ensure the quality, consistency, and timeliness of its products. Each OIG office may issue, upon approval by the Inspector General, supplemental guidance over assignments for which that office has responsibility.... This Handbook describes the audit, evaluation, public liaison, and follow-up processes and phases; it does not address OIG investigative processes although it does apply to audits/evaluations performed by the Office of Investigations (OI) [within EPA OIG]....OIG audit, program evaluation, public liaison, and follow-up reviews are normally conducted in accordance with appropriate *Government Auditing Standards* , as issued by the Comptroller General of the United States, commonly known as the Yellow Book.

Staff may use GAGAS in conjunction with other sets of professional standards. OIG reports may cite the use of other standards as appropriate. Teams should use GAGAS as the prevailing standard for conducting a review and reporting results should inconsistencies exist between GAGAS and other professional standards.

For some projects, adherence to all of the GAGAS may not be feasible or necessary. For these projects, the Product Line Director (PLD)

will provide a rationale, the applicable standards not followed, and the impact on project results. The PLD's decision should be made during the design meeting, documented in the working papers, and described in the Scope and Methodology section of the report. [Source: *Project Management Handbook*].

Product Line Directors. Product Line Directors oversee one or more particular work areas and multiple project teams. The OIG product lines are as follows: Air/Research and Development; Water; Superfund/Land; Cross Media; Public Liaison and Special Reviews; Assistance Agreements; Contracts; Forensic Audits; Financial Management; Risk Assessment and Program Performance; Information Resources Management; Investigations; US Chemical Safety and Hazard Investigation Board; Legal Reviews; Briefings; OIG Enabling Support Programs; and Other Activities.

For more information on the PLD responsibilities, see Chapter 5 of the OIG *Project Management Handbook* , attached to this record.

2. Data Definition and Source Reporting

2a. Original Data Source

Data track EPA programs' environmental and business actions taken or improvements made and risks reduced or avoided as a result of OIG performance evaluations, audits, inspections and investigations. OIG collects such data from EPA programs and from EPA's contractors, partners and stakeholders.

2b. Source Data Collection

Collection mode of information supporting this measure can vary.

OIG must determine whether the Agency's/auditee's corrective actions have adequately addressed and corrected the problems identified in the report. (Additional information on OIG's follow-up process can be found at
at http://oigintra.epa.gov/policy/policies/documents/OIG-04Follow-upPolicy.pdf)
Project Managers (PMs) may make and document periodic inquiries concerning the Agency's/auditee's progress in implementing corrective actions resulting from OIG work. As part of this process, OIG may also request documentation supporting the progress or completion of actions taken to implement the Agency's corrective actions plan. OIG may also request the Agency's views and concurrence on the actual benefits resulting from the report. When a report is closed upon issuance, the transmittal memorandum should state that OIG will make periodic inquiries of the Agency's/auditee's progress in implementing corrective actions resulting from OIG work.

EPA Manual 2750 provides policy and direction for program managers to report and coordinate their corrective action plans with the OIG. (EPA's Audit Management Process, 2750 Change 2, December 3, 1988, Website:
http://intranet.epa.gov/rmpolicy/ads/manuals/2750_2_t.pdf.) This document requires OIG, as part of an effective system of internal controls, to evaluate the adequacy of such efforts before the recommendations can be closed out in the Agency's follow-up database. Evaluation of the corrective actions taken will allow the OIG to measure performance and accountability against OIG's performance targets and strategic goals. On an annual basis, a portion of OIG resources will be devoted to conducting follow-up reviews on specific significant reports. Each Assistant Inspector General (AIG), in consultation with his or her Product Line Director (PLD), will identify such work during the annual planning process.

2c. Source Data Reporting

Data comes from OIG audit, evaluations and investigations that are performed under strict compliance with professional standard of the US Government Accountability Office and the US Department of Justice and subject to independent peer review. Data in the form of activities, output, and outcomes is entered by designated staff into the Inspector General Enterprise Management System. All original data

is quality controlled for compliance with professional standard and data entered is quality reviewed for accuracy, completeness, timeliness and adequately supported.

3. Information Systems and Data Quality Procedures

3a. Information Systems

OIG Performance Measurement and Results System (PMRS). PMRS captures and aggregates information on an array of OIG measures in a logic model format, linking immediate outputs with long-term intermediate outcomes and results. (The logic model can be found in OIG's Annual Performance Report at http://www.epa.gov/oig/planning.htm.) PMRS is the OIG official system for collecting performance results data, in relation to its strategic and annual goals. All outputs (recommendations, best practices, risks identified) and outcome results (actions taken, changes in policies, procedures, practices, regulations, legislation, risks reduced, certifications for decisions, environmental improvements) influenced by OIG's current or prior work, and recognized during FY 2010 and beyond, should be entered into PMRS.

PMRS was developed as a prototype in FY 2001. Since then, there have been system improvements for ease of use. For example, during FY 2009 the PMRS was converted to a relational database directly linked to the new Inspector General Enterprise Management System (IGEMS).

IGEMS is an OIG employee time-tracking and project cost-tracking database that generates management reports. IGEMS is used to generate a project tracking number and a work product number. This system also tracks project progress and stores all related cost information.

AutoAudit and Teammate. These are repositories for all project working papers.

