

Environmental Protection Agency
2009 Annual Performance Plan and Congressional Justification

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**Environmental Protection Agency
FY 2009 Annual Performance Plan and Congressional Justification**

**APPROPRIATION: Environmental Program & Management
Resource Summary Table
(Dollars in Thousands)**

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Environmental Program & Management					
Budget Authority	\$2,321,877.0	\$2,298,188.0	\$2,327,962.0	\$2,335,562.0	\$7,600.0
Total Workyears	10,652.2	10,867.0	10,849.7	10,796.1	-53.6

**Program Projects in EPM
(Dollars in Thousands)**

Program Project	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Air Toxics and Quality					
Clean Air Allowance Trading Programs	\$18,621.2	\$19,388.0	\$19,131.0	\$19,898.0	\$767.0
Federal Stationary Source Regulations	\$22,744.8	\$26,504.0	\$26,091.0	\$26,787.0	\$696.0
Federal Support for Air Quality Management					
Clean Diesel Initiative	\$97.9	\$0.0	\$0.0	\$0.0	\$0.0
Federal Support for Air Quality Management (other activities)	\$95,478.1	\$90,490.0	\$89,464.0	\$95,538.0	\$6,074.0
Subtotal, Federal Support for Air Quality Management	\$95,576.0	\$90,490.0	\$89,464.0	\$95,538.0	\$6,074.0
Federal Support for Air Toxics Program	\$25,081.8	\$24,711.0	\$24,390.0	\$22,693.0	(\$1,697.0)
Radiation: Protection	\$10,172.7	\$10,186.0	\$10,057.0	\$10,533.0	\$476.0
Radiation: Response Preparedness	\$2,809.7	\$2,928.0	\$2,882.0	\$2,941.0	\$59.0
Stratospheric Ozone: Domestic Programs	\$5,280.0	\$4,489.0	\$5,119.0	\$4,696.0	(\$423.0)
Stratospheric Ozone: Multilateral Fund	\$11,315.0	\$9,865.0	\$9,711.0	\$9,865.0	\$154.0
Subtotal, Air Toxics and Quality	\$191,601.2	\$188,561.0	\$186,845.0	\$192,951.0	\$6,106.0
Brownfields					
Brownfields	\$25,838.4	\$23,450.0	\$23,665.0	\$22,732.0	(\$933.0)

Program Project	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Climate Protection Program					
Climate Protection Program					
Energy STAR	\$38,573.4	\$43,926.0	\$48,236.0	\$44,221.0	(\$4,015.0)
Methane to markets	\$2,351.1	\$4,436.0	\$4,369.0	\$4,546.6	\$177.6
Asian Pacific Partnership	\$3,203.0	\$5,000.0	\$0.0	\$5,000.0	\$5,000.0
Greenhouse Gas Reporting Registry	\$0.0	\$0.0	\$3,445.0	\$0.0	(\$3,445.0)
Climate Protection Program (other activities)	\$47,124.6	\$34,565.0	\$34,324.0	\$33,240.4	(\$1,083.6)
Subtotal, Climate Protection Program	\$91,252.1	\$87,927.0	\$90,374.0	\$87,008.0	(\$3,366.0)
Subtotal, Climate Protection Program	\$91,252.1	\$87,927.0	\$90,374.0	\$87,008.0	(\$3,366.0)
Compliance					
Compliance Assistance and Centers	\$28,226.9	\$29,547.0	\$27,725.0	\$26,435.0	(\$1,290.0)
Compliance Incentives	\$9,448.8	\$9,786.0	\$10,618.0	\$10,263.0	(\$355.0)
Compliance Monitoring	\$90,724.6	\$93,428.0	\$88,726.0	\$96,025.0	\$7,299.0
Subtotal, Compliance	\$128,400.3	\$132,761.0	\$127,069.0	\$132,723.0	\$5,654.0
Enforcement					
Civil Enforcement	\$123,003.7	\$126,645.0	\$129,886.0	\$133,017.0	\$3,131.0
Criminal Enforcement	\$39,721.6	\$39,688.0	\$40,742.0	\$44,384.0	\$3,642.0
Enforcement Training	\$2,668.3	\$3,145.0	\$3,096.0	\$3,043.0	(\$53.0)
Environmental Justice	\$6,319.2	\$3,822.0	\$6,399.0	\$3,811.0	(\$2,588.0)
NEPA Implementation	\$13,863.5	\$14,366.0	\$14,142.0	\$16,295.0	\$2,153.0
Subtotal, Enforcement	\$185,576.3	\$187,666.0	\$194,265.0	\$200,550.0	\$6,285.0
Environmental Protection / Congressional Priorities					
Congressionally Mandated Projects	\$25,478.3	\$0.0	\$13,437.0	\$0.0	(\$13,437.0)
Geographic Programs					
Geographic Program: Chesapeake Bay	\$20,274.1	\$28,768.0	\$30,528.0	\$29,001.0	(\$1,527.0)
Geographic Program: Great Lakes	\$23,522.7	\$21,757.0	\$21,686.0	\$22,261.0	\$575.0
Geographic Program: Long Island Sound	\$1,361.4	\$467.0	\$4,922.0	\$467.0	(\$4,455.0)
Geographic Program: Gulf of Mexico	\$4,407.4	\$4,457.0	\$5,618.0	\$4,578.0	(\$1,040.0)
Geographic Program: Lake Champlain	\$997.0	\$934.0	\$2,707.0	\$934.0	(\$1,773.0)

Program Project	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Geographic Program: Other					
San Francisco Bay	\$0.0	\$0.0	\$4,922.0	\$0.0	(\$4,922.0)
Geographic Program: Puget Sound	\$1,162.3	\$1,000.0	\$19,688.0	\$1,000.0	(\$18,688.0)
Lake Pontchartrain	\$969.4	\$978.0	\$963.0	\$978.0	\$15.0
Community Action for a Renewed Environment (CARE)	\$2,515.0	\$3,448.0	\$3,394.0	\$2,448.0	(\$946.0)
Geographic Program: Other (other activities)	\$5,057.5	\$3,149.0	\$3,105.0	\$3,289.0	\$184.0
Subtotal, Geographic Program: Other	\$9,704.2	\$8,575.0	\$32,072.0	\$7,715.0	(\$24,357.0)
Regional Geographic Initiatives	\$6,302.5	\$9,553.0	\$0.0	\$4,844.0	\$4,844.0
Subtotal, Geographic Programs	\$66,569.3	\$74,511.0	\$97,533.0	\$69,800.0	(\$27,733.0)
Homeland Security					
Homeland Security: Communication and Information					
Laboratory Preparedness and Response	\$888.7	\$500.0	\$492.0	\$0.0	(\$492.0)
Homeland Security: Communication and Information (other activities)	\$7,230.3	\$6,406.0	\$6,330.0	\$6,940.0	\$610.0
Subtotal, Homeland Security: Communication and Information	\$8,119.0	\$6,906.0	\$6,822.0	\$6,940.0	\$118.0
Homeland Security: Critical Infrastructure Protection					
Decontamination	\$52.8	\$99.0	\$97.0	\$99.0	\$2.0
Homeland Security: Critical Infrastructure Protection (other activities)	\$9,502.7	\$7,688.0	\$7,568.0	\$6,660.0	(\$908.0)
Subtotal, Homeland Security: Critical Infrastructure Protection	\$9,555.5	\$7,787.0	\$7,665.0	\$6,759.0	(\$906.0)
Homeland Security: Preparedness, Response, and Recovery					
Decontamination	\$0.0	\$3,380.0	\$3,329.0	\$3,412.0	\$83.0
Homeland Security: Preparedness, Response, and Recovery (other activities)	\$3,396.8	\$1.0	\$0.0	\$0.0	\$0.0
Subtotal, Homeland Security: Preparedness, Response, and Recovery	\$3,396.8	\$3,381.0	\$3,329.0	\$3,412.0	\$83.0
Homeland Security: Protection of EPA Personnel and Infrastructure	\$6,219.1	\$6,345.0	\$6,248.0	\$6,415.0	\$167.0

Program Project	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Subtotal, Homeland Security	\$27,290.4	\$24,419.0	\$24,064.0	\$23,526.0	(\$538.0)
Indoor Air					
Indoor Air: Radon Program	\$5,201.2	\$5,429.0	\$5,363.0	\$5,488.0	\$125.0
Reduce Risks from Indoor Air	\$21,425.6	\$21,440.0	\$21,632.0	\$19,180.0	(\$2,452.0)
Subtotal, Indoor Air	\$26,626.8	\$26,869.0	\$26,995.0	\$24,668.0	(\$2,327.0)
Information Exchange / Outreach					
Children and Other Sensitive Populations: Agency Coordination	\$4,968.5	\$6,203.0	\$6,144.0	\$6,309.0	\$165.0
Environmental Education	\$7,807.2	\$0.0	\$8,860.0	\$0.0	(\$8,860.0)
Congressional, Intergovernmental, External Relations	\$49,193.3	\$49,747.0	\$48,971.0	\$49,756.0	\$785.0
Exchange Network	\$17,541.7	\$15,364.0	\$15,137.0	\$18,058.0	\$2,921.0
Small Business Ombudsman	\$3,761.9	\$3,261.0	\$3,210.0	\$3,217.0	\$7.0
Small Minority Business Assistance	\$2,437.3	\$2,466.0	\$2,428.0	\$2,411.0	(\$17.0)
State and Local Prevention and Preparedness	\$12,867.6	\$12,960.0	\$12,784.0	\$13,298.0	\$514.0
TRI / Right to Know	\$14,605.5	\$15,728.0	\$15,504.0	\$15,109.0	(\$395.0)
Tribal - Capacity Building	\$10,861.3	\$11,477.0	\$11,328.0	\$11,710.0	\$382.0
Subtotal, Information Exchange / Outreach	\$124,044.3	\$117,206.0	\$124,366.0	\$119,868.0	(\$4,498.0)
International Programs					
US Mexico Border	\$5,790.7	\$4,646.0	\$5,439.0	\$0.0	(\$5,439.0)
Commission for Environmental Cooperation	\$4,208.8	\$4,022.0	\$3,962.0	\$0.0	(\$3,962.0)
Environment and Trade	\$1,817.4	\$1,945.0	\$1,920.0	\$0.0	(\$1,920.0)
International Capacity Building	\$7,210.8	\$5,311.0	\$5,228.0	\$0.0	(\$5,228.0)
POPs Implementation	\$1,682.4	\$1,831.0	\$1,808.0	\$0.0	(\$1,808.0)
International Sources of Pollution					
Mexico Border	\$0.0	\$0.0	\$0.0	\$4,902.0	\$4,902.0
International Sources of Pollution (other activities)	\$0.0	\$0.0	\$0.0	\$7,506.0	\$7,506.0
Subtotal, International Sources of Pollution	\$0.0	\$0.0	\$0.0	\$12,408.0	\$12,408.0
Trade and Governance	\$0.0	\$0.0	\$0.0	\$6,216.0	\$6,216.0
Subtotal, International Programs	\$20,710.1	\$17,755.0	\$18,357.0	\$18,624.0	\$267.0
IT / Data Management / Security					

Program Project	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Information Security	\$4,291.9	\$5,583.0	\$5,504.0	\$5,790.0	\$286.0
IT / Data Management	\$99,196.3	\$91,019.0	\$90,753.0	\$94,360.0	\$3,607.0
Subtotal, IT / Data Management / Security	\$103,488.2	\$96,602.0	\$96,257.0	\$100,150.0	\$3,893.0
Legal / Science / Regulatory / Economic Review					
Administrative Law	\$4,891.0	\$5,260.0	\$5,178.0	\$4,949.0	(\$229.0)
Alternative Dispute Resolution	\$970.5	\$1,175.0	\$1,160.0	\$1,264.0	\$104.0
Civil Rights / Title VI Compliance	\$10,796.0	\$11,240.0	\$11,065.0	\$11,097.0	\$32.0
Legal Advice: Environmental Program	\$38,242.4	\$39,366.0	\$39,480.0	\$39,925.0	\$445.0
Legal Advice: Support Program	\$12,435.8	\$13,986.0	\$14,117.0	\$14,442.0	\$325.0
Regional Science and Technology	\$3,399.8	\$3,574.0	\$3,518.0	\$3,318.0	(\$200.0)
Regulatory Innovation	\$22,498.4	\$23,866.0	\$21,327.0	\$24,405.0	\$3,078.0
Regulatory/Economic-Management and Analysis	\$17,755.0	\$20,104.0	\$16,381.0	\$20,588.0	\$4,207.0
Science Advisory Board	\$4,983.3	\$4,790.0	\$4,727.0	\$5,083.0	\$356.0
Subtotal, Legal / Science / Regulatory / Economic Review	\$115,972.2	\$123,361.0	\$116,953.0	\$125,071.0	\$8,118.0
Operations and Administration					
Facilities Infrastructure and Operations					
Rent	\$176,479.1	\$165,817.0	\$161,261.0	\$164,866.0	\$3,605.0
Utilities	\$14,682.7	\$8,210.0	\$8,082.0	\$11,333.0	\$3,251.0
Security	\$28,897.4	\$25,344.0	\$24,949.0	\$25,676.0	\$727.0
Facilities Infrastructure and Operations (other activities)	\$107,894.9	\$104,357.0	\$102,897.0	\$109,193.0	\$6,296.0
Subtotal, Facilities Infrastructure and Operations	\$327,954.1	\$303,728.0	\$297,189.0	\$311,068.0	\$13,879.0
Central Planning, Budgeting, and Finance	\$64,431.2	\$74,960.0	\$73,949.0	\$80,623.0	\$6,674.0
Acquisition Management	\$23,654.1	\$29,992.0	\$28,629.0	\$31,195.0	\$2,566.0
Financial Assistance Grants / IAG Management	\$20,564.5	\$23,439.0	\$23,242.0	\$25,977.0	\$2,735.0
Human Resources Management	\$39,740.2	\$40,175.0	\$39,760.0	\$43,646.0	\$3,886.0
Subtotal, Operations and Administration	\$476,344.1	\$472,294.0	\$462,769.0	\$492,509.0	\$29,740.0
Pesticides Licensing					
Pesticides: Protect Human Health from Pesticide Risk	\$0.0	\$62,514.0	\$61,819.0	\$60,606.0	(\$1,213.0)

Program Project	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Pesticides: Protect the Environment from Pesticide Risk	\$0.0	\$41,750.0	\$41,214.0	\$41,215.0	\$1.0
Pesticides: Realize the Value of Pesticide Availability	\$0.0	\$12,114.0	\$11,959.0	\$12,870.0	\$911.0
Pesticides: Field Programs	\$21,436.3	\$0.0	\$0.0	\$0.0	\$0.0
Pesticides: Registration of New Pesticides	\$42,098.9	\$0.0	\$0.0	\$0.0	\$0.0
Pesticides: Review / Reregistration of Existing Pesticides	\$54,442.2	\$0.0	\$0.0	\$0.0	\$0.0
Science Policy and Biotechnology	\$1,202.9	\$1,780.0	\$1,752.0	\$1,675.0	(\$77.0)
Subtotal, Pesticides Licensing	\$119,180.3	\$118,158.0	\$116,744.0	\$116,366.0	(\$378.0)
Resource Conservation and Recovery Act (RCRA)					
RCRA: Waste Management					
eManifest	\$0.0	\$4,000.0	\$0.0	\$2,000.0	\$2,000.0
RCRA: Waste Management (other activities)	\$65,599.8	\$65,158.0	\$66,297.0	\$65,111.0	(\$1,186.0)
Subtotal, RCRA: Waste Management	\$65,599.8	\$69,158.0	\$66,297.0	\$67,111.0	\$814.0
RCRA: Corrective Action	\$39,373.3	\$39,573.0	\$39,076.0	\$39,018.0	(\$58.0)
RCRA: Waste Minimization & Recycling	\$12,506.2	\$13,666.0	\$13,495.0	\$14,397.0	\$902.0
Subtotal, Resource Conservation and Recovery Act (RCRA)	\$117,479.3	\$122,397.0	\$118,868.0	\$120,526.0	\$1,658.0
Toxics Risk Review and Prevention					
Endocrine Disruptors	\$9,855.8	\$5,890.0	\$8,663.0	\$5,847.0	(\$2,816.0)
Toxic Substances: Chemical Risk Review and Reduction					
HPV/VCCEP	\$12,239.0	\$11,015.0	\$12,049.0	\$11,381.0	(\$668.0)
Toxic Substances: Chemical Risk Review and Reduction (other activities)	\$32,462.7	\$34,031.0	\$33,623.0	\$35,096.0	\$1,473.0
Subtotal, Toxic Substances: Chemical Risk Review and Reduction	\$44,701.7	\$45,046.0	\$45,672.0	\$46,477.0	\$805.0
Pollution Prevention Program	\$17,548.6	\$19,935.0	\$16,362.0	\$18,398.0	\$2,036.0
Toxic Substances: Chemical Risk Management	\$8,249.6	\$5,654.0	\$5,585.0	\$6,027.0	\$442.0
Toxic Substances: Lead Risk Reduction Program	\$12,589.8	\$13,546.0	\$13,335.0	\$13,652.0	\$317.0

Program Project	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
Subtotal, Toxics Risk Review and Prevention	\$92,945.5	\$90,071.0	\$89,617.0	\$90,401.0	\$784.0
Underground Storage Tanks (LUST / UST)					
LUST / UST	\$9,836.7	\$11,719.0	\$11,572.0	\$12,256.0	\$684.0
Water: Ecosystems					
Great Lakes Legacy Act	\$24,296.7	\$35,000.0	\$34,454.0	\$35,000.0	\$546.0
National Estuary Program / Coastal Waterways	\$21,474.8	\$17,203.0	\$26,779.0	\$17,239.0	(\$9,540.0)
Wetlands	\$19,641.9	\$21,518.0	\$21,248.0	\$22,223.0	\$975.0
Subtotal, Water: Ecosystems	\$65,413.4	\$73,721.0	\$82,481.0	\$74,462.0	(\$8,019.0)
Water: Human Health Protection					
Beach / Fish Programs	\$2,821.4	\$2,830.0	\$2,789.0	\$2,795.0	\$6.0
Drinking Water Programs	\$100,323.2	\$96,967.0	\$96,722.0	\$99,476.0	\$2,754.0
Subtotal, Water: Human Health Protection	\$103,144.6	\$99,797.0	\$99,511.0	\$102,271.0	\$2,760.0
Water Quality Protection					
Marine Pollution	\$12,890.5	\$12,851.0	\$12,674.0	\$13,185.0	\$511.0
Surface Water Protection	\$191,797.2	\$196,092.0	\$193,546.0	\$198,706.0	\$5,160.0
Subtotal, Surface Water Protection	\$191,797.2	\$196,092.0	\$193,546.0	\$198,706.0	\$5,160.0
Subtotal, Water Quality Protection	\$204,687.7	\$208,943.0	\$206,220.0	\$211,891.0	\$5,671.0
TOTAL, EPA	\$2,321,879.5	\$2,298,188.0	\$2,327,962.0	\$2,338,353.0	\$10,391.0

Program Area: Air Toxics And Quality

Clean Air Allowance Trading Programs

Program Area: Air Toxics and Quality
 Goal: Clean Air and Global Climate Change
 Objective(s): Healthier Outdoor Air

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$18,621.2</i>	<i>\$19,388.0</i>	<i>\$19,131.0</i>	<i>\$19,898.0</i>	<i>\$767.0</i>
Science & Technology	\$8,661.1	\$8,259.0	\$9,115.0	\$8,259.0	(\$856.0)
Total Budget Authority / Obligations	\$27,282.3	\$27,647.0	\$28,246.0	\$28,157.0	(\$89.0)
Total Workyears	86.6	89.1	89.1	88.6	-0.5

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 (SO₂) and Nitrogen Oxide (NO_x) emissions from electric utilities. The authorizing legislation specifies two phases and numerous deadlines for both the SO₂ and NO_x program components. The U.S. also is committed, under the US-Canada Air Quality Agreement of 1991, to making reductions in SO₂ and NO_x emissions. 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).