3b. Data Quality Procedures

Data quality assurance and control are performed as an extension of OIG products and services, subject to rigorous compliance with the Government Auditing Standards of the Comptroller General, and are regularly reviewed by OIG management, an independent OIG Management Assessment Review Team, and external independent peer reviews (e.g., by accountancies qualified to evaluate OIG procedures against Government Auditing Standards). Each Assistant Inspector General certifies the completeness and accuracy of performance data.

All data reported are audited internally for accuracy and consistency.

OIG processes, including data processes, are governed by the quality standards described in "Additional Information" under the Performance Term Definition field. Notably, the *Project Management Handbook* (which governs audits) provides a QA checklist (see Appendix 4, of the 2008 *Project Management Handbook* , attached to this record). The Project Manager (PM) is responsible for completing the Quality Assurance (QA) checklist throughout the project. The PM prepares the checklist and submits it to the Product Line Director (PLD) upon completion of the Post Reporting Phase of the Project. The Checklist should be completed for all projects, recognizing that some steps in the checklist may not be applicable to all projects. The QA Checklist asks teams to ensure the integrity of data that resides in all of the OIG data systems. [Source: *Project Management Handbook*].

Policy101.PMH.Final.05.08.08.pdf

During FY 2008, OIG implemented an Audit Follow-up Policy to independently verify the status of Agency actions on OIG recommendations, which serve as the basis for OIG intermediate outcome results reported in the OIG PMRS.

(Additional information on the OIG's follow-up process can be found at http://oigintra.epa.gov/policy/policies/documents/OIG-04Follow-upPolicy.pdf

3c. Data Oversight

There are three levels of PMRS access: View Only, Edit and Administrator. Everyone with IGEMS access has view only privileges. Individuals tasked with adding or editing PMRS entries must be granted PMRS Edit privileges. Contact a PMRS administrator to request Edit privileges.

Each Product Line Director (PLD), each of whom oversees one or more OIG work areas (e.g., Superfund, Contracts, etc.) and multiple project management teams, is responsible for ensuring that teams maintain proper integrity, accessibility, and retrievability of working papers in accordance with OIG policies. Likewise, they must ensure that information in OIG's automated systems is updated regularly by the team. (See field 2i, Additional Information, for more information about PLDs.)

3d. Calculation Methodology

Database measures include numbers of: 1) recommendations for environmental and management improvement; 2) legislative, regulatory policy, directive, or process changes; 3) environmental, program management, security and resource integrity risks identified, reduced, or eliminated; 4) best practices identified and implemented; 5) examples of environmental and management actions taken and improvements made; 6) monetary value of funds questioned, saved, fined, or recovered; 7) criminal, civil, and administrative actions taken, 8) public or congressional inquiries resolved; and 9) certifications, allegations disproved, and cost corrections.

Because intermediate and long-term results may not be realized over a period of several years, only verifiable results are reported in the year completed.

Unit of measurement: Individual outcomes/actions

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Data comes from OIG audit, evaluations and investigations that are performed under strict compliance with professional standard of the US Government Accountability Office and the US Department of Justice and subject to independent peer review. Data in the form of activities, output, and outcomes is entered by designated staff into the Inspector General Enterprise Management System. All original data is quality controlled for compliance with professional standard and data entered is quality reviewed for accuracy, completeness, timeliness and adequately supported. All data entered is carefully reviewed several times a years as it is entered and subsequently reported on a

quarterly baThe OIG Assistant Inspectors General oversee the quality of the data used to generate reports of performance. The Office of the Chief of Staff oversee the data quality and the IG reviews the documents and date use for external consumption. Data is audited and quality test on a continuous basis through several steps from origin to final use.

4b. Data Limitations/Qualifications

Because intermediate and long-term results may not be realized over a period of several years, only verifiable results are reported in the year completed.

Although all OIG staff are responsible for data accuracy in their products and services, there is a possibility of incomplete, miscoded, or missing data in the system due to human error or time lags. Data supporting achievement of results are often from indirect or external sources, with their own methods or standards for data verification/validation. Such data are reviewed according to the appropriate OIG quality standards (see "Additional Information"), and any questions about the quality of such data are documented in OIG reports and/or the PMRS.

The error rate for outputs is estimated at +/-2%, while the error rate for reported long-term outcomes is presumably greater because of the longer period needed for tracking results and difficulty in verifying a nexus between our work and subsequent actions and impacts beyond OIG's control. (The OIG logic model in the Annual Performance Report clarifies the kinds of measures that are output-oriented, like risks identified, versus outcome-oriented, like risks reduced.) Errors tend to be those of omission. Some errors may result from duplication as well.

4c. Third-Party Audits

There have not been any previous audit findings or reports by external groups on data or database weaknesses in PMRS.

A December 2008 independent audit (www.epa.gov/oig/reports/2009/QualityReviewofEPAOIG-20081216.pdf) found the following with regard to general OIG processes:
"We determined that the EPA OIG audits methodology, policies and procedures adequately complied with the Government Auditing Standards. The EPA OIG quality control system adequately documented compliance with professional and auditing standards for : Independence; Professional Judgment; Competence; Audit Planning; Supervision; Evidence and Audit Documentation; Reports on Performance Audits; Nonaudit Services; and the Quality Control Process. The auditors documented, before the audit report was issued, evidence of supervisory review of the work performed that supports findings, conclusions, and recommendations contained in the audit report.
"We determined that EPA OIG adequately followed the quality control policies established in the EPA OIG *Project Management Handbook* for conducting audit, program evaluation, and related projects. The audit documentation adequately includes evidence of work performed in the major three phases: Preliminary Research, Field Work and Reporting.
"We determined that EPA OIG adequately followed the standards and principles set forth in the PCIE and Executive Council on Integrity and Efficiency Quality Standards for Investigations, as applicable. The investigation adequately documented compliance with the guidelines applicable to the investigation efforts of criminal investigators working for the EPA OIG."
The audit also identified two minor conditions, related working paper review/approval and completion/update status. OIG agreed with the auditor recommendations related to the conditions and adapted its *Project Management Handbook* to address the concerns.

A June 2010 internal OIG review of OIG report quality (which included a review of reporting procedures) found no substantial issues (see http://www.epa.gov/oig/reports/2010/20100602-10-N-0134.pdf).

Record Last Updated: 02/08/2012 09:06:45 AM

Performance Data Quality Record (DQR)

NPO Name () Measure 35C: Return on the annual dollar investment, as a percentage of the OIG budget, from audits and investigations.

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	The OIG Office of Chief of Staff in the Immediate Office of the Inspector General
Performance Measure Term Definitions	

This is a measure of the total dollar amount of questioned costs, cost efficiencies, civil settlements, fines and recoveries from OIG audits and investigations compared to annual budget investments in the OIG.

OIG performance results are a chain of linked events, starting with OIG outputs (e.g., recommendations, reports of best practices, and identification of risks). The subsequent actions taken by EPA or its stakeholders/partners, as a result of OIG's outputs, to improve operational efficiency and environmental program delivery are reported as intermediate outcomes. The resulting improvements in operational efficiency, risks reduced/eliminated, and conditions of environmental and human health are reported as outcomes. By using common categories of performance measures, quantitative results can be summed and reported. Each outcome is also qualitatively described, supported, and linked to an OIG product or output. The OIG can only control its outputs and has no authority, beyond its influence, to implement its recommendations that lead to environmental and management outcomes.

$s Questioned Costs Sustained: Dollar amount of questioned costs accepted or agreed to by the Agency or other action official. Describe the EPA total amount questioned and its nature.

$s Efficiencies or Adjustments Sustained: Dollar amount of efficiencies or cost adjustments, accepted or agreed to by the Agency or other action official. Describe the total amount identified as an efficiency/adjustment and its nature.

Actual Costs Recovered: Questioned costs or cost efficiencies that are recovered.

$ Questioned Costs: (actual dollars) The dollar value of questioned costs as defined by the IG Act. Describe nature of costs questioned. The IG Act defines a questioned cost as "a cost that is questioned by the Office because of 1) an alleged violation or provision of law, regulation, contract, grant, or cooperative agreement, or other agreement or document governing the expenditure of funds; 2) a finding that at the time of the audit, such cost is not supported by adequate documentation; or 3) a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable."
It is the amounts paid by EPA for which the OIG recommends EPA pursue recovery, including Government property, services or benefits provided to ineligible recipients; recommended collections of money inadvertently or erroneously paid out; and recommended collections or offsets for overcharges or ineligible claims.

For contract/grant reports, it is contractor or grantee costs the "auditor" recommends be disallowed by the contracting officer, grant official, or other management official on an EPA portion of a contract or grant. Costs normally result from a finding that expenditures were not made in accordance with applicable laws, regulations, contracts, grants, or other agreements; or a finding that the expenditure of funds for the intended purpose was unnecessary or unreasonable.

$ Recommended Efficiencies, Costs Saved or Avoided: (monetized results) The immediate and near future monetary benefit of savings or funds put to better use on an EPA project as a result of OIG work:
1) Savings from eliminating work products or office functions, which were no longer of use or too costly; and 2) The savings from new or streamlined processes or work products, instituted to save time and/or money.
Describe the nature of the savings including monetary value of time saved.
For cost efficiencies, the IG Act defines a recommendation that funds be put to better use as "a recommendation by the Office that funds could be used more efficiently if management of an establishment took actions to implement and complete the recommendation, including: 1) Reductions in outlays; 2) Deobligations of funds from programs or operations; 3) Withdrawal of interest subsidy costs on loans or loan guarantees, insurance, or bonds; 4) Costs not incurred by implementing recommended improvements related to the operations of the establishment, a contractor, or grantee; 5) Avoidance of unnecessary expenditures noted in preaward reviews of contract or grants; or 6) Other savings which are specifically identified.
Cost efficiencies, funds put to better use, represent a quantity of funds that could be used more efficiently if management took actions to complete recommendations pertaining to deobligation of funds, costs not incurred by implementing recommended improvements, and other savings identified.

$ Cost Adjustments (Savings, Questioned) Made During the Audit, But Not Reported for Resolution: During the conduct of an audit or evaluation, costs may be questioned or opportunities for savings and adjustments may be identified which are acknowledged and acted upon/resolved prior to the report being issued. These costs may not be reported to the Agency since they are resolved prior to issuance and therefore do not go into the Agency Audit Resolution Process. These $ costs/savings or adjustments should be reported in PMRS as Valued Added results by the OIG or its surrogates as long as they can be substantiated. Also, report adjustments know as "Cost Realism", where a contract is adjusted to reflect accurate costs that may change a decision, or impact future funding of a contract or project. Describe the action taken and anticipated or actual impact.