The SO₂ program component uses a market-based approach with tradable units called "allowances" (one allowance authorizes the emission of one ton of SO₂) and sets a permanent cap in 2010 on the total amount of SO₂ that may be emitted by affected sources at approximately one-half the amount these sources emitted in 1980. Both the SO₂ and NO_x program components require accurate and verifiable measurement of emissions.

The Acid Rain Program continues to be recognized as a model for flexible and effective air pollution regulation, both in the U.S. and abroad. The Clean Air Interstate Air Quality Rule (CAIR) is modeled after the Acid Rain SO₂ program and relies on existing authorities to reduce emissions which contribute to interstate air pollution transport and interfere with other states' ability to meet the PM_{2.5} and ozone standards. Using a market-based approach for both SO₂ and NO_x emissions, CAIR is projected to reduce pollution from electrical power generation sources in the covered states by close to 70 percent, when fully implemented. For additional information on the Acid Rain Program, please visit <http://www.epa.gov/acidrain/>.

At the request of the states, EPA has administered the NO_x Budget Program (NBP), a market-based cap and trade program for reducing NO_x emissions and transported ozone in the eastern U.S., for almost a decade. The initial program under the Ozone Transport Commission (OTC) began in 1999. The OTC program ended as a separate entity in 2003, integrating fully with the broader Regional NBP under the NO_x State Implementation Plan (SIP) Call. Affected NBP

sources include boilers, turbines, and combined cycle units from a diverse set of industries as well as electric utility units.

In 2008, the NBP will have expanded to 20 states and D.C. and required NO_x monitoring for the CAIR seasonal program begins in these jurisdictions plus six additional states affected for ozone under CAIR. The first compliance season for the CAIR seasonal program begins in FY 2009. Based on data reported to EPA, in 2006, there were approximately 2,580 affected and operating units in the 19 NBP states and D.C.

FY 2009 Activities and Performance Plan:

In FY 2009, through the Clean Air Allowance Trading Programs, EPA is projected to measure, quality assure, and track emissions for SO₂ and/or NO_x from Continuous Emissions Monitoring Systems (CEMs) or equivalent monitoring methods at approximately 4,600 electric utility units and 330 industrial units. In addition, the program will conduct audits and certify emissions monitors. Through the SO₂ Allowance Tracking System (ATS) and NO_x Allowance Tracking System (NATS), allowance transfers are recorded and reconciled against emissions for all affected sources to ensure compliance. The NATS is expanding into the CAIR seasonal and CAIR annual NO_x allowance tracking systems. The volume of allowances recorded, tracked, and reconciled against emissions beginning in FY 2009 is projected to be approximately four times the volume in the current NATS, or over 2.2 million allowances. Separate activities determine compliance for approximately 980 coal-fired utility boilers with the Acid Rain NO_x emission rate reduction program.

By FY 2009, the NO_x Budget Program (NBP) will have become the CAIR seasonal NO_x program and will include six additional states and approximately 800 additional units. EPA will assist all the states, both prior NBP and new states, with program implementation, especially activities related to allowance trading, emissions monitoring, and end-of-season reconciliation of emissions with allowances. Required NO_x monitoring for the CAIR seasonal program began in 2008, or earlier for states and sources interested in qualifying for early emissions reduction credits.

In 2003, OMB assessed the Acid Rain Program, through the PART process, and gave a rating of “moderately effective.” Both the Academy of Sciences and OMB have commended EPA on Acid Rain’s accountability program which relies on the Clean Air Status and Trends Network (CASTNET) for monitoring deposition, ambient sulfate and nitrate concentrations, and other air quality indicators. EPA is working to develop and implement an industry-oriented measure of program efficiency for PART that takes into consideration the full cost of the program by Spring 2008. The National Ambient Air Quality Standards Federal program, PARTed in 2005, received a rating of “adequate.” EPA is working to implement improvements, within current statutory limitations, that address deficiencies in design and implementation, and identify and evaluate needed improvements that are beyond current statutory authority by December 2008.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Tons of sulfur dioxide emissions from electric power generation sources	Data Avail 2008	7,500,000	8,000,000	8,000,000	Tons Reduced

Reducing emissions of SO₂ and NO_x continues to be a crucial component of EPA's strategy for cleaner air. Particulate matter can be formed from direct sources (such as diesel exhaust or smoke), but can also be formed through chemical reactions. Emissions of SO₂ and NO_x can be chemically transformed into sulfates and nitrates (“acid rain particulate”), which are very tiny particles that can be carried, by winds, hundreds of miles. These same small particles are also a main pollutant that impairs visibility across large areas of the country, particularly national parks that are known for their scenic views. Meeting EPA's national health-based air quality standards is an important step towards ensuring the air is safe to breathe. To meet the standards, EPA, states, tribes, and local governments work as partners to reduce emissions of SO₂ and NO_x. The Agency tracks percent change in average annual sulfur deposition and average annual nitrogen deposition. Targets have been established for every third year; the next planned report date is 2010.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$332.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$435.0) This total reflects the net change including restoration of the FY 2008 Omnibus 1.56% rescission and will support assessment work designed to measure whether programs are achieving environmental benefits.
- (-0.5 FTE) This change reflects EPA’s workforce management strategy that will help the Agency better align resources, skills and Agency priorities.

Statutory Authority:

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

Federal Stationary Source Regulations

Program Area: Air Toxics and Quality

Goal: Clean Air and Global Climate Change

Objective(s): Healthier Outdoor Air

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$22,744.8	\$26,504.0	\$26,091.0	\$26,787.0	\$696.0
Total Budget Authority / Obligations	\$22,744.8	\$26,504.0	\$26,091.0	\$26,787.0	\$696.0
Total Workyears	108.4	105.8	105.8	105.8	0.0

Program Project Description:

Under the Clean Air Act (CAA), EPA is responsible for setting, reviewing, and revising the National Ambient Air Quality Standards (NAAQS) and for setting national emission standards for sources of criteria and air toxics. These national standards form the foundation for air quality management and air toxics programs implemented at the national, state, local and Tribal levels, and establish goals that protect public health and the environment. Please see <http://www.epa.gov/oar/caa/> for more details.

The CAA requires EPA to set NAAQS for pollutants considered harmful to public health and the environment. The Clean Air Act established two types of national air quality standards. Primary standards set limits to protect public health, including the health of "sensitive" populations such as asthmatics, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings. EPA has established NAAQS for six of the most pervasive air pollutants: particulate matter (PM), ozone, sulfur dioxide (SO₂), nitrogen dioxide (NO₂), carbon monoxide (CO), and lead.

This program includes activities directed toward reducing air emissions of toxic pollutants from stationary sources. People exposed to certain toxic air pollutants are at increased risk of cancer or other serious health effects. Specifically, this program relates to 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, implementation of the Urban Air Toxics strategy, and associated national guidance and outreach information. This program also includes issuing, reviewing, and periodically revising, as necessary, new source performance standards for criteria and certain listed pollutants, standards to limit emissions of Volatile Organic Compounds (VOC) from consumer and commercial products, and establishment of Reasonably Available Control Technology (RACT) through issuance and periodic review and revision of control technique guidelines.

FY 2009 Activities and Performance Plan:

The following chart illustrates EPA’s schedule to review criteria pollutants (listed in priority order) and the current status of the NAAQS reviews:

Proposal	Criteria Pollutant	Final
January 2011	Next PM	October 2011
June 2007	Ozone	March 2008
October 2011	CO	July 2012
March 2008	Lead	September 2008
May 2009 February 2010	Nitrogen Dioxide* Primary Secondary	December 2009 October 2010

Proposal	Criteria Pollutant	Final
July 2009 February 2010	Sulfur Dioxide* Primary Secondary	March 2010 October 2010

* The schedules for reviewing the SO₂ & NO₂ standards are under litigation and subject to change.

EPA will increasingly examine opportunities to meet multiple CAA requirements for stationary sources in more integrated ways, resulting in fewer individual standards in preference for rules that meet multiple CAA objectives for controlling both criteria and hazardous air pollutants in more consistent, cost-effective, and economically efficient ways. EPA will work with the regulated community to develop ways to optimize control of pollutant emissions through strategies that reach beyond classical source categories to allow for more flexible, multi-pollutant, and cost-effective sector-based approaches. In FY 2009, resources will be devoted to finalizing the area source standards currently under court-ordered deadlines, as well as updating several MACT standards recently vacated by the courts.

The NAAQS Federal program, PARTed in 2005, received a rating of “adequate.” EPA is working to implement improvements, within current statutory limitations, that address deficiencies in design and implementation and identify and evaluate needed improvements that are beyond current statutory authority.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Cumulative percentage reduction in tons of toxicity-weighted (for cancer risk) emissions of air toxics from 1993 baseline.	Data Avail 2008	35	35	36	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Cumulative percentage reduction in tons of toxicity-weighted (for noncancer risk) emissions of air toxics from 1993 baseline.	Data Avail 2008	58	59	59	Percentage

- Performance targets for reduction of toxicity weighted emissions are also supported by work under the Federal Support for Air Toxics program project.
- Implementation of the MACT standards is expected to result in the reduction of over 1.7 million tons of hazardous air pollutants.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$360.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$336.0) This total reflects the net change including restoration of the FY 2008 Omnibus 1.56% rescission and will assist in meeting regulatory and court-ordered deadlines.

Statutory Authority:

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

Federal Support for Air Quality Management

Program Area: Air Toxics and Quality
 Goal: Clean Air and Global Climate Change
 Objective(s): Healthier Outdoor Air

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$95,576.0</i>	<i>\$90,490.0</i>	<i>\$89,464.0</i>	<i>\$95,538.0</i>	<i>\$6,074.0</i>
Science & Technology	\$9,104.1	\$10,886.0	\$12,118.0	\$11,086.0	(\$1,032.0)
Total Budget Authority / Obligations	\$104,680.1	\$101,376.0	\$101,582.0	\$106,624.0	\$5,042.0
Total Workyears	694.9	700.7	700.7	709.7	9.0

Program Project Description:

The Federal support program assists state, Tribal, and local air pollution control agencies in the development, implementation, and evaluation of programs to implement the National Ambient Air Quality Standards (NAAQS) and the visibility protection program. 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. 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 are met and sustained.

For each of the six criteria pollutants, 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. EPA works with state and local governments to ensure the technical integrity of the source controls in the State Implementation Plans (SIPs). EPA assists areas in identifying the most cost-effective control options available including consideration of multi-pollutant reduction and innovative strategies. The Federal support program includes working with other Federal agencies to ensure a coordinated approach, and working with the United Nations and other countries to address pollution sources outside U.S. borders that pose risks to public health and ecological welfare within the U.S. This program also supports the development of risk assessment methodologies for the criteria air pollutants.

FY 2009 Activities and Performance Plan:

Particulate Matter is the single greatest ground-level air pollution threat and is linked to tens of thousands of premature deaths per year. In addition, repeated exposure to ozone can cause acute respiratory problems and lead to permanent lung damage. Therefore, implementation of the PM and Ozone standards is one of the Agency’s highest priorities. EPA will continue to devote resources to support these revised NAAQS by developing policies to address transition issues

between the pre-existing and new standards. EPA will designate areas as attaining or not attaining the 2006 PM_{2.5} standards and work with states to develop information to designate areas for possible new ozone standards. EPA also will provide limited technical and policy assistance to states developing Regional haze implementation plans. EPA will continue to review and act on SIP submissions in accordance with the CAA.

EPA will continue to implement the recommendations of the National Research Council (NRC). This includes: (1) developing a more integrated multiple pollutant management framework that incorporates criteria and toxic air pollutants; (2) incorporating ecosystem impacts, community effects, and future air quality and climate interactions; and (3) assessing progress of air programs through an accountability framework. EPA will continue to evaluate and implement, as appropriate, a limited set of reform recommendations of the Clean Air Act Advisory Committee's Subcommittee on Air Quality Management, focusing on the longer-term improvements recommended in 2007. This includes working with selected state and local agencies to pilot comprehensive multi-pollutant air quality planning programs. Key elements of these programs are to create comprehensive plans that include not only multi-pollutant air quality planning, but also make connections to and integrate with local land use, energy and transportation planning. In addition, EPA will continue to review issues on reactivity of volatile organic compounds (VOC) and propose appropriate updates to the VOC control policy.

EPA, in concert with the Department of Justice, will continue to support litigation related to the Clean Air Interstate Rule (CAIR), and will implement the CAIR Federal Implementation Plan (FIP). These two actions will ensure that the Phase I CAIR reductions occur by FY 2009 and FY 2010, as required, to support attainment of the PM_{2.5} and ozone NAAQS.

EPA will provide assistance to state, local and Tribal agencies in implementing national programs and assessing their effectiveness. 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, augmented cost/benefit tools to assess control strategies, including voluntary measures, and urban and Regional-scale numerical grid air quality models (<http://www.epa.gov/ttn/>). EPA will maintain these tools (integrated multiple pollutant emissions inventory and air quality modeling platforms) to provide the technical underpinnings for more efficient and comprehensive air quality management.

In addition, EPA will continue to implement the National Ambient Air Monitoring Strategy to maintain, where possible, multiple pollutant monitoring sites to support the development and evaluation of multiple pollutant air management strategies. EPA will continue development of emissions measurement methods for condensable PM_{2.5} for cross-industry application to ensure accurate and consistent measurement methods can be employed in the NAAQS implementation program. EPA will continue work with the Centers for Disease Control and Prevention (CDC) on accountability as they work with public health agencies to assess more broadly the progress of air regulations on public health outcomes.

EPA also will continue to assist other Federal agencies and state and local governments in implementing the conformity regulations during this period. 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.

EPA will continue to participate in global and continental air quality management efforts addressing transboundary air pollution. EPA will continue to participate in negotiations under international treaties (e.g., US-Canada, Convention on Long Range Transboundary Air Pollution, Stockholm Convention on Persistent Organic Pollutants (POPs)) and to lead and participate in partnerships (e.g., the Global Mercury Programme partnerships) to address fine particles, ozone, mercury, and POPs; assess trends and impact on US air quality using sophisticated models; and build capacity to reduce transboundary air pollution in key Regions and countries of the world (e.g., India, China, and Mexico).

EPA will continue to operate and maintain the automated Air Quality Subsystem (AQS), which houses the nation's air quality data and allows for data and technology exchange/transfer. EPA will modify the AQS, as necessary, to reflect new ambient monitoring regulations and to ensure that it complies with only the most critical programmatic needs and EPA's architecture and data standard requirements. The AQS Data Mart will continue to provide access to the scientific community and others to obtain air quality data via the internet (<http://epa.gov/ttn/airs/airsaqs>). EPA will continue the development of the new emissions inventory system (EIS) by completing the function that allows states to enter their emissions data and begin limited testing, tuning and training. The EIS will allow EPA and its stakeholders comprehensive national access to needed program information more efficiently than ever before.

EPA will continue to focus on the timely issuance of renewal permits and to respond to veto petitions under the Title V operating permits program. EPA also will continue to address monitoring issues in underlying Federal and state rules. EPA also will take appropriate action to more broadly improve the Title V program by implementing a limited set of recommendations from the Clean Air Act Advisory Committee's Task Force on Title V program performance (<http://www.epa.gov/air/oaqps/permits/>).

EPA also will support the expansion of energy permitting work in the Regions. Among other areas, EPA will perform monitoring support associated with permit issuance and NEPA evaluation.

EPA will continue its New Source Review (NSR) reform efforts by finalizing rules currently under development. EPA will continue to work with state and Tribal governments to implement revisions to the Prevention of Significant Deterioration requirements and NSR rules, including updates to delegation agreements (for delegated states) and review of implementation plan revisions (for SIP-approved states). EPA also will continue to review and respond to reconsideration requests and (working with DOJ) legal challenges related to NSR program revisions, and will take any actions necessary to respond to court decisions. EPA also will continue to work with industries on pollutant measurement issues affecting NSR applicability.

The NAAQS Federal program, PARTed in 2005, received a rating of "adequate." EPA will continue to implement improvements, within current statutory limitations, that address deficiencies in design and implementation and identify and evaluate needed improvements that are beyond current statutory authority by December 2008. The Air Quality Grants and

Permitting Program, also PARTed in 2005, received a rating of “ineffective.” EPA has updated current grant allocation processes to ensure resources are properly targeted, and will continue to develop measures of permit program efficiency and make program adjustments to ensure targets are met by December 2008.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Cumulative percent reduction in population-weighted ambient concentration of fine particulate matter (PM-2.5) in all monitored counties from 2003 baseline.	Data Avail 2008	3	4	5	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Cumulative percent reduction in population-weighted ambient concentration of ozone in monitored counties from 2003 baseline.	Data Avail 2008	6	8	10	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percent of major NSR permits issued within one year of receiving a complete permit application.	Data Avail 2008	75	78	78	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percent of new Title V operating permits issued within 18 months of receiving a complete permit application.	Data Avail 2008	87	91	95	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percent of significant Title V operating permit revisions issued within 18 months of receiving a complete permit application.	Data Avail 2008	94	97	100	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Cumulative percent reduction in the number of days to process State Implementation Plan revisions, weighted by complexity.	Data Avail 2008	0	-1.2	-2.4	Percentage

EPA, collaborating with the states, will continue implementing Federal measures and assisting with the development of clean air plans to move the remaining PM_{2.5} nonattainment areas into attainment by 2015 and the remaining ozone nonattainment areas into attainment by the CAA-prescribed date, ranging from FY 2009 - FY 2024.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$3,867.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$407.0) This total reflects the net change including restoration of the FY 2008 Omnibus 1.56% rescission and will assist in providing technical and benefits assessment support to the states, locals, and tribes to implement the NAAQS and visibility protection programs.
- (+\$1,800.0 / +9.0 FTE) This increase supports the expansion of energy permitting work in the Regional offices to keep pace with the nation's burgeoning energy exploration and development. EPA will use the requested funds to: prepare permits and NEPA reviews; conduct modeling and analysis of emerging technologies (such as coal liquefaction and oil shale recovery); and perform monitoring support associated with permit issuance and NEPA evaluation.