$ Fines, Recoveries, Restitutions, Collections: Dollar value of investigative recoveries, meaning: 1) Recoveries during the course of an investigation before any criminal or civil prosecution; 2) criminal or civil court-ordered fines, penalties, and restitutions; 3) out-of-court settlements, including non-court settlements resulting from administrative actions. Describe nature of amounts and reason.

Additional Information:

U.S. EPA, Office of Inspector General, Audits, Evaluations, and Other Publications; Available on the Internet at www.epa.gov/oig , last updatedAugust 2011.

Federal Government Inspector General Quality Standards.
Except for justified exceptions, OIG adheres to the following standards, which apply across the federal government:
• **Overall Governance:** *Quality Standards for Federal Offices of Inspector General*. (President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE), October 2003). (http://www.ignet.gov/pande/standards/igstds.pdf) This document contains quality standards for the management, operation and conduct of the Federal Offices of Inspector General (OIG). This document specifies that each federal OIG shall conduct, supervise, and coordinate its audits, investigations, inspections, and evaluations in

compliance with the applicable professional standards listed below:

• **For Investigations:** *Quality Standards for Investigations* . (President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE), December 2003). http://www.ignet.gov/pande/standards/invstds.pdf Consistent with appropriate Department of Justice Directives.

• **For Inspections and Evaluations:** *Quality Standards for Inspections* . (President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE), January 2005). http://www.ignet.gov/pande/standards/oeistds.pdf.

• **For Audits:** *Government Auditing Standards,* issued by the US General Accounting Office (GAO). The professional standards and guidance in the Yellow Book are commonly referred to as generally accepted government auditing standards (GAGAS). These standards and guidance provide a framework for conducting high quality government audits and attestation engagements with competence, integrity, objectivity, and independence. The current version of the Yellow Book (July 2007) can be located in its entirety at the following Website: www.gao.gov/govaud/d07162g.pdf.

EPA OIG-Specific Operating Standards. The *Project Management Handbook* is the Office of Inspector General (OIG) policy document for conducting audit, program evaluation, public liaison, follow-up, and related projects. The Handbook describes the processes and standards the OIG uses to conduct the various phases of its work and helps ensure the quality, consistency, and timeliness of its products. Each OIG office may issue, upon approval by the Inspector General, supplemental guidance over assignments for which that office has responsibility.... This Handbook describes the audit, evaluation, public liaison, and follow-up processes and phases; it does not address OIG investigative processes although it does apply to audits/evaluations performed by the Office of Investigations (OI) [within EPA OIG]....OIG audit, program evaluation, public liaison, and follow-up reviews are normally conducted in accordance with appropriate *Government Auditing Standards* , as issued by the Comptroller General of the United States, commonly known as the Yellow Book.

Staff may use GAGAS in conjunction with other sets of professional standards. OIG reports may cite the use of other standards as appropriate. Teams should use GAGAS as the prevailing standard for conducting a review and reporting results should inconsistencies exist between GAGAS and other professional standards.

For some projects, adherence to all of the GAGAS may not be feasible or necessary. For these projects, the Product Line Director (PLD) will provide a rationale, the applicable standards not followed, and the impact on project results. The PLD's decision should be made during the design meeting, documented in the working papers, and described in the Scope and Methodology section of the report. [Source: *Project Management Handbook*].

Product Line Directors. Product Line Directors oversee one or more particular work areas and multiple project teams. The OIG product lines are as follows: Air/Research and Development; Water; Superfund/Land; Cross Media; Public Liaison and Special Reviews; Assistance Agreements; Contracts; Forensic Audits; Financial Management; Risk Assessment and Program Performance; Information Resources Management; Investigations; US Chemical Safety and Hazard Investigation Board; Legal Reviews; Briefings; OIG Enabling Support Programs; and Other Activities.

For more information on the PLD responsibilities, see Chapter 5 of the OIG *Project Management Handbook* , attached to this record.

2. Data Definition and Source Reporting

2a. Original Data Source

Data is collected and reported by designated OIG staff members in OIG Performance Measurement Databases as a result of OIG performance evaluations, audits, inspections and investigations and other analysis of proposed and existing Agency Policies, regulations

and laws. OIG collects such data from the activities, outputs, intermediate outcomes and long-term outcome results of OIG operations. OIG collects such data from EPA programs and from court and other public data sources.

2b. Source Data Collection

Performance information is entered by designated staff into the Inspector General Enterprise Management System from OIG audits, evaluations and investigations performed under strict compliance with applicable professional standards. All OIG products go through a rigorous quality assurance process and are subject to independent peer review.

2c. Source Data Reporting

Data is derived from the results of audits, evaluations, investigations and special analysis that are performed in accordance with Professional Standards of the US Government Accountability Office or the Us Department of Justice. All OIG products are quality controlled and subject to independent peer review for compliance with a all professional standards. Data is entered, in compliance with EPA and OIG data quality standards into the Inspector General Enterprise Management System and which is further reviewed for quality and consistency by the OIG performance quality staff members.

3. Information Systems and Data Quality Procedures

3a. Information Systems

OIG Performance Measurement and Results System (PMRS). PMRS captures and aggregates information on an array of OIG measures in a logic model format, linking immediate outputs with long-term intermediate outcomes and results. (The logic model can be found in OIG's Annual Performance Report at http://www.epa.gov/oig/planning.htm.) PMRS is the OIG official system for collecting performance results data, in relation to its strategic and annual goals. All outputs (recommendations, best practices, risks identified) and outcome results (actions taken, changes in policies, procedures, practices, regulations, legislation, risks reduced, certifications for decisions, environmental improvements) influenced by OIG's current or prior work, and recognized during FY 2010 and beyond, should be entered into PMRS.

PMRS was developed as a prototype in FY 2001. Since then, there have been system improvements for ease of use. For example, during FY 2009 the PMRS was converted to a relational database directly linked to the new Inspector General Enterprise Management System (IGEMS).

IGEMS is an OIG employee time-tracking and project cost-tracking database that generates management reports. IGEMS is used to generate a project tracking number and a work product number. This system also tracks project progress and stores all related cost information.

AutoAudit and Teammate. These are repositories for all project working papers.

3b. Data Quality Procedures

Data quality assurance and control are performed as an extension of OIG products and services, subject to rigorous compliance with the Government Auditing Standards of the Comptroller General, and are regularly reviewed by OIG management, an independent OIG Management Assessment Review Team, and external independent peer reviews (e.g., by accountancies qualified to evaluate OIG procedures against Government Auditing Standards). Each Assistant Inspector General certifies the completeness and accuracy of performance data.

All data reported are audited internally for accuracy and consistency.

OIG processes, including data processes, are governed by the quality standards described in "Additional Information" under the Performance Term Definition field. Notably, the *Project Management Handbook* (which governs audits) provides a QA checklist (see Appendix 4, of the 2008 *Project Management Handbook* , attached to this record). The Project Manager (PM) is responsible for completing the Quality Assurance (QA) checklist throughout the project. The PM prepares the checklist and submits it to the Product Line Director (PLD) upon completion of the Post Reporting Phase of the Project. The Checklist should be completed for all projects, recognizing that some steps in the checklist may not be applicable to all projects. The QA Checklist asks teams to ensure the integrity of data that resides in all of the OIG data systems. [Source: *Project Management Handbook*].

Policy101.PMH.Final.05.08.08.pdf

During FY 2008, OIG implemented an Audit Follow-up Policy to independently verify the status of Agency actions on OIG recommendations, which serve as the basis for OIG intermediate outcome results reported in the OIG PMRS.

(Additional information on the OIG's follow-up process can be found at
http://oigintra.epa.gov/policy/policies/documents/OIG-04Follow-upPolicy.pdf

3c. Data Oversight

There are three levels of PMRS access: View Only, Edit and Administrator. Everyone with IGEMS access has view only privileges. Individuals tasked with adding or editing PMRS entries must be granted PMRS Edit privileges. Contact a PMRS administrator to request Edit privileges.

Each Product Line Director (PLD), each of whom oversees one or more OIG work areas (e.g., Superfund, Contracts, etc.) and multiple project management teams, is responsible for ensuring that teams maintain proper integrity, accessibility, and retrievability of working papers in accordance with OIG policies. Likewise, they must ensure that information in OIG's automated systems is updated regularly by the team. (See field 2i, Additional Information, for more information about PLDs.)

3d. Calculation Methodology

Database measures include numbers of: 1) recommendations for environmental and management improvement; 2) legislative, regulatory policy, directive, or process changes; 3) environmental, program management, security and resource integrity risks identified, reduced, or eliminated; 4) best practices identified and implemented; 5) examples of environmental and management actions taken and improvements made; 6) monetary value of funds questioned, saved, fined, or recovered; 7) criminal, civil, and administrative actions taken, 8) public or congressional inquiries resolved; and 9) certifications, allegations disproved, and cost corrections.

Because intermediate and long-term results may not be realized over a period of several years, only verifiable results are reported in the year completed.

Unit of measurement: Individual outcomes/actions

Unit of Measurement: Percentage (of the OIG budget)

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Data comes from OIG audit, evaluations and investigations that are performed under strict compliance with professional standard of the US Government Accountability Office and the US Department of Justice and subject to independent peer review. Data in the form of activities, output, and outcomes is entered by designated staff into the Inspector General Enterprise Management System. All original data is quality controlled for compliance with professional standard and data entered is quality reviewed for accuracy, completeness, timeliness and adequately supported. All data entered is carefully reviewed several times a years as it is entered and subsequently reported on a quarterly basis. The OIG Assistant Inspectors General oversee the quality of the data used to generate reports of performance. The Office of the Chief of Staff oversee the data quality and the IG reviews the documents and date use for external consumption. Data is audited and quality test on a continuous basis through several steps from origin to final public consumption

4b. Data Limitations/Qualifications

Because intermediate and long-term results may not be realized over a period of several years, only verifiable results are reported in the year completed.

Although all OIG staff are responsible for data accuracy in their products and services, there is a possibility of incomplete, miscoded, or missing data in the system due to human error or time lags. Data supporting achievement of results are often from indirect or external sources, with their own methods or standards for data verification/validation. Such data are reviewed according to the appropriate OIG quality standards (see "Additional Information"), and any questions about the quality of such data are documented in OIG reports and/or the PMRS.

The error rate for outputs is estimated at +/-2%, while the error rate for reported long-term outcomes is presumably greater because of the longer period needed for tracking results and difficulty in verifying a nexus between our work and subsequent actions and impacts beyond OIG's control. (The OIG logic model in the Annual Performance Report clarifies the kinds of measures that are output-oriented, like risks identified, versus outcome-oriented, like risks reduced.) Errors tend to be those of omission. Some errors may result from duplication as well.