Statutory Authority:

CAA Amendments of 1990 (42 U.S.C. 7401-7661f).

Federal Support for Air Toxics Program

Program Area: Air Toxics and Quality

Goal: Clean Air and Global Climate Change

Objective(s): Healthier Outdoor Air

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$25,081.8	\$24,711.0	\$24,390.0	\$22,693.0	(\$1,697.0)
Science & Technology	\$1,804.1	\$2,252.0	\$2,220.0	\$2,303.0	\$83.0
Total Budget Authority / Obligations	\$26,885.9	\$26,963.0	\$26,610.0	\$24,996.0	(\$1,614.0)
Total Workyears	141.2	141.8	141.8	141.8	0.0

Program Project Description:

The Federal support program assists State, Tribal and local air pollution control agencies and communities with modeling, inventories, monitoring, assessments, strategy and program development and community-based toxics programs.

EPA also provides support for voluntary programs including those that reduce inhalation risk and those that reduce deposition to water bodies and ecosystems; international cooperation to reduce transboundary and intercontinental air toxic pollution; National Emissions Inventory (NEI) development and updates; Great Waters; the development of risk assessment methodologies for the toxic air pollutants; and Persistent Bioaccumulate Toxics (PBT) activities; and, training for air pollution professionals. In addition, it includes activities for implementation of Federal air toxics standards and the triennial National Air Toxics Assessments. Effective implementation of air toxics standards will lead to reduction of emissions of air toxic; which are known to cause increased risk of cancer or other serious health effects.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue to maintain the 2002 National Emission Inventory and to accept National Inventory Files from States for use in the reengineered 2008 NEI. The NEI will be used by EPA, states, and others to analyze the public health risks from air toxics, and develop strategies to manage that risk and support multipollutant analysis covering both air toxics and NAAQS pollutants. EPA also will be ready to accept and perform data quality and analytical work in mid-2010. The completed 2008 National Emission Inventory System will be a better-automated, more accurate, multi-pollutant inventory integrating criteria pollutants and HAP data. For more information visit: (<http://www.epa.gov/ttn/chief/net/index.html>)

To aid the Agency in characterizing risk, EPA will continue to work with state and local agencies, via the National Air Monitoring Steering Committee, to 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 25 permanent monitoring sites with plans

to expand the network in FY08 and FY09 to 28-30 sites. The LSMs are comprised of scores of short-term monitoring projects, each designed to address specific local issues. In FY09, 12-16 additional community scale monitoring projects will be initiated. For more information on air toxics monitoring is available at: <http://www.epa.gov/ttn/amtic/airtoxpg.htm>].

In addition to meeting CAA requirements, EPA will build on its multi-pollutant and sector pilot efforts by constructing and organizing initiatives around industrial sectors. The focus of these efforts will be to address a sector's emissions comprehensively and prioritize regulatory efforts on the pollutants of greatest concern. EPA will look at all pollutants in an industrial sector and look for ways to take advantage of the co-benefits of pollution control. Reducing emissions of one pollutant often presents cost-effective opportunities to reduce emissions of additional air pollutants. Sector and multi-pollutant approaches can take many forms (e.g. cap and trade, opt-in, plant-wide programs) and will continue to evolve as solutions are developed and tailored to address the differing nature of the various sectors. EPA will continue to improve both ambient and source air toxics measurement/monitoring methods via these innovative approaches.

EPA will provide information to states and communities through case examples, documents, websites, and workshops on tools to help them in conducting assessments and identifying risk reduction strategies for air toxics. This will allow State, local and Tribal governments, industry, public interest groups, and local citizens to work together to determine if actions are needed, and if so, what should be done.

Based on recommendations from EPA's PBT Monitoring Steering Committee, ambient mercury models will be improved to support understanding of changes in ambient concentrations and deposition rates because of changes in mercury emission rates. The improvements made in FY 2009 and those improvements made in earlier years for both multi-scale and multimedia modeling will continue to be evaluated. The multi-scale monitoring will enable assessment of near-field potential for elevated concentrations associated with both major and minor point sources. Re-emittance of mercury through soil, vegetation and water is believed to be an important factor affecting the mercury cycle; however, it is currently poorly characterized in atmospheric models. We will continue to develop a true multimedia modeling framework that links air quality models with watershed/water surface models. Enhanced monitoring efforts will provide needed information for model intercomparison and validation studies.

EPA also anticipates a network of 10 atmospheric mercury monitoring stations using standardized procedures and a coordinated data management system will be operational in 2009, with partial EPA support and co-funding by partnering organizations. These sites will complement the existing Mercury Deposition Network, which measures wet-only mercury deposition. EPA anticipates continued support of site operation, coordination, quality assurance, and data management expenses in the out years.

EPA will continue its efforts under the Air-Water Interface Work Plan to address and prevent adverse effects of atmospheric deposition to waterbodies, including coastal waters. For more information visit: <http://www.epa.gov/oar/oaqps/gr8water/>. These efforts involve the development and support of multi-media approaches to reduce risk and achieve water quality

standards. Up-to-date information regarding multimedia work will be provided to state, local and Tribal agencies and other organizations.

The Air Toxics program, re-assessed by OMB in 2004 through the PART process, received a rating of “adequate.” EPA is working on improving monitoring systems to fill data gaps and get a better assessment of actual population exposure to toxic air pollution.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Cumulative percentage reduction in tons of toxicity-weighted (for cancer risk) emissions of air toxics from 1993 baseline.	Data Avail 2009	35	35	36	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Cumulative percentage reduction in tons of toxicity-weighted (for noncancer risk) emissions of air toxics from 1993 baseline.	Data Avail 2009	58	59	59	Percentage

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$628.0) This reflects increases for payroll and cost of living for existing FTE.
- (-\$2,325.0) This total reflects the net change including restoration of the FY 2008 Omnibus 1.56% rescission and will delay the implementation of the new Emissions Inventory System and the 2008 National Emissions Inventory (NEI) and National Scale Air Toxics Assessment (NATA) databases.

Statutory Authority:

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

Radiation: Protection

Program Area: Air Toxics and Quality
 Goal: Clean Air and Global Climate Change
 Objective(s): Radiation

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$10,172.7</i>	<i>\$10,186.0</i>	<i>\$10,057.0</i>	<i>\$10,533.0</i>	<i>\$476.0</i>
Science & Technology	\$2,126.1	\$2,120.0	\$2,087.0	\$2,109.0	\$22.0
Hazardous Substance Superfund	\$1,960.9	\$2,373.0	\$2,342.0	\$2,414.0	\$72.0
Total Budget Authority / Obligations	\$14,259.7	\$14,679.0	\$14,486.0	\$15,056.0	\$570.0
Total Workyears	89.2	88.6	88.6	88.6	0.0

Program Project Description:

The Radiation Protection Program includes activities that minimize public radiation exposure. EPA provides oversight of operations at the Waste Isolation Pilot Plant (WIPP) and is responsible for development of environmental standards applicable to Yucca Mountain. EPA also sets protective limits on radioactive air emissions and ensures that the Agency has appropriate methods to manage radioactive releases and exposures. EPA works with other Federal agencies, states, Tribes, and private sector entities to develop and use training, public information, and voluntary programs to reduce public exposure to radiation.¹ Other EPA approaches include radiation clean-up and waste management guidance, radiation pollution prevention, and guidance on radiation protection standards and practices to Federal agencies.

EPA also supports assessment of new scientific findings in order to conduct radiation risk assessments and develops the technical tools and the basis for generating radionuclide-specific risk coefficients. Risk managers use this information to assess health risks from radiation exposure and to determine appropriate levels for contaminated site clean-up. This information also is utilized by EPA to develop radiation protection and risk management policy, guidance, and rulemakings.

FY 2009 Activities and Performance Plan:

EPA will continue its oversight work to ensure that all radioactive waste shipped by the Department of Energy (DOE) to the Waste Isolation Pilot Plant (WIPP) is permanently and safely disposed of, consistent with EPA standards². EPA will conduct inspections of waste generator facilities and evaluate DOE's compliance with applicable environmental laws and regulations every 5 years.

¹ Additional information at: <http://www.epa.gov/radiation/assessment/index.html> last accessed 7/25/2007.

² Additional information at: <http://www.epa.gov/radiation/WIPP/> last accessed 7/25/2007.

EPA will continue protecting people and the environment from harmful and avoidable exposure to radiation by providing information about radiation and hazards from radioactive materials. 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. EPA will continue to conduct risk assessments on radiation, including radon, and provide technical tools.

In FY 2009, EPA will begin to implement revisions to its cancer risk models and projections based on Biological Effects of Ionizing Radiation (BEIR) VII recommendations. In mid-FY 2008, EPA expects to receive a Science Advisory Board (SAB) consultation report on its draft report (submitted to the SAB in September 2006) which proposed changes in methods for estimating risks. Once EPA receives the SAB's report, it will prepare a report that presents revised methods for calculating radiogenic cancer risks which will again require formal review by the SAB. Also, during FY 2009, EPA will examine impacts the proposed changes might have on risk estimates for specific radionuclides as contained in Federal Guidance Report-13 and will begin to assess possible policy implications. EPA will continue to provide national guidance on the risks posed by radiation in the environment, including technical guidance for conducting and documenting risk assessments.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Time to approve site changes affecting waste characterization at DOE waste generator sites to ensure safe disposal of transuranic radioactive waste at WIPP.	40	43	46	53	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Population covered by Radiation Protection Program monitors per million dollars invested.	4,418,000	4,159,000	4,729,000	5,254,000	Dollars

EPA is on track through its ongoing work to accomplish its 2011 strategic plan goal of protecting public health and the environment from unwanted releases of EPA regulated radioactive waste and to minimize impacts to public health from radiation exposure. The Office of Management and Budget (OMB) recently approved several outcome-oriented strategic and annual performance measures for this program in conjunction with its 2007 PART assessment. The

measures all have baseline data and some historical data which provide a benchmark to assist in the development of the outyear targets. The Radiation Program received a rating of “moderately effective.”

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$237.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$239.0) This reflects the net change after restoring the FY 2008 Omnibus 1.56% rescission and increasing funding to support continued risk assessment of radionuclides.

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; UMTRCA of 1978; WIPP Land Withdrawal Act.

Radiation: Response Preparedness
 Program Area: Air Toxics and Quality
 Goal: Clean Air and Global Climate Change
 Objective(s): Radiation

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$2,809.7	\$2,928.0	\$2,882.0	\$2,941.0	\$59.0
Science & Technology	\$3,375.6	\$3,721.0	\$3,679.0	\$4,016.0	\$337.0
Total Budget Authority / Obligations	\$6,185.3	\$6,649.0	\$6,561.0	\$6,957.0	\$396.0
Total Workyears	39.1	42.3	42.3	42.3	0.0

Program Project Description:

EPA generates policy guidance and procedures for EPA radiological emergency response under the National Response Plan (NRP). EPA is a member of the Federal Radiological Preparedness Coordinating Committee (FRPCC), supports the federal Advisory Team for Environment, Food, and Health (the “A-Team”) and also maintains its own Radiological Emergency Response Team (RERT). EPA responds to radiological emergencies, conducts national and regional radiological response planning and training and develops response plans for radiological incidents or accidents.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA’s RERT, a component of the Agency’s emergency response structure, will maintain its preparedness for those radiological incidents for which EPA is the Coordinating Agency under the NRP and also will be prepared to fulfill its requirement under the Nuclear/Radiological Incident Annex to the NRP. 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.³ Through personnel and asset training and exercises EPA will continue to enhance and maintain its state of readiness for radiological emergencies.

EPA will continue to coordinate with its interagency partners under the Federal Radiological Preparedness Coordinating Committee to revise Federal radiation emergency response plans, develop radiological emergency response protocols and standards. The Agency also will continue to develop guidance addressing lessons learned from incidents and exercises to ensure more effective coordination of EPA support with that of other Federal and state response agencies. EPA also will continue to develop and maintain Protective Action Guides (PAGs) for

³ Additional information can be accessed at: <http://www.epa.gov/radiation/rert/> last accessed 7/25/2007.

use by Federal, state, and local responders. EPA will provide training on the use of the PAGs to users through workshops and radiological emergency response exercises.

In addition, 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). 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 for development of their own preparedness programs.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Level of readiness of radiation program personnel and assets to support federal radiological emergency response and recovery operations.	80	83	85	90	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Average time of availability of quality assured ambient radiation air monitoring data during an emergency.	1.3	1.3	1	.8	Days

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Level of readiness of national environmental radiological laboratory capacity (measured as percentage of laboratories adhering to EPA quality criteria for emergency response and recovery decisions.	20	21	35	50	Percentage

EPA expects to be on track through its ongoing work to accomplish its 2011 strategic plan goal of protecting public health and the environment from unwanted releases of EPA regulated radioactive waste and to minimize impacts to public health from radiation exposure. The Office of Management and Budget (OMB) recently approved several outcome-oriented strategic and annual performance measures for this program in conjunction with its 2007 PART assessment. The measures all have baseline data and some historical data which provide a benchmark to assist in the development of the outyear targets. The Radiation Program received a rating of “moderately effective.”

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

(+\$59.0) This reflects an increase for payroll and cost of living for existing FTE.

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 (SARA); 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; PHS Act, 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.; SDWA.

Stratospheric Ozone: Domestic Programs

Program Area: Air Toxics and Quality

Goal: Clean Air and Global Climate Change

Objective(s): Healthier Outdoor Air; Protect the Ozone Layer

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$5,280.0	\$4,489.0	\$5,119.0	\$4,696.0	(\$423.0)
Total Budget Authority / Obligations	\$5,280.0	\$4,489.0	\$5,119.0	\$4,696.0	(\$423.0)
Total Workyears	25.7	23.8	23.8	23.8	0.0

Program Project Description:

The stratospheric ozone layer protects life on earth by preventing harmful ultra-violet (UV) radiation from reaching the earth's surface. Scientific evidence amassed over the past 30 years has shown that Ozone Depleting Substances (ODS) used around the world are destroying the stratospheric ozone layer.⁴ Increased levels of UV radiation due to ozone depletion are expected to raise the incidence of skin cancer, cataracts, and other illnesses.⁵ Skin cancer is the most common type of cancer and accounts for more than 50 percent of all cancers in adults.⁶ Increased UV levels have also been associated with other human and non-human risks, including immune suppression and effects on aquatic ecosystems and agricultural crops.

EPA estimates that in the United States alone, the worldwide phaseout of ODS will avoid 299 million cases of non-fatal skin cancers and 27.5 million cases of cataracts between 1990 and 2165.⁷ This estimate is based on the assumption that international ODS phaseout targets will be achieved, allowing the ozone layer to begin recovery by the middle of this century. According to current atmospheric research, the ozone layer is not expected to recover until the mid-21st century at the earliest, due to the very long lifetimes of ODS.⁸

EPA's Domestic Stratospheric Ozone Protection Program will implement 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), which will lead to the reduction and control of ODS in the U.S. and lower health risks to the American public due to exposure to UV radiation. Since ODS and many of their substitutes are also potent greenhouse gases, reduction and appropriate control of these materials also will provide the important co-benefit of reduced emissions of greenhouse gases. The Act provides for a phaseout of production and consumption

⁴ World Meteorological Organization (WMO). Scientific Assessment of Ozone Depletion: 2006. Geneva, Switzerland. 2007.

⁵ Fahey, D.W. (Lead Author), World Health Organization, et. al. "Twenty Questions and Answers About the Ozone Layer: 2006 Update." Scientific Assessment of Ozone Depletion, World Meteorological Organization, March 2007.

⁶ American Cancer Society. "What are the Key Statistics for Melanoma?" Accessed July 18, 2007. Available on the Internet at http://www.cancer.org/docroot/CRI/content/CRI_2_4_1X_What_are_the_key_statistics_for_melanoma_50.asp?sitearea=

⁷ 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.

⁸ WMO, 2007.

of ODS and requires controls on various products containing ODS or their substitutes. As a signatory to the Montreal Protocol, the U.S. also is committed to regulating and enforcing its terms domestically.

FY 2009 Activities and Performance Plan:

In carrying out the requirements of the Act and the Montreal Protocol in FY 2009, EPA will continue to implement the domestic rulemaking agenda for reduction and control of ODS. EPA will provide compliance assistance and enforce rules controlling their production, import, and emission.

In FY 2009, EPA will focus its work to both assure that currently required caps on production and import are met, as well as on approving the use of alternatives to ODS to assist the market's transition to safer, non-ozone depleting alternatives. EPA also will assure that management of ODS and their substitutes meets Clean Air Act requirements by limiting emissions to the atmosphere.

Pollution prevention is an important element in achieving the ozone protection objective. The National Emission Reduction Program will require recovery and recycling or reclamation of ODSs and their substitutes, primarily in the air-conditioning and refrigeration sectors. Also, under the Significant New Alternatives Policy (SNAP), EPA will review newly developed alternatives to ODS and, if necessary, will restrict use of alternatives for a given application that are more harmful to human health and the environment on an overall basis. In addition, EPA will work with Federal and international agencies to curb illegal imports of ODS and ensure a smooth transition to non-ozone depleting alternatives in various sectors.

In 2004, OMB assessed the Stratospheric Ozone program through the PART process, and rated it as "adequate." The assessment found that the program has a clear purpose, addresses a specific need, is free of major flaws, and is effectively targeted. Investments in this program will help to assure that it continues to meet existing performance goals and continues work on performance measures and targets to track intermediate outcomes by measuring "thickness" of the ozone layer in the atmosphere.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Remaining US Consumption of HCFCs in tons of Ozone Depleting Potential (ODP).	Data Avail 2009	<9,900	<9,900	<9,900	ODP MTs

- Annual performance goals are set to meet Clean Air Act requirements for the quantities and timing of phasing out the production and import of ozone depleting substances. The basis of comparison for assessing the program is the domestic consumption cap of class II HCFCs as set by the Parties to the Montreal Protocol. Each ozone depleting substance is weighted based on the damage it does to stratospheric ozone -- this is the 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 chlorofluorocarbons (CFCs) in 1989 plus the ODP-weighted level of hydrochlorofluorocarbons (HCFCs) in 1989. Consumption equals production plus import minus export.
- The next incremental reduction in production and import of class II HCFCs that the U.S. is required to meet is no more than 5334 MT starting in 2010. Further incremental reductions are required through 2020, until all ODS production and import is phased out except for exempted amounts.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$508.0) This reduction reflects the net change after restoring the FY 2008 Omnibus 1.56% rescission and eliminating funding for the SunWise program.
- (+\$85.0) This reflects an increase for payroll and cost of living for existing FTE.

Statutory Authority:

CAA Amendments of 1990, Title I, Parts A and D (42U.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: Air Toxics and Quality
Goal: Clean Air and Global Climate Change
Objective(s): Protect the Ozone Layer

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$11,315.0</i>	<i>\$9,865.0</i>	<i>\$9,711.0</i>	<i>\$9,865.0</i>	<i>\$154.0</i>
Total Budget Authority / Obligations	\$11,315.0	\$9,865.0	\$9,711.0	\$9,865.0	\$154.0
Total Workyears	0.0	0.0	0.0	0.0	0.0

Program Project Description:

The stratospheric ozone layer protects life on earth by preventing harmful ultra-violet (UV) radiation from reaching the earth's surface. Scientific evidence amassed over the past 30 years has shown that Ozone Depleting Substances (ODSs) used around the world are destroying the stratospheric ozone layer.⁹ Increased levels of UV radiation due to ozone depletion are expected to raise the incidence of skin cancer, cataracts, and other illnesses.¹⁰ Skin cancer is the most common type of cancer and accounts for more than 50 percent of all cancers in adults.¹¹ Increased UV levels also have been associated with other human and non-human risks, including immune suppression and effects on aquatic ecosystems and agricultural crops.

Under the *Montreal Protocol on Substances that Deplete the Ozone Layer*, the U.S. and other developed countries contribute to the Multilateral Fund to support projects and activities that eliminate the production and use of ozone depleting substances (ODS) in developing countries. Currently, the United States and 189 other countries are parties to the Montreal Protocol. The United States has affirmed its commitment to this international treaty and to demonstrating world leadership by phasing out domestic production of ODS, as well as helping other countries find suitable alternatives.

EPA estimates that in the U.S. alone, the worldwide phaseout of ODS will avoid 299 million cases of non-fatal skin cancers and 27.5 million cases of cataracts between 1990 and 2165.¹² This estimate is based on the assumption that international ODS phaseout targets will be achieved, allowing the ozone layer to begin recovery by the middle of this century. According to current atmospheric research, the ozone layer is not expected to recover until the mid-21st century at the earliest, due to the very long atmospheric lifetimes of ODS.¹³

⁹ World Meteorological Organization (WMO). *Scientific Assessment of Ozone Depletion: 2006*. Geneva, Switzerland. 2007.

¹⁰ Fahey, D.W. (Lead Author), World Health Organization, et. al. "Twenty Questions and Answers About the Ozone Layer: 2006 Update." *Scientific Assessment of Ozone Depletion*, World Meteorological Organization, March 2007.

¹¹ American Cancer Society. "What are the Key Statistics for Melanoma?" Accessed July 18, 2007. Available on the Internet at http://www.cancer.org/docroot/CRI/content/CRI_2_4_1X_What_are_the_key_statistics_for_melanoma_50.asp?sitearea=..

¹² 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.

¹³ WMO, 2007.

FY 2009 Activities and Performance Plan:

EPA's contributions to the Multilateral Fund in FY 2009 will help continue to support cost-effective projects that are designed to build capacity and eliminate ODS production and consumption in over 60 developing countries. Today, the Multilateral Fund continues to support over 5,150 activities in 139 countries, and when fully implemented, will prevent annual emissions of more than 223,729 metric tons of ODS. Over 80% of already agreed upon project activities have been implemented to date, with remaining work in these already agreed upon projects expected to be fully implemented by 2010. Additional projects will be considered and approved in accordance with Multilateral Fund guidelines to address the remaining 9,155 metric tonnes of ODS (weighted by their potential to damage the ozone layer) for which there are not yet projects to assist in meeting developing country obligations under the Montreal Protocol.

In 2004, OMB assessed the Stratospheric Ozone program through the PART process, and rated it as "adequate." The assessment found that the program has a clear purpose, addresses a specific need, is free of major flaws, and is effectively targeted. The assessment included a specific recommendation for continued support of the Multilateral Fund for the Implementation of the Montreal Protocol.

Performance Targets:

- Performance targets for ozone layer protection are also supported by work under Stratospheric Ozone: Domestic Programs.
- Annual performance goals are set to meet Clean Air Act requirements for the quantities and timing of phasing out the production and import of ODS. The base of comparison for assessing the program is the domestic consumption cap of class II hydrochlorofluorocarbons (HCFCs), as set by the Parties to the Montreal Protocol. Each ODS is weighted based on the damage it does to the stratospheric ozone -- this is the 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.
- The next incremental reduction in production and import of class II HCFCs that the U.S. is required to meet is no more than 5334 MT starting in 2010. Further incremental reductions are required through 2020, until all ODS production and import is phased out except for exempted amounts.
- Long-term performance goals are set to reflect environmental response to actions to reduce consumption of ODS. Meeting the long-term performance goal of reduced levels of effective equivalent stratospheric chlorine requires successful action not only by the U.S. and other developed countries, but by all developing nations worldwide.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$154.0) This increase reflects restoration of the 1.56% rescission mandated by the FY 2008 Omnibus budget. Support for the Multilateral Fund remains stable between the FY 2008 President's Budget and the FY 2009 President's Budget.

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: Brownfields

Brownfields

Program Area: Brownfields

Goal: Healthy Communities and Ecosystems

Objective(s): Communities

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$25,838.4	\$23,450.0	\$23,665.0	\$22,732.0	(\$933.0)
Total Budget Authority / Obligations	\$25,838.4	\$23,450.0	\$23,665.0	\$22,732.0	(\$933.0)
Total Workyears	115.7	127.9	127.9	125.9	-2.0

Program Project Description:

The Brownfields program is designed to help states, tribes, local communities and other stakeholders in economic redevelopment to work together to assess, safely cleanup, and reuse brownfields. Revitalizing these once productive properties helps communities by removing blight, satisfying the growing demand for land, helping limit urban sprawl, fostering ecologic habitat enhancements, enabling economic development, and maintaining or improving quality of life. EPA's Brownfields program funds research efforts, clarifies liability issues, enters into Federal, state, and local partnerships, conducts outreach activities, and creates related job training and workforce development programs. EPA's work is focused on removing barriers and creating incentives for brownfield redevelopment. The program 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) Tribal technical outreach support to address environmental justice issues and support Brownfields research.

The Smart Growth program works with stakeholders to create an improved economic and institutional climate for Brownfields redevelopment. The Smart Growth program removes barriers and creates incentives by changing development standards that affect the viability of Brownfields redevelopment; and creating cross-cutting solutions that improve the economic, regulatory and institutional climate for Brownfields redevelopment.

FY 2009 Activities and Performance Plan:

In addition to supporting the operations and management of the Brownfields program, funds requested will provide financial assistance for training on hazardous waste to organizations representing the interests of state and Tribal co-implementers of the Brownfields law: the Small Business Liability Relief and Brownfields Revitalization Act (SBLRBRA). The program also offers outreach support for environmental justice issues involving 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. EPA also will provide technical assistance to communities that were awarded funding to combine smart growth policies with Brownfields redevelopment. 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, better track and report on brownfields properties and create examples and best practices that can be copied in other communities.

The Smart Growth program will address critical issues for Brownfield redevelopment including land assembly, development permitting issues, financing, parking and street standards. The Smart Growth Program will also look at accountability to uniform systems of information for land use controls, and other factors that influence the economic viability of Brownfields redevelopment.

Performance Targets:

The Brownfields EPM program contributes to the overall Brownfields program goal and measures. The Brownfields Projects program contributes to the achievement of all performance measures and the Brownfields Categorical Grant program contributes to the achievement of the “properties assessed” measure. The Brownfields EPM program also contributes to EPA efforts to assess and clean up brownfields, as described in EPA’s FY 2006-2011 Strategic Plan.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$388.0) This reflects an increase in payroll and cost of living for existing FTE.
- (-\$527.0) The change reflects a decrease in funding for the Smart Growth Program. The Agency is not maintaining this funding amount for the Smart Growth Program which was directed by Congress in FY 2008.
- (-\$794.0) This change reflects the net effect of the restoration of the 1.56% rescission to all program projects combined with technical changes such as realignment of IT, travel or other support programs.
- (-2.0 FTE) This decrease reflects a reduction in the Brownfields program staff. These resources have supported efforts to resolve liability for cleanup and facilitate cleanup, redevelopment, and reuse of brownfields and to respond to liability issues concerning the Brownfields grant program at both the headquarters and Regional level.

Statutory Authority:

CERCLA as amended by SBLRBRA (Public Law 107-118); RCRA, Section 8001; GMRA (1990); SWDA; FFGCAA.

Program Area: Climate Protection Program

Climate Protection Program

Program Area: Climate Protection Program

Goal: Clean Air and Global Climate Change

Objective(s): Reduce Greenhouse Gas Intensity

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$91,252.1</i>	<i>\$87,927.0</i>	<i>\$90,374.0</i>	<i>\$87,008.0</i>	<i>(\$3,366.0)</i>
Science & Technology	\$14,624.1	\$13,104.0	\$18,331.0	\$11,402.0	(\$6,929.0)
Total Budget Authority / Obligations	\$105,876.2	\$101,031.0	\$108,705.0	\$98,410.0	(\$10,295.0)
Total Workyears	222.7	212.5	212.5	213.0	0.5

Program Project Description:

The core of EPA's climate change efforts are innovative, voluntary public-private partnership programs 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 in energy efficiency and clean energy avoid greenhouse gas emissions from power plants and mobile sources.

EPA manages a number of efforts, such as the ENERGY STAR program, SmartWay program, clean energy partnerships, and transportation efficiency programs, all of which remove barriers in the marketplace in order to deploy cost-effective technologies faster. These programs support and augment the Agency's regulatory program designed to reduce emissions. EPA programs do not provide financial subsidies. Instead, they work by overcoming widely acknowledged barriers to energy efficiency: 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. EPA works with the Department of Energy on the ENERGY STAR program; DOE manages the specification process for approximately 6 product categories and EPA manages the specification process for more than 50 product categories, the new and existing homes programs, and the commercial and industrial programs. (For more information visit: www.epa.gov/energystar.html and www.epa.gov/smartway)

EPA also manages the continued implementation of the Methane to Markets Partnership – a U.S.-led international initiative that promotes cost-effective, near-term methane recovery and use as a clean energy source. The Partnership has the potential to deliver, by 2015, annual reductions in methane emissions of up to 500 billion cubic feet (Bcf) of natural gas. Methane to Markets builds on the success of EPA's domestic methane voluntary programs by creating an international forum that will achieve its goals through collaboration among developing countries, developed countries, and countries with economies in transition- together with strong participation from the private sector, development banks, and other governmental and non-governmental organizations. (For more information visit: www.epa.gov/methanetomarkets/)

EPA's Climate Protection Program has achieved real reductions of carbon dioxide (CO₂) and other greenhouse gases such as methane and perfluorocarbons (PFCs). EPA's climate change programs promote energy efficiency and the development of clean and renewable sources of energy. Since the investments made by EPA partners as a result of EPA programs often have lifetimes of ten years or more, actions taken today will continue to deliver environmental and economic benefits for many years to come. For every dollar spent by EPA on its climate change partnership programs, EPA estimates that the programs have reduced greenhouse gas emissions by up to 1.0 metric ton of carbon equivalent (3.67 tons of CO₂) and delivered more than \$75 in energy bill savings.¹⁴ This is based upon cumulative reductions since 1995.

EPA's carbon removal program evaluates the risks of carbon sequestration to human health and the environment. The Agency also is designing an inventory and accounting methodology for carbon sequestration and is initiating a rulemaking to ensure timely and effective permitting of commercial-scale sequestration projects.

EPA's SmartWay Partnership Program works with transportation technology and freight industry partners (shipper, carriers, etc.) to overcome the lack of reliable information and financing for cleaner more fuel efficient transportation technology. SmartWay is on track to reduce between 9 - 18 million metric tons of carbon equivalent (mmtce) emissions and up to 200,000 tons of nitrogen oxide (NO_x) emissions per year which was its established goal for 2012. At the same time, the initiative will result in fuel savings of up to 150 million barrels of oil annually.

EPA's international activities lead to greater information and technical capacity available for developing and industrialized countries to implement emissions reductions policies and climate protection programs. Most recently, the United States and EPA have partnered with Australia, China, India, Japan, Canada and South Korea to form the Asia-Pacific Partnership on Clean Development and Climate Change. This partnership focuses on voluntary practical measures taken by these six countries in the Asia-Pacific region to create new investment opportunities, build local capacity, and remove barriers to the introduction of clean, more efficient technologies. This partnership also helps each country meet nationally designed strategies for improving energy security, reducing pollution, and addressing the long-term challenge of climate change.

FY 2009 Activities and Performance Plan:

EPA will continue to implement its government/industry partnership efforts to achieve greenhouse gas reductions and contribute to the President's goal to reduce greenhouse gas intensity by 18 percent in 2012. In FY 2009, EPA's climate change programs are projected to:

- Reduce other forms of pollution, including air pollutants such as nitrogen oxides (NO_x), particulate matter, and mercury by accelerating the adoption of energy efficient products and practices and increasing the supply of clean electricity generation sources and renewable fuels.

¹⁴ Climate Protection Partnerships Division, U.S. Environmental Protection Agency. 2005
http://www.energystar.gov/ia/news/downloads/annual_report20005.pdf

- Continue the ENERGY STAR program across the residential, commercial, and industrial sectors, including:
 - Adding new ENERGY STAR qualified product categories and revising specifications for existing product categories;
 - Expanding the ENERGY STAR residential programs to new markets around the country;
 - Supporting more partners in the commercial and industrial sectors in the pursuit of strategic energy management through ENERGY STAR.

The FY 2009 Budget Request for the ENERGY STAR program totals \$44.2 million.

- 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 diesel engine retrofits, anti-idling technologies, lower rolling resistant tires, improved aerodynamic truck designs, and improved freight logistics. The FY 2009 Budget Request for the Smartway Transport Partnership program totals \$2.0 million.
- Promote renewable fuel blends with the greatest environmental benefit in order to maximize the potential of these fuels to reduce greenhouse gas intensity and improve air quality. In FY 2007, EPA launched the SmartWay Grow & Go program to promote the environmental benefits of renewable fuels. This program creates a renewable fuel component for EPA's existing SmartWay Transport Partnership. Currently, there are over 600 partners representing the ground freight industry in the SmartWay Transport Partnership. EPA's goal is for 25 percent of our SmartWay partners to commit to use renewable fuels, and by 2020 to have 50 percent of our partners commit to use renewable fuels. On August 24, 2007, SmartWay announced the first 48 Grow & Go partners (<http://www.epa.gov/smartway/growandgo/gats2007.htm>).
- Continue the extension of the Methane-to-Markets Partnership by assessing the feasibility of methane recovery and use projects at landfills, agricultural waste operations, coal mines, and natural gas and oil facilities and by identifying and addressing institutional, legal, regulatory and other barriers to project development in partner countries, such as Argentina, Brazil, China, Colombia, Ecuador, India, Mexico, Nigeria, Poland, Republic of Korea, Russia, Ukraine, and Vietnam with assistance from the private sector and partners from countries such as Australia, Canada, Germany, Italy, Japan, the United Kingdom, and the European Commission. The FY 2009 Budget Request for the Methane to Markets program totals \$4.5 million.
- Continue policy and technical assistance to developing countries and countries with economies-in-transition to reduce emissions of greenhouse gases through cost-effective measures and assist in the fulfillment of the U.S. obligations under the U.N. Framework Convention on Climate Change (UNFCCC) to facilitate technology transfer to developing countries.

- Produce measurable international greenhouse gas emission reductions through clean industrialization partnerships with key developing countries, including China, Mexico, India, and South Korea.
- Continue to actively support the government-wide Asia-Pacific Partnership on Clean Development and Climate Change to assist the Asia-Pacific region in developing country-specific strategies to improve energy security and reduce pollution. EPA will also work with the Asia-Pacific region to develop and deploy new and emerging technologies and tailor programs, such as methane capture and use, to meet the specific conditions of each area. The FY 2009 Budget Request for the Asia-Pacific Partnership totals \$5.0 million.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Tons of greenhouse gas emissions (mmtce) prevented per societal dollar in the building sector.		No Target Established	No Target Established	No Target Established	Dollars

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Tons of greenhouse gas emissions (mmtce) prevented per societal dollar in the industry sector.		No Target Established	No Target Established	No Target Established	Dollars

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Million metric tons of carbon equivalent (mmtce) of greenhouse gas reductions in the buildings sector.	Data Avail 2008	29.4	32.4	35.5	MMTCE

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Million metric tons of carbon equivalent (mmtce) of greenhouse gas reductions in the industry sector.	Data Avail 2008	62.6	67.7	72.9	MMCTE

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Million metric tons of carbon equivalent (mmtce) of greenhouse gas reductions in the transportation sector.	Data Avail 2008	0.9	1.5	2.6	MMTCE

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Tons of greenhouse gas emissions (mmtce) prevented per societal dollar in the transportation sector.		No Target Established	No Target Established	No Target Established	Dollars

OMB assessed the Climate Change Program in 2004 through the PART process, and gave it a rating of “adequate.” There are over 20 climate change programs which 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.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$636.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$5,000.0) This funding will support the Asia-Pacific Partnership. Funding for the work

was reduced in the FY 2008 Omnibus. This partnership focuses on voluntary practical measures taken by Australia, China, India, Japan, Canada and South Korea to accelerate clean development in the Asia-Pacific region to create new investment opportunities, build local capacity, and remove barriers to the introduction of clean, more efficient technologies. EPA works with these nations to develop and deploy innovative technologies that are cleaner and more efficient.

- (-\$250.0) This reduces congressionally directed funding provided in the FY 2008 Omnibus for the Agency to modify existing programs to accommodate quality assurance and quality control for emissions submitted via and regulated by the established northeastern Regional Greenhouse Gas Initiative (RGGI). All priority activities in this program can be funded within base resources.
- (-\$3,445.0) This reduces congressionally directed funding from the FY 2008 Omnibus for the Greenhouse Gas Registry. EPA is reviewing available data to maximize efficiency and reduce potential overlaps while exploring options for integration.
- (-\$4,015.0) This total reflects the net change including restoration of the FY 2008 Omnibus 1.56% rescission and reduces congressionally directed funding provided in the FY 2008 Omnibus for the Energy Star program. All priority activities in this program can be funded within base resources.
- (-\$1292.0) This eliminates the Industrial Carbon outreach program to industry. Priority funding for outreach to industry on reduction of greenhouse gases is currently provided by Energy Star, Heat and Power Partnerships, Climate Leaders, Green Power Partnerships, Methane to Markets and other voluntary programs.
- (+0.5 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align, resources, skills and Agency priorities.