4c. Third-Party Audits

There have not been any previous audit findings or reports by external groups on data or database weaknesses in PMRS.

A December 2008 independent audit (www.epa.gov/oig/reports/2009/QualityReviewofEPAOIG-20081216.pdf) found the following with regard to general OIG processes:
"We determined that the EPA OIG audits methodology, policies and procedures adequately complied with the Government Auditing Standards. The EPA OIG quality control system adequately documented compliance with professional and auditing standards for : Independence; Professional Judgment; Competence; Audit Planning; Supervision; Evidence and Audit Documentation; Reports on Performance Audits; Nonaudit Services; and the Quality Control Process. The auditors documented, before the audit report was issued, evidence of supervisory review of the work performed that supports findings, conclusions, and recommendations contained in the audit report.
"We determined that EPA OIG adequately followed the quality control policies established in the EPA OIG *Project Management Handbook* for conducting audit, program evaluation, and related projects. The audit documentation adequately includes evidence of work performed in the major three phases: Preliminary Research, Field Work and Reporting.

"We determined that EPA OIG adequately followed the standards and principles set forth in the PCIE and Executive Council on Integrity and Efficiency Quality Standards for Investigations, as applicable. The investigation adequately documented compliance with the guidelines applicable to the investigation efforts of criminal investigators working for the EPA OIG."
The audit also identified two minor conditions, related working paper review/approval and completion/update status. OIG agreed with the auditor recommendations related to the conditions and adapted its *Project Management Handbook* to address the concerns.

A June 2010 internal OIG review of OIG report quality (which included a review of reporting procedures) found no substantial issues (see http://www.epa.gov/oig/reports/2010/20100602-10-N-0134.pdf).

Record Last Updated: 02/08/2012 09:06:48 AM

Performance Data Quality Record (DQR)

NPO Name () Measure 35D: Criminal, civil, administrative, and fraud prevention actions.

1. Measure and DQR Metadata	
Goal Number and Title	Enabling Support Program
Objective Number and Title	-
Sub-Objective Number and Title	-
Strategic Target Code and Title	-
Managing Office	The OIG Office of Chief of Staff in the Immediate Office of the Inspector General

Performance Measure Term Definitions

This is a measure of the total number of convictions, indictments, civil and administrative actions from OIG investigations.

OIG performance results are a chain of linked events, starting with OIG outputs (e.g., recommendations, reports of best practices, and identification of risks). The subsequent actions taken by EPA or its stakeholders/partners, as a result of OIG's outputs, to improve operational efficiency and environmental program delivery are reported as intermediate outcomes. The resulting improvements in operational efficiency, risks reduced/eliminated, and conditions of environmental and human health are reported as outcomes. By using common categories of performance measures, quantitative results can be summed and reported. Each outcome is also qualitatively described, supported, and linked to an OIG product or output. The OIG can only control its outputs and has no authority, beyond its influence, to implement its recommendations that lead to environmental and management outcomes.

 # Criminal/Civil/Administrative Actions: Measured by the number of: 1**) Indictments** or informations where there is preliminary evidence of a violation of law; 2) **convictions,** guilty pleas, pre-trial diversion agreements, and based on the proof of evidence as decided by a judicial body affecting EPA operations and environmental programs; 3) **Civil actions** arising from OIG work. Civil actions include civil judgments and civil settlements from law suits for recovery; and 4) **Administrative actions** as a result of OIG work, which include: a) Personnel actions, such as reprimands, suspensions, demotions, or terminations of Federal, State, and local employees (including Federal contractor/grantee employees); b) Contractor or grantee (individual and entity) suspensions and/or debarments from doing business with the Federal government; and
c) Compliance agreements.

Additional Information:

U.S. EPA, Office of Inspector General, Audits, Evaluations, and Other Publications; Available on the Internet at www.epa.gov/oig , last updatedAugust 2011.

Federal Government Inspector General Quality Standards.
Except for justified exceptions, OIG adheres to the following standards, which apply across the federal government:
• **Overall Governance:** *Quality Standards for Federal Offices of Inspector General*. (President's Council on Integrity and Efficiency

(PCIE) and Executive Council on Integrity and Efficiency (ECIE), October 2003). (http://www.ignet.gov/pande/standards/igstds.pdf) This document contains quality standards for the management, operation and conduct of the Federal Offices of Inspector General (OIG). This document specifies that each federal OIG shall conduct, supervise, and coordinate its audits, investigations, inspections, and evaluations in compliance with the applicable professional standards listed below:

- **For Investigations:** *Quality Standards for Investigations* . (President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE), December 2003). http://www.ignet.gov/pande/standards/invstds.pdf Consistent with appropriate Department of Justice Directives.
- **For Inspections and Evaluations:** *Quality Standards for Inspections* . (President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE), January 2005). http://www.ignet.gov/pande/standards/oeistds.pdf.
- **For Audits:** *Government Auditing Standards*, issued by the US General Accounting Office (GAO). The professional standards and guidance in the Yellow Book are commonly referred to as generally accepted government auditing standards (GAGAS). These standards and guidance provide a framework for conducting high quality government audits and attestation engagements with competence, integrity, objectivity, and independence. The current version of the Yellow Book (July 2007) can be located in its entirety at the following Website: www.gao.gov/govaud/d07162g.pdf.