Statutory Authority:

CAA Amendments, 42 U.S.C. 7401 et seq. – Sections 102, 103, 104 and 108; PPA, 42 U.S.C. 13101 et seq. – Sections 6602, 6603, 6604 and 6605; NEPA, 42 U.S.C. 4321 et seq. – Section 102; GCPA, 15 U.S.C. 2901 – Section 1103; 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.

Program Area: Compliance

Compliance Assistance and Centers

Program Area: Compliance

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$28,226.9	\$29,547.0	\$27,725.0	\$26,435.0	(\$1,290.0)
Leaking Underground Storage Tanks	\$644.1	\$688.0	\$709.0	\$753.0	\$44.0
Oil Spill Response	\$267.9	\$291.0	\$286.0	\$303.0	\$17.0
Hazardous Substance Superfund	\$11.1	\$22.0	\$22.0	\$22.0	\$0.0
Total Budget Authority / Obligations	\$29,150.0	\$30,548.0	\$28,742.0	\$27,513.0	(\$1,229.0)
Total Workyears	205.7	208.4	203.4	198.4	-5.0

Program Project Description:

EPA uses four distinct but integrated tools to maximize compliance with the nation’s environmental laws. This includes: compliance assistance (i.e., providing information to regulated entities about how to comply with often complex regulations); compliance incentives (i.e., policies to motivate regulated facilities/companies to identify, disclose, and correct violations); compliance monitoring (i.e., identifying existing violations through on-site inspections, investigations, and collection and analysis of compliance data); and, civil and criminal enforcement (i.e., administrative and judicial enforcement actions). These tools are used in combinations appropriate to address specific noncompliance patterns and environmental risks.

EPA’s Compliance Assistance 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.

To achieve these goals, the Compliance Assistance and Centers (CAC) program provides information, training, and technical assistance to the regulated community to increase its understanding of statutory and regulatory environmental requirements, thereby gaining improvements in compliance and reducing risks to human health and the environment. The program also provides tools such as plain-language guides, web-based compliance assistance centers, training, and assistance to other compliance assistance providers. Activities are measured and reported using the Integrated Compliance Information System (ICIS).¹⁵

¹⁵For more information, refer to: www.epa.gov/compliance/assistance/index.html, and www.assistancecenters.net.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will provide limited general compliance assistance to the regulated community, Federal agencies and tribes, and integrate assistance into its enforcement and compliance assurance efforts. Limited assistance activities will be provided to support the Enforcement and Compliance Assistance program's National Priorities.

In FY 2009, EPA will reduce direct assistance to the operation of the 17 web-based Compliance Assistance Centers. The Agency encourages efforts to ensure that the current web-content remains accurate. EPA will strengthen efforts to encourage the Centers to secure external funding to support continued operations, and to continue their ability to update Centers with new information, and to retain the interactive features often used by small businesses and local governments seeking assistance.

The Federal Facility Enforcement program will provide limited technical guidance to other Federal agencies on compliance with applicable Executive Orders and environmental laws. In FY 2009, EPA will also continue working with other Federal agencies to ensure continued support of the Federal Facilities Stewardship and Compliance Assistance Center (www.fedcenter.gov). The Agency also will carry out the actions outlined in the Energy Policy Act of 2005 by providing compliance assistance to owners and operators of Underground Storage Tanks (UST).

In FY 2009, EPA will continue refining data elements to ensure accurate reporting into the ICIS, and build the Agency's capacity to measure compliance assistance outcomes.

The EPA Enforcement of Environmental Laws (Civil) PART program received an "adequate" rating in 2004 with the development of a measure implementation plan. In FY 2006, EPA conducted a review of enforcement and compliance measures used by states, other Federal agencies, and other countries, as well as consulting with academics and other measurement experts. The purpose of the review was to identify opportunities to improve measurement. As a result of this review, EPA is considering transitioning the Enforcement and Compliance Assurance program measures from a tool-oriented to a problem-oriented GPRA strategic architecture.

Performance Targets:

EPA measures the environmental results of our compliance assistance program by tracking the percentage of regulated entities that report improvements in environmental management practices and pollutant reductions resulting from direct EPA compliance assistance. EPA's Compliance Assistance program achieves pollutant reductions, improves regulated entities' environmental management practices, and increases regulated entities' understanding of environmental requirements, through direct compliance assistance provided by EPA personnel and through web-based Compliance Assistance Centers. Due to budget reductions performance results for FY 2009 are expected to decline.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$104.0) This increase is the net effect of increases for payroll and cost of living for existing FTE.
- (-\$1,619.0 / -5.0 FTE) This sustains a congressional decrease for compliance assistance centers in the FY 2008 Omnibus.
- (+\$225.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to several technical changes such as realignment of IT, travel and other support costs across programs

Statutory Authority:

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBPHRA; FIFRA; ODA; NEPA; CERCLA; NAAEC; LPA-US/MX-BR; EPAAct.

Compliance Incentives

Program Area: Compliance

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$9,448.8</i>	<i>\$9,786.0</i>	<i>\$10,618.0</i>	<i>\$10,263.0</i>	<i>(\$355.0)</i>
Hazardous Substance Superfund	\$139.4	\$144.0	\$159.0	\$146.0	(\$13.0)
Total Budget Authority / Obligations	\$9,588.2	\$9,930.0	\$10,777.0	\$10,409.0	(\$368.0)
Total Workyears	66.2	74.6	74.6	71.1	-3.5

Program Project Description:

EPA uses four distinct but integrated tools to maximize compliance with the nation's environmental laws. This includes: compliance assistance (i.e., providing information to regulated entities about how to comply with often complex regulations); compliance incentives (i.e., policies to motivate regulated facilities/companies to identify, disclose, and correct violations); compliance monitoring (i.e., identifying existing violations through on-site inspections, investigations, and collection and analysis of compliance data); and, civil and criminal enforcement (i.e., administrative and judicial enforcement actions). These tools are used in combinations appropriate to address specific noncompliance patterns and environmental risks.

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. In addition, EPA uses a variety of approaches to encourage entities to self-disclose environmental violations under various environmental statutes. EPA's Audit Policy encourages corporate audits of environmental compliance and subsequent correction of self-discovered violations, providing a uniform enforcement response toward disclosures of violations. Under the Audit Policy, when companies voluntarily discover and promptly correct environmental violations, EPA may waive or substantially reduce civil penalties.¹⁶

FY 2009 Activities and Performance Plan:

The Agency's Enforcement program will continue to implement the Audit/Self-Policing (Audit), Small Business Compliance, and Small Local Governments policies as core elements of the Enforcement and Compliance Assurance Program. Since FY 2001, more than 5,000 facilities and more than 2,000 companies resolved violations under EPA's Voluntary Disclosure Policies. In FY 2009, the Agency will continue to use the Audit Policy through outreach to industries.

¹⁶ For more information refer to: www.epa.gov/compliance/incentives/programs/index.html.

Examples of EPA's sector-specific efforts include colleges and universities and healthcare facilities. EPA actively encourages disclosures at multiple facilities owned by the same regulated entity, because such disclosures allow each entity to review their operations holistically, which more effectively benefits the environment.

The Agency is exploring ways to encourage audits and to increase disclosure and settlement of violations that, once corrected, will yield significant pollutant reductions and environmental benefits. The Agency is considering how best to encourage new owners of facilities or businesses to use the Audit Policy and whether to develop a pilot program that would be implemented beginning in FY 2009. EPA will continue development and implementation of a system to disclose violations through an EPA Web site and streamlining the process for resolving routine Audit Policy disclosures of recordkeeping and reporting violations.

In FY 2009, the Compliance Incentives Program will continue to promote Environmental Management Systems (EMSs). EMSs provide organizations with an approach to minimizing environmental impacts – regulated and unregulated – by integrating environmental concerns into business decisions and practices. EPA will continue to implement the National Environmental Performance Track program, which is a program that recognizes and motivates top-performing facilities that consistently meet their legal requirements, have implemented EMS, and made tangible improvements to their environmental performance.

In FY 2009, the Agency will support and encourage states' efforts to adopt the innovative Environmental Results Program (ERP). ERP consists of four linked tools – compliance assistance, self-evaluation and certification, inspections, and performance measurement – that work together to hold facility owners and operators accountable for their environmental obligations. In Massachusetts, where ERP began, the program improved performance for small businesses and also resulted in savings for businesses, while allowing the state and EPA to focus resources on higher priority environmental problems.

EPA tracks compliance incentive environmental results in the Integrated Compliance Information System (ICIS) to enable the Agency to make strategic decisions for the best utilization of resources and tools, and to respond to increasing demands for compliance and environmental information. EPA will continue to make multi-media compliance incentives results information available to the public through the Enforcement and Compliance History Online (ECHO) internet website during FY 2009. This site provides communities with compliance status and averages 75,000 queries per month.

The EPA Enforcement of Environmental Laws (Civil) PART program received an "adequate" rating in 2004 with the development of a measure implementation plan. In FY 2006, EPA conducted a review of enforcement and compliance measures used by states, other Federal agencies, and other countries, as well as consulting with academics and other measurement experts. The purpose of the review was to identify opportunities to improve measurement. As a result of this review, EPA is considering transitioning the Enforcement and Compliance Assurance Program measures from a tool-oriented to a problem-oriented GPRA strategic architecture.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Pounds of pollutants estimated to be reduced, treated, or eliminated, as a result of audit agreements.	1.2	0.4	0.4	0.4	Million pounds

One of the key Civil Enforcement PART program measures, pounds of pollutants reduced through audit agreements, looks at the overall reduction in pollution as a result of EPA Compliance Incentive programs. The Agency is exploring methodologies to strengthen this measure by analyzing the risk associated with the pollutants reduced. This may entail analysis of pollutant hazards and population exposure.

Although the estimated pollution reductions resulting from enforcement actions taken by EPA have grown over the past five years, these pollutant reductions are projections based on the settlement agreements entered during each specific fiscal year. One or two cases can have a significant effect on the end-of-year results.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$6.0) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with reductions based on the recalculation of base workforce costs and realignment of staff from the Policy Analysis and Communications functions into compliance incentive programs.
- (-3.5 FTE) This is the net effect of moving FTE into compliance incentive (see above) and a small decrease in staff that will have no major effect on program efficiency.
- (-\$349.0) This change reflects the net restoration of the 1.56% rescission to all program projects in addition to several technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

RCRA; CWA; SDWA; CAA; TSCA; EPCRA; RLBHRA; FIFRA; ODA; NEPA; NAAEC; LPA-US/MX-BR.

Compliance Monitoring

Program Area: Compliance

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$90,724.6</i>	<i>\$93,428.0</i>	<i>\$88,726.0</i>	<i>\$96,025.0</i>	<i>\$7,299.0</i>
Hazardous Substance Superfund	\$1,487.0	\$1,182.0	\$1,165.0	\$1,192.0	\$27.0
Total Budget Authority / Obligations	\$92,211.6	\$94,610.0	\$89,891.0	\$97,217.0	\$7,326.0
Total Workyears	625.8	629.5	621.5	623.0	1.5

Program Project Description:

EPA uses four distinct but integrated tools to maximize compliance with the nation's environmental laws. This includes: compliance monitoring (i.e., identifying existing violations through on-site inspections, investigations, and collection and analysis of compliance data); civil and criminal enforcement (i.e., administrative and judicial enforcement actions); compliance assistance (i.e., providing information to regulated entities about how to comply with often-complex regulations); and compliance incentives (i.e., policies to motivate regulated facilities/companies to identify, disclose, and correct violations). These tools are used in combinations appropriate to address specific noncompliance patterns and environmental risks.

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. The program conducts compliance inspections/evaluations, investigations, record reviews, and compliance rate evaluations. The program also responds to information requests, and tips and complaints from the public. The program conducts these activities to determine whether conditions exist that 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. EPA's Compliance Monitoring program includes the management of compliance and enforcement data and data systems, evaluating the use of statistically valid compliance rates for selected national priorities, and the use of that data to manage the compliance and enforcement program.¹⁷

In addition, as a part of this program, the Agency reviews and responds to 100 percent of the notices for movement of hazardous waste across U.S. international borders. The Agency ensures that these wastes are properly handled in accordance with international agreements and Resource Conservation and Recovery Act regulations.¹⁸

¹⁷ For more information, refer to: www.epa.gov/compliance/monitoring/index.html.

¹⁸ For more information about the Import/Export program, refer to: www.epa.gov/compliance/international/importexport.html.

EPA conducts compliance monitoring activities, as well as coordinates with and provides support to state and Tribal partners that conduct compliance inspections/evaluations and investigations either under state or Tribal authorized programs or EPA statutory authority. EPA's activities target areas that pose risks to human health or the environment, display patterns of noncompliance, or involve disproportionately exposed populations. EPA's efforts complement state and Tribal programs to ensure compliance with laws throughout the United States. 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 2009 Activities and Performance Plan:

In 2009, Compliance Monitoring program activities will focus on the national program priorities selected in FY 2007 for the FY 2009-FY 2014 strategic cycle, as well as improving statistically valid data collection and evaluation of compliance rates for selected national priorities. The program also will emphasize the core programs identified in the Enforcement and Compliance Assurance's FY 2008-2010 National Program Guidance as well as on supporting and overseeing authorized state/Tribal programs.¹⁹

To ensure the quality of these compliance inspections/evaluations/investigations, and statistical validity of the data, EPA is moving forward in evaluating compliance rates and developing inspection manuals, national policies, and establishes minimum training requirements for inspectors. EPA also identifies and provides needed training. The training program ensures that the inspectors/investigators are: 1) knowledgeable of environmental requirements and policies, 2) technically proficient in conducting the 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, including management of compliance monitoring grants and authorizing employees of states/tribes to conduct inspections and evaluations on EPA's behalf, where appropriate. Prior to issuing credentials to employees of states/tribes, EPA must negotiate an authorization agreement and ensure that state and Tribal inspectors are adequately trained and that credentials are tracked for security reasons.

EPA's Enforcement and Compliance program will continue its work to integrate technology, especially software and portable personal computers, into the inspection and evaluation process. Adopting 21st century tools to accomplish the Agency's mission provides an opportunity to increase efficiencies in the inspection and evaluation process, improve the timeliness and accuracy of data collection and entry, provide uniformity in the inspection and evaluation process, and increase the speed for submitting inspection and evaluation reports. Efforts will range from information sharing, evaluating equipment, developing software, and providing funding and technical support.

The Agency will continue its multi-year project to modernize its national enforcement and compliance data systems, called the Integrated Compliance Information System (ICIS). ICIS is

¹⁹ For more information, refer to: www.epa.gov/ocfopage/npmguidance/index.htm.

being developed in three major phases. The FY 2009 contract funding level for ICIS is \$6.7 million.

- Phase I of ICIS established a multi-media Federal enforcement and compliance database. It replaced outdated national and regional systems. It was implemented in FY 2002, and is the primary system that supports Enforcement and Compliance's Annual Reporting, including GPRA reporting.
- Phase II of ICIS is the modernization of the Permit Compliance System (PCS), which supports EPA and state management of the NPDES program. PCS is an old system and does not meet the current business needs of the NPDES program, especially for wet weather-related activities. In FY 2006, EPA implemented the first major release of Modernized PCS, with 21 states, two tribes and nine territories moving to the new system. EPA is working on additional releases of the modernized system to move the remaining states to ICIS in three parts:
 - Part 1 will enable states to electronically transfer discharge monitoring data (DMRs) from state systems to our new system. This will allow us to move eight to 10 states from PCS to our new system in FY 2008.
 - Part 2 will create a new electronic tool (called NetDMR) for regulated facilities to electronically sign and submit their DMRs to ICIS. We expect to launch this early in FY 2009. This tool will save the regulated community, EPA, and states millions of dollars each year, give us higher quality data, and improve our management of the NPDES program.
 - Part 3 will enable the remaining states to electronically flow all their data from their state systems to ICIS.
- Phase III of ICIS is modernization of the Air Facility System (AFS), which will improve EPA, state, and local tracking of permit compliance and enforcement data for stationary sources of air pollution.

EPA will continue to make multi-media compliance monitoring information available to the public through the Enforcement and Compliance History On-line (ECHO) Internet website during FY 2009. This site, and its more powerful companion tool that serves more than 400 government entities, the Online Targeting and Information System (OTIS), provides communities with compliance status information, averaging approximately 75,000 queries per month. The FY 2009 resource level for ECHO is \$400 thousand and 1.8 FTE.

EPA will continue to review all notices for trans-boundary movement of hazardous waste. 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 (OECD) which issued a Council Decision controlling trans-boundary movement of hazardous waste applicable to all member countries. In 2007, EPA responded to 1,204 notices (representing 499 import notices and 705 export notices).

The Agency will continue to implement the Energy Policy Act of 2005 by inspecting underground storage tanks covering a wide range of industries including gas stations, chemical companies, and federal facilities. The program also will focus on monitoring compliance with gasoline rules.

The enforcement program will continue to provide support for workforce deployment issues relating to the national enforcement priorities. This increase in support will assist in closing resource gaps for implementation of the national priorities and generate projects that produce significant environmental benefits nationally.

The EPA Enforcement of Environmental Laws (Civil) PART program received an “adequate” rating in 2004 with the development of a measure implementation plan. In FY 2006, EPA conducted a review of enforcement and compliance measures used by states, other Federal agencies, and other countries, as well as consulting with academics and other measurement experts. The purpose of the review was to identify opportunities to improve measurement. As a result of this review, EPA is considering transitioning the Enforcement and Compliance Assurance program measures from a tool-oriented to a problem-oriented GPRA strategic architecture.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Pounds of pollution estimated to be reduced, treated, or eliminated as a result of concluded enforcement actions. (civil enf)	890	500	890	890	Million pounds

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percentage of concluded enforcement cases requiring implementation of improved environmental management practices.	70	70	70	70	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percentage of concluded enforcement cases requiring that pollution be reduced, treated, or eliminated.	27	30	30	30	Percentage

EPA's Monitoring and Enforcement program achieves pollutant reductions, and improvements in regulated entities' environmental management practices through on-site inspections/evaluations and the settlement of enforcement cases. One of the key Civil Enforcement PART program measures, pounds of pollutants reduced, looks at the overall reduction in pollution as a result of enforcement actions. The Agency is exploring methodologies to extend the measure by analyzing the risk associated with the pollutants reduced. This may entail analysis of pollutant hazards and population exposure.