EPA OIG-Specific Operating Standards. The *Project Management Handbook* is the Office of Inspector General (OIG) policy document for conducting audit, program evaluation, public liaison, follow-up, and related projects. The Handbook describes the processes and standards the OIG uses to conduct the various phases of its work and helps ensure the quality, consistency, and timeliness of its products. Each OIG office may issue, upon approval by the Inspector General, supplemental guidance over assignments for which that office has responsibility.... This Handbook describes the audit, evaluation, public liaison, and follow-up processes and phases; it does not address OIG investigative processes although it does apply to audits/evaluations performed by the Office of Investigations (OI) [within EPA OIG]....OIG audit, program evaluation, public liaison, and follow-up reviews are normally conducted in accordance with appropriate *Government Auditing Standards* , as issued by the Comptroller General of the United States, commonly known as the Yellow Book.

Staff may use GAGAS in conjunction with other sets of professional standards. OIG reports may cite the use of other standards as appropriate. Teams should use GAGAS as the prevailing standard for conducting a review and reporting results should inconsistencies exist between GAGAS and other professional standards.

For some projects, adherence to all of the GAGAS may not be feasible or necessary. For these projects, the Product Line Director (PLD) will provide a rationale, the applicable standards not followed, and the impact on project results. The PLD's decision should be made during the design meeting, documented in the working papers, and described in the Scope and Methodology section of the report. [Source: *Project Management Handbook*].

Product Line Directors. Product Line Directors oversee one or more particular work areas and multiple project teams. The OIG product lines are as follows: Air/Research and Development; Water; Superfund/Land; Cross Media; Public Liaison and Special Reviews; Assistance Agreements; Contracts; Forensic Audits; Financial Management; Risk Assessment and Program Performance; Information Resources Management; Investigations; US Chemical Safety and Hazard Investigation Board; Legal Reviews; Briefings; OIG Enabling Support Programs; and Other Activities.

For more information on the PLD responsibilities, see Chapter 5 of the OIG *Project Management Handbook* , attached to this record.

2. Data Definition and Source Reporting

2a. Original Data Source

Data is collected and reported by designated OIG staff members in OIG Performance Measurement Databases as a result of OIG performance evaluations, audits, inspections and investigations and other analysis of proposed and existing Agency Policies, regulations and laws. OIG collects such data from the activities, outputs, intermediate outcomes and long-term outcome results of OIG operations.

2b. Source Data Collection

Performance information is entered by designated staff into the Inspector General Enterprise Management System from OIG audits, evaluations and investigations performed under strict compliance with applicable professional standards. All OIG products go through a rigorous quality assurance process and are subject to independent peer review.

2c. Source Data Reporting

Data is derived from the results of audits, evaluations, investigations and special analysis that are performed in accordance with Professional Standards of the US Government Accountability Office or the Us Department of Justice. All OIG products are quality controlled and subject to independent peer review for compliance with a all professional standards. Data is entered, in compliance with EPA and OIG data quality standards into the Inspector General Enterprise Management System and which is further reviewed for quality and consistency by the OIG performance quality staff members.

3. Information Systems and Data Quality Procedures

3a. Information Systems

OIG Performance Measurement and Results System (PMRS). PMRS captures and aggregates information on an array of OIG measures in a logic model format, linking immediate outputs with long-term intermediate outcomes and results. (The logic model can be found in OIG's Annual Performance Report at http://www.epa.gov/oig/planning.htm.) PMRS is the OIG official system for collecting performance results data, in relation to its strategic and annual goals. All outputs (recommendations, best practices, risks identified) and outcome results (actions taken, changes in policies, procedures, practices, regulations, legislation, risks reduced, certifications for decisions, environmental improvements) influenced by OIG's current or prior work, and recognized during FY 2010 and beyond, should be entered into PMRS.

PMRS was developed as a prototype in FY 2001. Since then, there have been system improvements for ease of use. For example, during FY 2009 the PMRS was converted to a relational database directly linked to the new Inspector General Enterprise Management System (IGEMS).

IGEMS is an OIG employee time-tracking and project cost-tracking database that generates management reports. IGEMS is used to generate a project tracking number and a work product number. This system also tracks project progress and stores all related cost information.

AutoAudit and Teammate. These are repositories for all project working papers.

3b. Data Quality Procedures

Data quality assurance and control are performed as an extension of OIG products and services, subject to rigorous compliance with the Government Auditing Standards of the Comptroller General, and are regularly reviewed by OIG management, an independent OIG Management Assessment Review Team, and external independent peer reviews (e.g., by accountancies qualified to evaluate OIG

procedures against Government Auditing Standards). Each Assistant Inspector General certifies the completeness and accuracy of performance data.

All data reported are audited internally for accuracy and consistency.

OIG processes, including data processes, are governed by the quality standards described in "Additional Information" under the Performance Term Definition field. Notably, the *Project Management Handbook* (which governs audits) provides a QA checklist (see Appendix 4, of the 2008 *Project Management Handbook* , attached to this record). The Project Manager (PM) is responsible for completing the Quality Assurance (QA) checklist throughout the project. The PM prepares the checklist and submits it to the Product Line Director (PLD) upon completion of the Post Reporting Phase of the Project. The Checklist should be completed for all projects, recognizing that some steps in the checklist may not be applicable to all projects. The QA Checklist asks teams to ensure the integrity of data that resides in all of the OIG data systems. [Source: *Project Management Handbook*].

Policy101.PMH.Final.05.08.08.pdf

During FY 2008, OIG implemented an Audit Follow-up Policy to independently verify the status of Agency actions on OIG recommendations, which serve as the basis for OIG intermediate outcome results reported in the OIG PMRS.

(Additional information on the OIG's follow-up process can be found at
http://oigintra.epa.gov/policy/policies/documents/OIG-04Follow-upPolicy.pdf

3c. Data Oversight

There are three levels of PMRS access: View Only, Edit and Administrator. Everyone with IGEMS access has view only privileges. Individuals tasked with adding or editing PMRS entries must be granted PMRS Edit privileges. Contact a PMRS administrator to request Edit privileges.

Each Product Line Director (PLD), each of whom oversees one or more OIG work areas (e.g., Superfund, Contracts, etc.) and multiple project management teams, is responsible for ensuring that teams maintain proper integrity, accessibility, and retrievability of working papers in accordance with OIG policies. Likewise, they must ensure that information in OIG's automated systems is updated regularly by the team. (See field 2i, Additional Information, for more information about PLDs.)

3d. Calculation Methodology

Database measures include numbers of: 1) recommendations for environmental and management improvement; 2) legislative, regulatory policy, directive, or process changes; 3) environmental, program management, security and resource integrity risks identified, reduced, or eliminated; 4) best practices identified and implemented; 5) examples of environmental and management actions taken and improvements made; 6) monetary value of funds questioned, saved, fined, or recovered; 7) criminal, civil, and administrative actions taken, 8) public or congressional inquiries resolved; and 9) certifications, allegations disproved, and cost corrections.

Because intermediate and long-term results may not be realized over a period of several years, only verifiable results are reported in the year completed.

Unit of measurement: Individual actions

4. Reporting and Oversight

4a. Oversight and Timing of Results Reporting

Data comes from OIG audit, evaluations and investigations that are performed under strict compliance with professional standard of the US Government Accountability Office and the US Department of Justice and subject to independent peer review. Data in the form of activities, output, and outcomes is entered by designated staff into the Inspector General Enterprise Management System. All original data is quality controlled for compliance with professional standard and data entered is quality reviewed for accuracy, completeness, timeliness and adequately supported. All data entered is carefully reviewed several times a years as it is entered and subsequently reported on a quarterly baThe OIG Assistant Inspectors General oversee the quality of the data used to generate reports of performance. The Office of the Chief of Staff oversee the data quality and the IG reviews the documents and date use for external consumption. Data is audited and quality test on a continuous basis through several steps from origin to final use.

4b. Data Limitations/Qualifications

Because intermediate and long-term results may not be realized over a period of several years, only verifiable results are reported in the year completed.

Although all OIG staff are responsible for data accuracy in their products and services, there is a possibility of incomplete, miscoded, or missing data in the system due to human error or time lags. Data supporting achievement of results are often from indirect or external sources, with their own methods or standards for data verification/validation. Such data are reviewed according to the appropriate OIG quality standards (see "Additional Information"), and any questions about the quality of such data are documented in OIG reports and/or the PMRS.

The error rate for outputs is estimated at +/-2%, while the error rate for reported long-term outcomes is presumably greater because of the longer period needed for tracking results and difficulty in verifying a nexus between our work and subsequent actions and impacts beyond OIG's control. (The OIG logic model in the Annual Performance Report clarifies the kinds of measures that are output-oriented, like risks identified, versus outcome-oriented, like risks reduced.) Errors tend to be those of omission. Some errors may result from duplication as well.

4c. Third-Party Audits

There have not been any previous audit findings or reports by external groups on data or database weaknesses in PMRS.

A December 2008 independent audit (www.epa.gov/oig/reports/2009/QualityReviewofEPAOIG-20081216.pdf) found the following with regard to general OIG processes:
"We determined that the EPA OIG audits methodology, policies and procedures adequately complied with the Government Auditing Standards. The EPA OIG quality control system adequately documented compliance with professional and auditing standards for : Independence; Professional Judgment; Competence; Audit Planning; Supervision; Evidence and Audit Documentation; Reports on Performance Audits; Nonaudit Services; and the Quality Control Process. The auditors documented, before the audit report was issued, evidence of supervisory review of the work performed that supports findings, conclusions, and recommendations contained in the audit report.
"We determined that EPA OIG adequately followed the quality control policies established in the EPA OIG *Project Management Handbook* for conducting audit, program evaluation, and related projects. The audit documentation adequately includes evidence of work performed in the major three phases: Preliminary Research, Field Work and Reporting.

"We determined that EPA OIG adequately followed the standards and principles set forth in the PCIE and Executive Council on Integrity and Efficiency Quality Standards for Investigations, as applicable. The investigation adequately documented compliance with the guidelines applicable to the investigation efforts of criminal investigators working for the EPA OIG."
The audit also identified two minor conditions, related working paper review/approval and completion/update status. OIG agreed with the auditor recommendations related to the conditions and adapted its *Project Management Handbook* to address the concerns.

A June 2010 internal OIG review of OIG report quality (which included a review of reporting procedures) found no substantial issues (see http://www.epa.gov/oig/reports/2010/20100602-10-N-0134.pdf).

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