Estimated pollution reductions as a result of the enforcement actions taken by EPA have grown over the past five years. The last two years have seen actuals in the 890 M pounds range, and therefore our targets are being adjusted upward. However, one or two cases can have a significant effect on the end-of-year results. These estimates are projections made from future pollution reduction based on the settlement agreements entered during each specific fiscal year.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$3,330.0) This reflects a net increase for payroll and cost of living for existing FTE.
- (+\$3,174.0 / +1.5 FTE) This change restores a Congressionally-directed cut in the FY 2008 Omnibus. In FY 2009, this funding will be used to return inspections and evaluations to normal levels of approximately 23,000.
- (+\$795.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs. Funds will support policy and systems development.

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: Land Preservation and Restoration

Objective(s): Restore Land

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$123,003.7</i>	<i>\$126,645.0</i>	<i>\$129,886.0</i>	<i>\$133,017.0</i>	<i>\$3,131.0</i>
Oil Spill Response	\$1,661.5	\$2,065.0	\$2,072.0	\$2,233.0	\$161.0
Hazardous Substance Superfund	\$739.2	\$884.0	\$870.0	\$0.0	(\$870.0)
Total Budget Authority / Obligations	\$125,404.4	\$129,594.0	\$132,828.0	\$135,250.0	\$2,422.0
Total Workyears	914.1	969.1	982.1	958.2	-23.9

Program Project Description:

The Civil Enforcement program’s overarching goal is to protect human health and the environment, targeting enforcement actions according to degree of health and environmental risk. The program collaborates with the Department of Justice to ensure consistent and fair enforcement of all environmental laws and regulations. The program seeks to level the economic playing field by ensuring that violators do not realize an economic benefit from noncompliance, and to deter future violations. The civil enforcement program develops, litigates, and settles administrative and civil judicial cases against serious violators of environmental laws.²⁰

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 (referred to as the “core program”) which apply in various combinations to a universe of 40 million regulated entities. In addition, as a means for focusing its efforts, the enforcement program identifies, in three-year cycles, specific environmental risks and noncompliance patterns as national priorities. The enforcement program coordinates with states, tribes, and within EPA, as well as soliciting public comment, to establish these priorities.

To conduct the work necessary for the 28 programs and the national priorities, the enforcement program utilizes four primary tools: compliance assistance information to prevent violations, compliance incentives for motivating self-audits by facilities/companies, compliance monitoring to identify violations, and enforcement actions to correct violations. In addition to EPA’s direct

²⁰ For more information visit: www.epa.gov/compliance/civil/index.html; www.epa.gov/epaoswer/hazwaste/ca/backgnd.htm.

role in utilizing these tools, the enforcement program is responsible for oversight of state performance and ensuring that the national environmental laws are enforced in a consistent, equitable manner that protects public health and the environment.

FY 2009 Activities and Performance Plan:

In FY 2009, the Agency will continue to implement its core Civil Enforcement program, as well as the national compliance and enforcement priorities established in FY 2007 for 2008-2010. These priorities will build on the priorities established in FY 2004 for the years 2005-2007, including Clean Water Act “Wet Weather” discharges (water contamination resulting from sewer overflows, contaminated storm water runoff, and runoff from concentrated animal feeding operations), violations of the Clean Air Act New Source Review/Prevention of Significant Deterioration requirements and Air Toxics regulations, Resource Conservation and Recovery Act (RCRA) violations at Mineral Processing facilities, violations of RCRA/Safe Drinking Water Act/Toxic Substances Control Act/Financial Responsibility requirements, and ensuring compliance in Indian Country.

The program also will focus FY 2009 resources on trans-boundary pollutants, including international transport of hazardous waste and illegal imports by multi-state industrial violators. The Federal Facilities Enforcement program will continue to expeditiously pursue enforcement actions at Federal facilities where significant violations are discovered with a specific focus on non-compliance identified at federal laboratories and federal underground storage tanks. 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 harms from the environment, including minority and/or low-income areas. Minority and/or low income communities frequently may be disproportionately exposed to environmental harms and risks. EPA works to protect these and other burdened communities from adverse human health and environmental effects of its programs consistent with environmental and civil rights laws. Also in FY 2009, the Integrated Compliance Information System will continue to support the civil enforcement program by ensuring the security and integrity of environmental compliance data, and building the Agency’s capacity to measure civil enforcement outcomes.

The EPA Enforcement of Environmental Laws (Civil) PART program received an “adequate” rating in 2004 with the development of a measure implementation plan. In FY 2006, EPA conducted a review of enforcement and compliance measures used by states, other Federal agencies, and other countries, as well as consulting with academics and other measurement experts. The purpose of the review was to identify opportunities to improve measurement. As a result of this review, EPA is considering transitioning the Enforcement and Compliance Assurance program measures from a tool-oriented to a problem-oriented GPRA strategic architecture.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Pounds of pollution	890	500	890	890	Million

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
	estimated to be reduced, treated, or eliminated as a result of concluded enforcement actions. (civil enf)					pounds

EPA's Monitoring and Enforcement Program achieves pollutant reductions and improvements in regulated entities' environmental management practices through the settlement of enforcement cases. There are many programs evaluated under the Civil Enforcement PART assessment. These programs include Compliance Assistance, Compliance Incentives, Compliance Monitoring, Civil Enforcement, Enforcement Training, Forensics, Superfund Enforcement, and categorical grant programs for toxic substances and sectors. One of the key Civil Enforcement PART program measures, pounds of pollutants reduced, looks at the overall reduction in pollution as a result of enforcement actions. The Agency is exploring methodologies to strengthen the measure by analyzing the risk associated with the pollutants reduced. This may entail analysis of pollutant hazards and population exposure.

Estimated pollution reductions as a result of the enforcement actions taken by EPA have grown over the past five years. The last two years have seen actuals in the 890 M pounds range, and therefore our targets are being adjusted upward. However, one or two cases can have a significant effect on the end-of-year results. These estimates are projections made from future pollution reduction based on the settlement agreements entered during each specific fiscal year.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$7,869.0) This reflects an increase for base payroll and cost of living for existing FTE.
- (-\$5,300 \ -13.0 FTE) This reduces congressionally-directed increase in the FY 2008 Omnibus. Priority activities in this program can be funded within base resources.
- (-\$1,497.0 \ -9.2 FTE) This decrease transfers resources to the criminal enforcement program to continue the Agency's efforts toward increasing the number of criminal investigators.
- (+\$2,059.0) This change reflects restoration of the 1.56% rescission to all program projects. This funding will ensure the necessary resources to maintain an effective 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; EPAAct.

Criminal Enforcement

Program Area: Enforcement

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$39,721.6	\$39,688.0	\$40,742.0	\$44,384.0	\$3,642.0
Hazardous Substance Superfund	\$7,895.7	\$9,167.0	\$9,053.0	\$7,830.0	(\$1,223.0)
Total Budget Authority / Obligations	\$47,617.3	\$48,855.0	\$49,795.0	\$52,214.0	\$2,419.0
Total Workyears	259.2	268.9	268.9	278.1	9.2

Program Project Description:

EPA’s criminal enforcement program investigates and helps prosecute environmental violations which seriously threaten public health and the environment and which involve knowing 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, for such violations. Bringing criminal cases sends a strong message for potential violators, enhancing aggregate compliance with laws and regulations.

The criminal enforcement program conducts investigations and requests that cases be prosecuted. Where appropriate, it helps secure plea agreements or sentencing conditions that will require defendants to undertake projects to improve environmental conditions or develop environmental management systems to enhance performance. The Agency is involved in all phases of the investigative process and works with other law enforcement agencies to present a highly visible and effective force in the Agency’s overall enforcement strategy. Cases are presented to the Department of Justice for prosecution, with special agents serving as key witnesses in the proceedings.

The program also participates in task forces with state and local law enforcement, and provides specialized training at the Federal Law Enforcement Training Center (FLETC) in Glynco, GA. FLETC provides one of the few opportunities for state, local, and tribal environmental enforcement professionals to obtain criminal investigation training.²¹

FY 2009 Activities and Performance Plan:

In FY 2009, the criminal enforcement program will continue implementing its strategic approach by emphasizing investigations and prosecutions in areas of national and regional enforcement

²¹ For more information visit: <http://www.epa.gov/compliance/criminal/index.html>.

priority focus, as well as other types of “high impact” cases that affect human health and the environment, and enhance compliance and deterrence. The criminal enforcement program will continue to enhance its collaboration and coordination with the civil enforcement program to ensure that the enforcement program as a whole responds to violations as effectively as possible. That is accomplished by establishing 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. Focusing on parallel proceedings and other mechanisms allowing the Agency to use the most appropriate tools to address environmental violations and crimes will also facilitate coordination.

EPA’s criminal enforcement program is committed to fair and consistent enforcement of Federal laws and regulations, as balanced with the flexibility to respond to region-specific environmental problems. Criminal enforcement has management oversight controls and national policies in place 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 national priorities; conducting regular “docket reviews” (detailed review of all open investigations in each EPA Regional office) to ensure consistency with investigatory discretion guidance and enforcement priorities, and developing, implementing, and periodically reviewing and revising policies and programs.

In FY 2009, the program will use data from the Criminal Case Reporting System made available through enhancements to be completed in FY 2008. Information associated with all closed criminal enforcement cases will be used to systematically compile a profile of criminal cases, including the extent to which the cases support Agency-wide, program-specific, or Regional enforcement priorities. The profile also will describe the impact of the cases in terms of pollution released into the environment and resulting environmental harm such as the degradation of drinking water wells, human populations injured or made ill, and aquatic or animal life harmed.

In FY 2009, the program also will seek to deter environmental crime by increasing the volume and quality of leads reported to EPA by the public through the tips and complaints link on EPA’s website. The web link was established on EPA’s homepage in FY 2006.

The EPA Enforcement of Environmental Laws (Criminal) PART program received an “adequate” rating in 2004 with the addition of new outcome measures. The program created a measure implementation plan to set targets and milestones for performance measures. The program revised its Case Conclusion Data Sheet, conducted training, and issued the form to begin collecting new data for Criminal Enforcement PART measures. The program developed a target and baseline for the pollution reduction measure in 2006. The baselines and targets for the Recidivism and the Pollutant Impact measures will be developed in FY 2008.

Performance Targets:

In FY 2009, the criminal enforcement program's Pollution Reduction measure will be reported against the baseline and target set in FY 2006, which uses an average of pollutant reduction data from three fiscal years (FYs 2003-2005). The results of this measure are likely to fluctuate annually due to the specific characteristics of the enforcement cases concluded during a given fiscal year. However, long-term trend analysis of this information will help the program to identify and prioritize cases that present the most serious threats to public health and the environment.

In addition, in FY 2009, the Criminal Enforcement program will report its PART-approved measures on "improved environmental management" and "recidivism". The program will also develop the targets and baselines for its "pollutant impact" measure (i.e., the amount of illegal pollution released into the environment that cannot be treated, remediated or otherwise reduced) in order to begin external reporting of that measure in FY 2008. Work under this program supports the compliance and environmental stewardship objective. Currently, there are no performance measures specific to this program project.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$3,239.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$1,497.0 / +9.2 FTE) This increase transfers FTE and associated payroll resources from the civil enforcement program to continue the Agency's efforts to increase the number of criminal investigators.
- (-\$1,700.0) This reduces Congressionally-directed funding in the FY 2008 Omnibus.
- (+10.8 FTE) This increase reflects a realignment of FTE from the Superfund appropriation to the Environmental Program and Management appropriation to more accurately reflect the nature of the current criminal investigator workload. This realignment does not reflect a change in the amount of criminal investigator workload.
- (-\$1,000.0) In FY 2006, EPA provided these resources to support physical protection of the Agency's Administrator. These resources are being consolidated with other EPA security resources in the Facilities Infrastructure and Operations program project. There is no negative impact to the criminal enforcement program because these resources were provided for the protection of the Administrator and not to investigate or prosecute environmental crimes.
- (+\$700.0) This increase provides resources for Permanent Change of Station (PCS) moves to deploy criminal investigators to duty stations where they can best meet the program's mission needs.
- (+\$906.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support

costs across programs. Funds will be used to support ongoing and new criminal investigations.

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).

Enforcement Training

Program Area: Enforcement

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$2,668.3	\$3,145.0	\$3,096.0	\$3,043.0	(\$53.0)
Hazardous Substance Superfund	\$630.7	\$840.0	\$827.0	\$858.0	\$31.0
Total Budget Authority / Obligations	\$3,299.0	\$3,985.0	\$3,923.0	\$3,901.0	(\$22.0)
Total Workyears	20.7	20.9	20.9	20.9	0.0

Program Project Description:

The Pollution Prosecution Act is the statutory mandate for the Agency's Enforcement Training program that provides environmental enforcement and compliance training nationwide, through EPA's National Enforcement Training Institute (NETI). The program oversees the design and delivery of core and specialized enforcement courses 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 2009 Activities and Performance Plan:

In FY 2009, NETI will develop and deliver training to address important gaps in enforcement and compliance assurance knowledge and skills identified in needs assessments and national strategic plans. The NETI advisory service will assist the Agency's enforcement experts to develop course agendas and determine the most effective methods to deliver quality training to the nation's enforcement professionals. The program funds training for states and tribes through cooperative agreements with state/Tribal entities. NETI operates training facilities in Washington, D.C. and in Lakewood, CO.

NETI also maintains a training center on the Internet, "NETI Online," which offers targeted technical training courses and the capability to track individual training plans. "NETI Online's" training information clearinghouse includes links to course offering lists, as well as tools for Agency training providers to assist with developing, managing, and evaluating the program's training.²²

The EPA Enforcement of Environmental Laws (Civil) PART program received an "adequate" rating in 2004 with the development of a measure implementation plan. In FY 2006, at OMB's direction, EPA conducted a review of enforcement and compliance measures used by states, other Federal agencies, and other countries, as well as consulting with academics and other

²² For more information, refer to: <http://www.epa.gov/compliance/training/neti/index.html>

measurement experts. The purpose of the review was to identify opportunities to improve measurement. As a result of this review, EPA is considering transitioning the Enforcement and Compliance Assurance Program measures from a tool-oriented to a problem-oriented GPRA strategic architecture.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Pounds of pollution estimated to be reduced, treated, or eliminated as a result of concluded enforcement actions. (civil enf)	890	500	890	890	Million pounds

One of the program measures, pounds of pollutants reduced, looks at the overall reduction in pollution as a result of enforcement actions. The Agency is exploring methodologies to strengthen the measure by analyzing the risk associated with the pollutants reduced. This may entail analysis of pollutant hazards and population exposure.

Estimated pollution reductions as a result of the enforcement actions taken by EPA have grown over the past five years. The last two years have seen actuals in the 890 M pounds range, and therefore our targets are being adjusted upward. However, one or two cases can have a significant effect on the end-of-year results. These estimates are projections made from future pollution reduction based on the settlement agreements entered during each specific fiscal year.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$73.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$126.0) This change reflects restoration of the 1.56% rescission to all program projects combined with technical changes such as realignment of IT, travel or other support costs across programs

Statutory Authority:

PPA; RLBPHRA; RCRA; CWA; SDWA; CAA; TSCA; EPCRA; TSCA; FIFRA; ODA; NAAEC; LPA-US/MX-BR; NEPA.

Environmental Justice

Program Area: Enforcement

Goal: Healthy Communities and Ecosystems

Objective(s): Communities

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$6,319.2	\$3,822.0	\$6,399.0	\$3,811.0	(\$2,588.0)
Hazardous Substance Superfund	\$911.1	\$757.0	\$745.0	\$757.0	\$12.0
Total Budget Authority / Obligations	\$7,230.3	\$4,579.0	\$7,144.0	\$4,568.0	(\$2,576.0)
Total Workyears	23.0	16.9	16.9	16.9	0.0

Program Project Description:

The Environmental Justice (EJ) program addresses environmental and/or human health concerns in all communities, including minority and/or low-income communities. Research has shown that the minority and low-income segments of the population have been, or could be, disproportionately exposed to environmental harm and risks. Thus, EPA focuses attention on minority and low-income communities to ensure that EPA actions do not adversely affect these or any other communities that face critical environmental or public health issues.

The Environmental Justice program also provides education, outreach, and data to communities and facilitates the integration of environmental justice considerations into Agency programs, policies, and activities. The Agency also supports state and Tribal environmental justice programs and conducts outreach and technical assistance to states, local governments, and stakeholders on environmental justice issues.²³

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue to enhance its environmental justice integration and collaborative problem-solving initiatives. By fully integrating environmental justice considerations within its programs, policies, and activities, EPA will build greater capacity within its Headquarters and Regional offices to better address the environmental and/or human health concerns of all communities, including minority and/or low-income communities. For example, EPA's Enforcement and Compliance Assurance program will continue to develop the Environmental Justice Strategic Assessment Tool (EJSEAT) and other online geographic assessment tools, and conduct environmental justice program reviews. Through its financial assistance and training programs, EPA helps to build collaborative problem-solving capacity within communities affected disproportionately to environmental risks and harms.

²³ For more information on the Environmental Justice program, please refer to: www.epa.gov/compliance/environmentaljustice/index.html.

In FY 2009, EPA's Environmental Justice program will continue to lead an Agency-wide effort to more fully integrate environmental justice considerations into EPA's programs and operations, including its five-year strategic planning and annual budget processes. The Agency's Strategic Plan reflects a strategic target for identifying the cumulative number of communities with potential environmental justice concerns that achieve significant measurable environmental or public health improvement through collaborative problem-solving strategies to applicable portions of the Headquarters program and Regional offices' environmental justice activities.

The program also will work with other EPA offices to develop customized online tools that help the Agency integrate environmental justice considerations into its day-to-day work in an efficient and effective manner. The enforcement program will test the EJSEAT tool to help ensure that enforcement and compliance activities focus on communities that need the most attention. The EJSEAT uses a set of indicators to help the enforcement program identify areas that may have significant environmental and/or public health issues.

EJSEAT can potentially enhance EPA's ability to protect burdened communities, including minority and low-income communities, from adverse human health and environmental effects, consistent with existing environmental and civil rights laws, and their implementing regulations, as well as Executive Order 12898 (*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, issued February 11, 1994). Since FY 2005, the enforcement program has made environmental justice an element of each of its national priorities. The assessment tool was field-tested as part of an extensive agency review process during FY 2007. The tool will undergo a comprehensive national test during FY 2008 to determine how to best deploy an assessment tool that will: 1) identify, in a more consistent and analytically rigorous manner, potential disproportionately high and adversely affected areas that are referred to as "Areas with Potential Environmental Justice Concerns," 2) assist the enforcement program make fair and efficient resource deployment decisions, and 3) consistently analyze how enforcement actions have affected areas with minority and/or low-income populations.

In addition, EPA will enhance and maintain the Online Environmental Justice Geographical Assessment Tool (EJGAT), to help individuals, government, industry, and organizations better identify and address environmental and public health issues that may affect them. The EJGAT provides ready access to environmental, public health, economic, and social demographic information from EPA and other government sources.

In FY 2009, EPA will maintain the Environmental Justice Collaborative Problem-Solving (CPS) Cooperative Agreement Program. This grant program provides financial assistance to affected local community-based organizations that wish to engage in constructive and collaborative problem-solving. This is achieved by utilizing tools developed by EPA and others to find viable solutions for their community's environmental and/or public health concerns.

EPA will continue to manage its Environmental Justice Small Grants program, which assists community-based organizations in developing solutions to local environmental issues. Since 1994, EPA has awarded more than \$31 million to over 1,100 community-based organizations and others to address local environmental and/or health issues.

In FY 2009, the EJ program will continue to use alternative dispute resolution (ADR), where appropriate, as an effective means of addressing disputes by training local community organizations on its use. Through the use of ADR, the EJ program expects to reduce time and resources accompanying litigation and anticipates that decisions reached will be more efficient and favorable for all parties involved. The Environmental Justice program also will continue to assist program offices and other environmental organizations and government agencies in the delivery of customized training to increase the capacity of their personnel to effectively address issues of environmental justice. This training includes both in-person presentations and development of online training.

The EPA Enforcement of Environmental Laws (Civil) PART program received an “adequate” rating in 2004 with the development of a measure implementation plan. In FY 2006, EPA conducted a review of enforcement and compliance measures used by states, other Federal agencies, and other countries, as well as consulting with academics and other measurement experts. The purpose of the review was to identify opportunities to improve measurement. As a result of this review, EPA is considering transitioning the Enforcement and Compliance Assurance program measures from a tool-oriented to a problem-oriented GPRA strategic architecture.

Performance Targets:

This program was included in the Civil Enforcement PART review in 2004, which received an overall rating of “adequate” based on development of a Measures Implementation Plan. One of the program measures, pounds of pollutants reduced, looks at the overall reduction in pollution as a result of enforcement actions. The Agency is exploring methodologies to extend the measure by analyzing the risk associated with the pollutants reduced. This may entail analysis of pollutant hazards and population exposure. Work under this program supports the Healthy Communities objective. By 2011, 30 communities with potential environmental justice concerns will achieve significant measurable environmental or public health improvement through collaborative problem-solving strategies.

EPA will identify the cumulative number of communities with potential environmental justice concerns that achieve significant measurable environmental and/or public health improvements through collaborative problem-solving strategies.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$253.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$2,678.0) This reduces the Congressionally-directed funding in the FY 2008 Omnibus.
- (-\$163.0) This change reflects restoration of the 1.56% rescission to all program projects combined with technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

Executive Order 12898; RCRA; CWA; SDWA; CAA; TSCA; EPCRA; FIFRA; NEPA; Pollution Prevention Act.

NEPA Implementation

Program Area: Enforcement

Goal: Compliance and Environmental Stewardship

Objective(s): Improve Environmental Performance through Pollution Prevention and Other Stewardship Practices

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$13,863.5</i>	<i>\$14,366.0</i>	<i>\$14,142.0</i>	<i>\$16,295.0</i>	<i>\$2,153.0</i>
Total Budget Authority / Obligations	\$13,863.5	\$14,366.0	\$14,142.0	\$16,295.0	\$2,153.0
Total Workyears	108.2	104.0	104.0	106.0	2.0

Program Project Description:

As required by National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the NEPA Implementation program reviews Environmental Impact Statements (EIS) that evaluate the anticipated environmental impacts of proposed major Federal actions, including options for avoiding or mitigating them, and makes the comments available to the public. The program manages the Agency’s official filing activity for all Federal EISs, in accordance with a Memorandum of Understanding with the Council on Environmental Quality. The program also 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 and associated environmental impacts that prevent adverse environmental impacts. The Agency targets high impact Federal program areas, such as energy/transportation-related projects and water resources projects. The program also develops policy and technical guidance on issues related to NEPA, the Endangered Species Act, the National Historic Preservation Act and relevant Executive Orders (EOs).²⁴

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue to work with other Federal agencies to streamline and to improve their NEPA processes. Work also will continue to focus on a number of key areas such as review and comment on the amount of on-shore and off-shore liquid natural gas facilities, coal bed methane development and other energy-related projects, nuclear power/hydro-power plant licensing/re-licensing, highway and airport expansion, military base realignment/redevelopment, flood control and port development, and management of national forests and public lands. In FY

²⁴ For more information, refer to: www.epa.gov/compliance/nepa.

2007, the program completed the national deployment of the web-based NEPAAssist environmental assessment tool, which assists Federal, state, and local agencies identify nationally/regionally significant environmental features/resources and streamline their respective environmental review processes. In FY 2007, approximately 70 percent of the environmental effects identified by EPA were reduced through project modifications and/or the inclusion of mitigation commitments. Of particular note, EPA's comments on the EIS on the Red River Valley Water Supply Project, in North Dakota, helped ensure that the project will cause no significant adverse water quality effects from the potential inter-basin transfer of invasive species. EPA's successful collaboration efforts with Federal land management agencies in the west ensures the growing number of oil and natural gas development projects in that area do not cause significant adverse air quality impacts.

The NEPA Implementation program also guides EPA's own compliance with NEPA, other applicable statutes and EOs, and related Environmental Justice requirements. Corresponding efforts include EPA-issued new source National Pollutant Discharge Elimination System (NPDES) permits in cases where a state or tribe has not assumed responsibility for the NPDES program, off-shore oil and gas projects, Clean Water Act wastewater treatment plant grants, and special appropriation grants for wastewater, water supply and solid waste collection facilities. In FY 2008, the Agency implemented the revised 40 CFR Part 6 Regulations "Procedures for Implementing the Requirements of the Council on Environmental Quality on the National Environmental Policy Act," which established a number of new Categorical Exclusions to streamline EPA's NEPA compliance process. In FY 2009, 90 percent of EPA projects subject to NEPA environmental assessment (EA) or EIS requirements (e.g., water treatment facility projects and other grants, new source NPDES permits and EPA facilities) are expected to result in no significant environmental impact.

The EPA Enforcement of Environmental Laws (Civil) PART program received an "adequate" rating in 2004 with the development of a measure implementation plan. In FY 2006, EPA conducted a review of enforcement and compliance measures used by states, other Federal agencies, and other countries, as well as consulting with academics and other measurement experts. The purpose of the review was to identify opportunities to improve measurement. As a result of this review, EPA is considering transitioning the Enforcement and Compliance Assurance program from a tool-oriented to a problem-oriented GPRA strategic architecture.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$796.0) This reflects a net increase for payroll and cost of living for all FTE.
- (-1.0 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities. These reductions will not

- impede Agency efforts to maximize efficiency and effectiveness in carrying out its programs.
- (+\$1,000.0 / +3.0 FTE) This reflects additional resources for the increased workload for energy-related direct implementation permitting and NEPA document reviews, in order to reduce the review and assessment times of NEPA evaluations and promote innovative and collaborate problem solving.
- (+\$357.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs. Funds will support NEPA analyses for priority projects.

Statutory Authority:

CAA; NEPA; ASTCA; CWA; ESA; NHPA; AHPA; FCMA; FWCA; EO 12898.

Program Area: Geographic Programs

Geographic Program: Chesapeake Bay

Program Area: Geographic Programs

Goal: Healthy Communities and Ecosystems

Objective(s): Restore and Protect Critical Ecosystems

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$20,274.1	\$28,768.0	\$30,528.0	\$29,001.0	(\$1,527.0)
Total Budget Authority / Obligations	\$20,274.1	\$28,768.0	\$30,528.0	\$29,001.0	(\$1,527.0)
Total Workyears	22.7	21.7	21.7	22.7	1.0

Program Project Description:

EPA's Chesapeake Bay work is based on a collaborative regional partnership formed to direct and conduct restoration of the Bay and its tidal tributaries. Partners include EPA as the Federal government representative; the Chesapeake Bay Commission, a tri-state legislative body; Maryland; Virginia; Pennsylvania; Delaware; New York; West Virginia; the District of Columbia; and participating citizen advisory groups. Chesapeake 2000, a comprehensive and far-reaching agreement, guides restoration and protection efforts through 2010, and focuses on improving water quality. The challenge is to reduce pollution and restore aquatic habitat to the extent that the Bay's waters can be removed from the Clean Water Act (CWA) "impaired" waters list.

The Chesapeake Bay Program (CBP) has shown how Federal agencies and states can work together collaboratively. The greatest success in the last 5 years has been the water quality initiative, which has resulted in:

- New water quality standards for the Bay and its tidal tributaries that protect living resources and are both more attainable and more valid scientifically, incorporating innovative features such as habitat zoning and adoption of area-specific submerged aquatic vegetation acreage targets;
- To meet the new water quality standards, the adoption of nutrient and sediment allocations for all parts of the watershed which reflect a consensus of all six basin states, the District of Columbia, and EPA;
- Tributary-specific pollution reduction and habitat restoration plans which spell out the treatment technologies, Best Management Practices (BMPs), and restoration goals for riparian forest buffers and wetlands which must be employed to achieve the allocations;
- A common National Pollutant Discharge Elimination System (NPDES) permitting approach for all significant wastewater treatment facilities that unites both upstream and

downstream states in the enforcement of the new water quality standards and allocations, including implementation of watershed permitting and nutrient trading.

(For more information see <http://www.epa.gov/region03/chesapeake/>.)

FY 2009 Activities and Performance Plan:

Progress on Bay restoration must be accelerated substantially as the restoration goal of 2010 approaches. EPA remains firmly committed to the 2010 goal and will continue working with other Bay Program partners to identify additional opportunities to accelerate progress and ensure that water quality objectives are achieved as soon as possible. The water quality standards and permitting approach, which applies to more than 450 facilities basin-wide, will speed up nutrient reductions from wastewater facilities. To maximize the Federal investment, EPA places a premium on improving access to available assistance programs and targeting them to measures that yield the greatest water quality benefit for the expenditure, as well as using innovative approaches such as nutrient trading and watershed permitting programs.

CBP partners are emphasizing implementation of the most cost-effective BMPs, using the Program's analytical capability. Priorities for funding restoration efforts were established by CBP leaders in 2005 to help focus available resources. EPA and its partners are also funding watershed projects to test the effectiveness of key nonpoint source BMPs and spur innovations such as better technology and market incentives. In order to accelerate the pace of water quality and aquatic habitat restoration, EPA and Bay area states are taking a number of steps to make the most cost-effective use of available regulatory, incentive, and partnership tools, including the following key actions for FY 2009:

- Fully implement base clean water programs in the Bay. Core CWA programs provide a foundation of water pollution control and wetlands protection that is critical to protecting and restoring Chesapeake Bay tidal waters. Clean Air Act regulations controlling emissions of nitrogen compounds also contribute substantially to Bay restoration.
- Support implementation of watershed permitting and nutrient trading programs. A 2005 study identified ways to use EPA's regulatory authorities more effectively to advance Bay restoration, and these recommendations are being implemented. In FY 2009, EPA will support implementation of watershed permitting and nutrient trading programs. EPA and the states will set stronger nutrient limits for wastewater facilities under the Chesapeake Bay permitting approach. New NPDES Concentrated Animal Feeding Operation (CAFO) permit requirements will be put in place. To curb urban/suburban storm water loads and damage to the watershed's carrying capacity from rapidly increasing impervious surface acreage and loss of riparian buffers, EPA will cooperate with partners to strengthen implementation of NPDES municipal separate storm sewer systems (MS4) and construction permit requirements.
- Accelerate Bay cleanup by focusing on the most cost-effective nutrient-sediment control and key habitat restoration strategies. The states' pollution control and habitat restoration strategies (tributary strategies) define specific, localized approaches for reducing nutrient

and sediment loads from agricultural operations, the largest category of sources. They emphasize agricultural BMPs such as nutrient management, low/no-till cultivation, cover crops, and forest buffer restoration, which are among the most cost-effective of all measures for controlling nutrient-sediment pollution loads. EPA and state partners will integrate tributary strategy implementation with Farm Bill programs.

- Enhance the use of monitoring, modeling and demonstration projects to target and assess the effectiveness of restoration actions. EPA is upgrading its watershed modeling capability, to improve tributary strategy planning and assessment. The Chesapeake Bay Phase 5 Watershed Model is being calibrated and verified for management application. EPA and U.S. Army Corps of Engineers are upgrading the Chesapeake Bay water quality model and are cooperating with the U.S. Geological Survey (USGS), National Oceanic and Atmospheric Administration (NOAA), and U.S. Department of Agriculture to organize an assessment of regional sediment management.
- Strengthen accountability for implementation of restoration measures. In 2006 and 2007, the CBP substantially revised its indicators and reporting for Chesapeake Bay health and restoration, both to improve accountability and to respond to recommendations from the Government Accountability Office. The indicators will be expanded in 2008-2009 to include tributary health and restoration reporting. EPA, NOAA, and the states will collaborate on improved integration of water quality and fisheries monitoring and reporting under the CBP's precedent-setting agreement in 2005 to establish ecosystem-based fisheries management for the Chesapeake Bay.
- Use the CBP Federal partnership for cooperative conservation to improve access to available financial and technical assistance programs, and link Federal programs to CBP's strategic priorities. EPA and the Bay states will strengthen partnerships with complementary Federal agency programs that fund agricultural conservation and ecosystem restoration, manage lands and fisheries, and contribute to Bay scientific understanding.

The Chesapeake Bay Program completed a PART review in 2006 and achieved a “moderately effective” rating. New performance measures developed for the FY 2006 PART assessments are included in the FY 2009 request. Follow-up actions in the improvement plan include: investigating potential methods to characterize the uncertainty of the watershed and water quality models, developing a comprehensive implementation strategy, and promoting and tracking the most cost effective restoration activities to maximize water quality improvements.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Total nitrogen reduction practices implementation achieved a a result of agricultural best	43,529	47,031	48,134	49,237	Pounds

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
	management practice implementation per million dollars to implement agricultural BMPs.					

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of point source phosphorus reduction goal of 6.16 million pounds achieved.	87	84	85	87	Percent Goal Achieved

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of goal achieved for implementation of phosphorus reduction practices (expressed as progress meeting the phosphorus reduction goal of 14.36 million pounds).	62	64	66	69	Percent Goal Achieved

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of goal achieved for implementation of sediment reduction practices (expressed as progress meeting the sediment reduction goal of 1.69 million pounds).	62	61	64	67	Percent Goal Achieved

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of point source nitrogen reduction goal of 49.9 million pounds achieved.	69	70	74	79	Percent Goal Achieved

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of goal achieved for implementation of nitrogen reduction practices (expressed as progress meeting the nitrogen reduction goal of 162.5 million pounds).	46	47	50	53	Percent Goal Achieved

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percent of forest buffer planting goal of 10,000 miles achieved.	53	53	60	68	Percent Goal Achieved

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$104.0) This reflects an increase for payroll and cost of living for all FTE.
- (+1.0 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills, and Agency priorities.
- (-\$1,631.0) This total is the net of the 1.56% rescission and the discontinuation of funding added in the FY 2008 Omnibus for the Small Watershed Grants Program.

Statutory Authority:

CWA.

Geographic Program: Great Lakes

Program Area: Geographic Programs

Goal: Healthy Communities and Ecosystems

Objective(s): Restore and Protect Critical Ecosystems

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$23,522.7	\$21,757.0	\$21,686.0	\$22,261.0	\$575.0
Total Budget Authority / Obligations	\$23,522.7	\$21,757.0	\$21,686.0	\$22,261.0	\$575.0
Total Workyears	52.7	58.1	58.1	58.1	0.0

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 accounting for 84 percent of the surface freshwater in the United States. The watershed includes 2 nations, 8 U.S. states, a Canadian province, more than 40 tribes, and more than one-tenth of the U.S. population. The goal of the Agency's Great Lakes Program is to restore and maintain the chemical, physical and biological integrity of the Great Lakes Basin Ecosystem. The Great Lakes Program:

- Monitors and reports annual air and water monitoring data for nutrients, toxics and biota for five lakes in partnership with other Federal, state and Canadian agencies.
- Operates the bi-national Great Lakes Integrated Atmospheric Deposition Network.
- Performs toxic reduction activities by implementing the Great Lakes Bi-national Toxics Strategy for reduced loadings of targeted pollutants in accordance with the Great Lakes Water Quality Agreement (GLWQA).²⁵
- Performs demonstrations and investigations related to contaminated sediments in Great Lakes rivers and harbors.
- Protects and restores habitat to decrease the loss of high quality ecological communities and rare species, and to increase ecosystem conditions and functions to sustain native plants and animals in habitat of the necessary size, mixture, and quality.
- Addresses invasive species, though collaboration with partners, by emphasizing prevention of additional introductions.

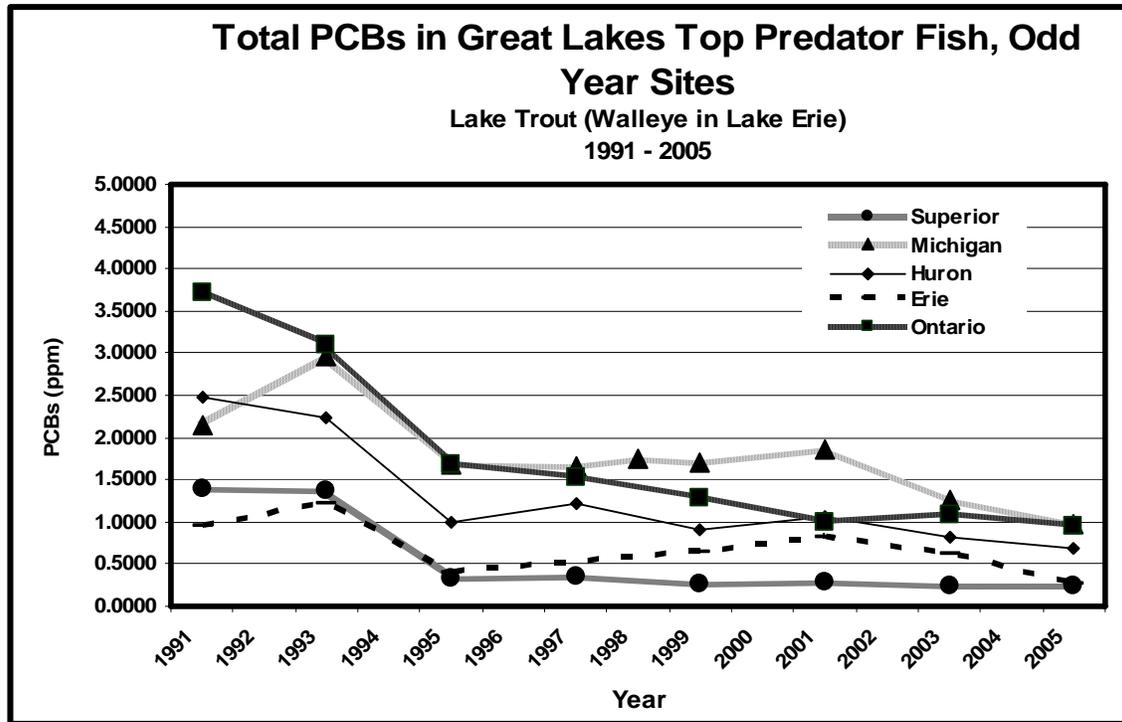
²⁵ U.S. EPA Great Lakes National Program Office. April 1997. *The Great Lakes Bi-national Toxics Strategy*. Washington, DC. <http://www.epa.gov/glnpo/p2/bns.html>.

(See <http://www.epa.gov/glnpo/> for more information.)

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue efforts to protect and restore the Great Lakes, and will work with state, local, and Tribal partners, using the Great Lakes Regional Collaboration's strategy as a guide. EPA will continue working with partners to restore the chemical, physical, and biological integrity of the Great Lakes ecosystem through core water protection programs. EPA will give priority to working with states and local communities to support removal of beneficial use impairments in Areas of Concern (AOCs) and clean-up and de-listing of 8 AOCs by 2011. An AOC is a geographic area that fails to meet the objectives of the GLWQA where such failure has caused or is likely to cause impairment of beneficial use or of the area's ability to support aquatic life. In general, these are bays, harbors, and river mouths with damaged fish and wildlife populations, contaminated bottom sediments, and past or continuing loadings of toxic and bacterial pollutants. EPA will continue to work to reduce PCB concentrations in lake trout and walleye (see Figure 1), and for 90 percent of monitored Great Lakes beaches to be open 95 percent of the season.

EPA will work with states, industry, tribes, non-governmental organizations, and other stakeholders to coordinate Great Lakes monitoring, information management, pollution prevention, contaminated sediments, habitat, invasive species, lake-wide management, and remedial action plan programs to be consistent with the Great Lakes Regional Collaboration Strategic Plan. Following intensive ship- and land-based monitoring of Lakes Michigan, Superior, and Huron from CY 2005 through CY 2007, EPA will focus on similar cooperative monitoring efforts with Canada on Lake Ontario in CY 2008, and on Lake Erie in CY 2009. In FY 2009, EPA plans to initiate nearshore chemical and biological monitoring of the 10,000 miles of Great Lakes nearshore waters. EPA will thus collect better information related to the most productive of the Great Lakes waters, intakes, outfalls, and beaches.



PCBs in Great Lakes Top Predator Fish ²⁶

EPA will continue to monitor the annual occurrence of high rates of oxygen depletion, which lead to low dissolved-oxygen levels in the Lake Erie “dead zone.” Despite U.S. and Canadian success in achieving total phosphorus load reductions, phosphorus in the central basin of Lake Erie has increased since the early 1990’s to levels substantially in excess of the GLWQA Objective of 10ug-P/l.²⁷ EPA will continue working with the National Oceanic and Atmospheric Association (NOAA) to investigate the depleted oxygen conditions, to update models of Lake Erie’s response to nutrients, and to fill in information gaps through modeling nutrient dynamics processes.

With preliminary results from grants it issued in FY 2007, EPA will continue to lead Canadian and U.S. Federal agencies and the academic community in exploring causes of the rapid decline of the *Diporeia* population in the Great Lakes. The decline may be related to invasive species. *Diporeia* are normally the predominant organism at the base of the Great Lakes food web (up to 70 percent of living biomass of a healthy lake bottom). Their decline may portend adverse affects on Great Lakes fish and fisheries.

²⁶ A sample of 50 whole fish is collected each year (x-axis). 10 sets of 5 fish are composited and averaged for the data points above. Great Lakes Fish Monitoring Program – Quality Assurance Project Plan for Sample Analysis, University of Minnesota. <http://www.epa.gov/glnpo/glindicators/fishtoxics/GLFMP%20QAPP%20v7.pdf>. Great Lakes Fish Monitoring Program – Quality Assurance Project Plan for Sample Collection Activities, Great Lakes National Program Office. http://www.epa.gov/glnpo/glindicators/fishtoxics/GLFMP_QAPP_082504.pdf. Quality Management Plan for the Great Lakes National Program Office. EPA905-R-02-009. October 2002, Approved April 2003. <http://www.epa.gov/glnpo/qmp/>.

³ Great Lakes National Program Office Annual Monitoring Program - Changes in Phosphorus levels and direction over time, Great Lakes Environmental Database (<http://www.epa.gov/grtlakes/glindicators/index.html>).

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Average annual percentage decline for the long-term trend in concentrations of PCBs in whole lake trout and walleye samples.	6	5	5	5	Percent Annual Decrease

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Average annual percentage decline for the long-term trend in concentrations of PCBs in the air in the Great Lakes Basin.	8	7	7	7	Percent Annual Decrease

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of Beneficial Use Impairments removed within Areas of Concern.	9	No Target Established	16	21	Cum. Number BUI Removed

Each Great Lakes performance measure reflects the results of multiple EPA base programs and the activities of other organizations working to improve Great Lakes environmental conditions. Ecosystem improvement on a scale as large as the Great Lakes is likely to be reflected in time periods greater than a year, consequently the overall Great Lakes ecosystem condition as measured by a Great Lakes Index will not be reported until 2011. The score to be reported in FY 2011 for overall ecosystem health of the Great Lakes is expected to improve slightly from the score reported in FY 2007.

Following long-term trends, average concentrations of PCBs in whole lake trout and walleye samples are expected to continue to decline by 5 percent annually at monitored sites, reflecting modest continual improvement in Great Lakes health. Also, following long-term trends, average concentrations of toxic chemicals (PCBs) in the air at monitored sites in the Great Lakes basin are expected to continue to decline by 7 percent annually.

Forty-three AOCs have been identified: 26 located entirely within the United States; 12 located wholly within Canada; and 5 that are shared by both countries. Since 1987, the Great Lakes National Program Office (GLNPO) has tracked the 31 AOCs that are within the U.S. or shared

with Canada. On June 19, 2006, the Oswego River, New York's AOC, became the first U.S. AOC to be officially removed from the list of U.S. AOCs. Guided by the Great Lakes Regional Collaboration goals, EPA and the Great Lakes states have renewed efforts to de-list (clean up) the U.S. AOCs. These renewed efforts will be assisted through annual targets for restoration of beneficial use impairments and through a long term target for de-listing of AOCs.

The EPA Great Lakes Program received an "adequate" PART rating in 2007.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$386.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$189.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

1990 Great Lakes Critical Programs Act; 2002 Great Lakes and Lake Champlain Act (Great Lakes Legacy Act); CWA; Coastal Wetlands Planning, Protection, and Restoration Act of 1990; Estuaries and Clean Waters Act of 2000; North American Wetlands Conservation Act; US-Canada Agreements; WRDA; 1909 The Boundary Waters Treaty; 1978 GLWQA; 1987 GLWQA; 1987 Montreal Protocol on Ozone Depleting Substances; 1996 Habitat Agenda; 1997 Canada-U.S. Great Lakes Bi-national Toxics Strategy.

Geographic Program: Long Island Sound

Program Area: Geographic Programs

Goal: Healthy Communities and Ecosystems

Objective(s): Restore and Protect Critical Ecosystems

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$1,361.4</i>	<i>\$467.0</i>	<i>\$4,922.0</i>	<i>\$467.0</i>	<i>(\$4,455.0)</i>
Total Budget Authority / Obligations	\$1,361.4	\$467.0	\$4,922.0	\$467.0	(\$4,455.0)
Total Workyears	0.0	0.0	0.0	0.0	0.0

Program Project Description:

EPA supports the protection and restoration of Long Island Sound through its Long Island Sound Office (LISO), established under Section 119 of the Clean Water Act (CWA), as amended. EPA assists the states in implementing the Sound's 1994 Comprehensive Conservation and Management Plan (CCMP), developed under Section 320 of the CWA. EPA and the 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 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 (e.g., American lobster); the impacts of toxic contamination in the food web and on living resources; pathogen contamination and pollution; floatable debris deposition; 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 states of New York and Connecticut are active in reducing nitrogen through their innovative and nationally-recognized pollution trading programs. In 2006, the states surpassed the Total Maximum Daily Load nitrogen discharge target of 42,171 trade-equalized (TE) lbs/day, discharging only 41,228 TElbs/day, a savings of 943 pounds of nitrogen per day or 172 tons annually from entering the Sound. In 2007, the states restored or protected more than 197 acres of critical coastal habitat, and reopened more than 22 miles of river corridors to anadromous fish passage through construction of fishways or removal of barriers to fish passage, surpassing annual targets for these areas of 50 acres and 8.3 miles, respectively.

(See <http://www.longislandsoundstudy.net> and <http://www.epa.gov/region01/eco/lis> for further information.)

FY 2009 Activities and Performance Plan:

EPA will continue to oversee implementation of the Long Island Sound Study (LISS) CCMP in 2009 by coordinating the cleanup and restoration actions of the LISS Management Conference as authorized under Sections 119 and 320 of the CWA. EPA's FY 2009 efforts will focus on the following:

- Continued emphasis on reducing nitrogen loads from point and nonpoint sources of pollution, which is expected to reduce the area of the Sound that is seasonally impaired as habitat for fish and shellfish because of low dissolved oxygen levels, a condition called hypoxia. LISO will work with the states of New York and Connecticut to implement the nitrogen Total Maximum Daily Load approved by EPA in April 2001.
- 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. Watershed protection and nonpoint source pollution controls will help reduce the effects of runoff pollution on rivers and streams discharging to the Sound, and restoration and protection efforts will increase streamside buffer zones as natural filters of pollutants and runoff.
- Year-round and intensive seasonal monitoring of water quality, including environmental indicators such as dissolved oxygen levels, temperature, salinity, and water clarity, and biological indicators such as chlorophyll *a*. 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.
- Protecting and restoring critical coastal habitats that will improve the productivity of tidal wetlands, inter-tidal zones, and other key habitats that have been adversely affected by unplanned development, overuse, or land use-related pollution effects.
- Stewardship of ecologically and biologically significant areas, and identification and management of recreationally important areas, will assist in developing compatible public access and uses of the Sound's resources.
- Coordinating 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.
- Coordinating the Long Island Sound Citizens Advisory Committee to develop an educated population that is aware of significant environmental problems and understands the management approach to, and their role in, correcting problems.

As one of 28 National Estuaries, this program was included in OMB's PART assessment under Ocean, Coastal, and Estuary Protection, completed in 2005 and was rated "adequate."

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Reduce point source nitrogen discharges to Long Island Sound as measured by the Long Island Sound Nitrogen Total Maximum Daily Load (TMDL).			37,323	34,898	Trade Eq Lbs/Day

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Restore or protect acres of coastal habitat, including tidal wetlands, dunes, riparian buffers, and freshwater wetlands.			862	912	Acres

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Reopen miles of river and stream corridor to anadromous fish passage through removal of dams and barriers or installation of bypass structures such as fishways.			105.9	114	Miles

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$4,455.0) This total is the net of the 1.56% rescission and reduces congressionally directed funding in the FY 2008 Omnibus for the Long Island Sound. This will return support for implementation of the Long Island Sound Comprehensive Conservation and Management Plan, including addressing high nutrient loadings and protection and restoration of coastal habitats, to the baseline level.

Statutory Authority:

Long Island Sound Restoration Act, P.L. 106-457 as amended by P.L. 109-137; 33 U.S.C. 1269.

Geographic Program: Gulf of Mexico

Program Area: Geographic Programs

Goal: Healthy Communities and Ecosystems

Objective(s): Restore and Protect Critical Ecosystems

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$4,407.4	\$4,457.0	\$5,618.0	\$4,578.0	(\$1,040.0)
Total Budget Authority / Obligations	\$4,407.4	\$4,457.0	\$5,618.0	\$4,578.0	(\$1,040.0)
Total Workyears	11.7	14.0	14.0	14.0	0.0

Program Project Description:

EPA’s efforts in the Gulf of Mexico directly support a collaborative, multi-organizational Gulf states-led partnership comprised of regional businesses and industries, agriculture, state and local governments, citizens, environmental and fishery interests, and numerous Federal departments and agencies. The Gulf of Mexico Program (<http://www.epa.gov/gmpo>) is designed to assist the Gulf states and stakeholders in developing a regional, ecosystem-based framework for restoring and protecting the Gulf of Mexico. In response to the U.S. Ocean Action Plan, thirteen Federal agencies have come together to form a Regional Partnership to provide support to the Gulf of Mexico Alliance, a partnership of the five Gulf states. The Gulf states have identified key priority coastal and ocean issues that are regionally significant and can be effectively addressed through cooperation at the local, state, and Federal levels.

The partnership has identified processes and financial authorities in order to leverage the resources needed to support the *Gulf of Mexico Governors’ Action Plan*,²⁸ and building on the success of this first Action Plan, the Alliance will expand the breadth and scope of Gulf of Mexico regional activities with the release of a Five-Year Regional Collaboration Blueprint. EPA supports this partnership’s efforts to effectively address the complex and pressing issues facing the Gulf of Mexico.

FY 2009 Activities and Performance Plan:

The Gulf of Mexico’s environmental issues can be broadly categorized as affecting water quality, public health, nutrient reductions, and coastal restoration and resiliency. Activities of the Gulf of Mexico Program and its partners include:

- Supporting efforts to achieve the FY 2009 target to restore 96 impaired segments in the 13 priority coastal areas to achieve water and habitat quality levels that meet state water quality standards;

²⁸ Available at: http://www.dep.state.fl.us/gulf/files/files/GulfActionPlan_Final.pdf.

- Supporting projects with the goal of creating, restoring or protecting 20,600 acres of important coastal and marine habitats in the Gulf of Mexico and addressing coastal community resiliency;
- Supporting state and coastal community efforts to manage Harmful Algal Blooms (HABs) by implementing an integrated bi-national early-warning system pilot project in Veracruz, Mexico, to be operational in 2008 with a 36-month period of performance for evaluation;
- Assisting the Gulf states in reducing contamination of seafood and local beaches through efforts to establish effective microbial source tracking methods and technologies to identify the sources of bacteria. This is imperative for developing best management practices to control fecal contamination, protect recreational water users from waterborne pathogens, and preserve the integrity of drinking source water supplies;
- Assisting in consumer awareness/educational efforts to reduce the rate of shellfish-borne *Vibrio vulnificus* illnesses caused by consumption of commercially-harvested raw or undercooked oysters;
- Establishing the Gulf States Alliance Monitoring Initiative as a model regional Coastal Water Quality Monitoring Framework pilot;
- Supporting coastal nutrient criteria and standards development with a Gulf State pilot;
- Supporting efforts to reduce nutrient loadings to watersheds and reduce the size of the hypoxic zone by identifying the top 100 nutrient-contributing watersheds in the Mississippi River Basin and using the U.S. Geological Survey SPARROW (SPAtially Referenced Regressions on Watershed attributes) model to indicate where the major sources of nitrogen and phosphorus are located and where to target reduction efforts;
- Establishing public and private support for the development and deployment of the Gulf Coastal Ecosystem Learning Centers Rotational Educational Exhibits Initiative; and
- Fostering regional stewardship and awareness of Gulf coastal resources through annual Gulf Guardian Awards; developing a Public Awareness Campaign; and projects enhancing local capacity to reach underserved and underrepresented populations.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Restore water and habitat quality to meet water quality standards in impaired segments in 13 priority coastal			64	96	Impaired Segments

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
	areas (cumulative starting in FY 07).					

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Restore, enhance, or protect a cumulative number of acres of important coastal and marine habitats.			18,200	20,600	Acres

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Improve the overall health of coastal waters of the Gulf of Mexico on the "good/fair/poor" scale of the National Coastal Condition Report.	2.4	2.4	2.5	2.5	Scale

A major indication of improvement in the overall health of the entire Gulf of Mexico is the score received in the National Coastal Condition Report Index. The score for the Gulf of Mexico in the 2001 Report was 1.9 on a 5 point system where 1 is poor and 5 is good. The score reported in the 2005 Report improved to 2.4.

This score does not include the impact of the hypoxic zone (low oxygen) in offshore Gulf Coast waters. The National Coastal Condition score includes indicators used to calculate regional, ecosystem-wide characterizations that include all primary estuaries. The hypoxic zone is a site specific, not regional indicator of dissolved oxygen. The coast-wide extent of the hypoxic zone mapped in 2007 was 20,500 square kilometers (7,900 square miles). The low oxygen waters extended from near the Mississippi River across the Louisiana/Texas border towards Galveston. The long-term average since mapping began in 1985 is 13,500 square kilometers (5,200 square miles). The target by 2015 is to reduce the zone to less than 5,000 square kilometers.

The Mississippi River Basin, which drains more than 41 percent of the continental U.S., accounts for the bulk of the nonpoint nutrient inputs to the Gulf of Mexico. Reduction in the amount of nutrients from this source is a critical management objective that requires implementation coordination among the many state and Federal partners in the Mississippi River Basin.

This program has not been reviewed under the PART process.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$7.0) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with a reduction based on the recalculation of base workforce costs.
- (-\$1,033.0) This total is the net of the 1.56% rescission and a reduction of congressionally directed funding in the FY 2008 Omnibus for the Gulf of Mexico. The additional FY 2008 resources will allow the Agency to complete implementation of the Gulf of Mexico Governors' Action Plan Phase I priority issues addressing water quality. The funds will allow the Agency to begin implementation of a Phase II five-year regional action plan on an accelerated schedule.

Statutory Authority:

CWA.

Geographic Program: Lake Champlain

Program Area: Geographic Programs

Goal: Healthy Communities and Ecosystems

Objective(s): Restore and Protect Critical Ecosystems

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$997.0</i>	<i>\$934.0</i>	<i>\$2,707.0</i>	<i>\$934.0</i>	<i>(\$1,773.0)</i>
Total Budget Authority / Obligations	\$997.0	\$934.0	\$2,707.0	\$934.0	(\$1,773.0)
Total Workyears	0.0	0.0	0.0	0.0	0.0

Program Project Description:

Lake Champlain was designated 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. A plan, "Opportunities for Action," 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. EPA's efforts to protect Lake Champlain support the successful interstate, interagency, and international partnership undertaking the implementation of the Plan. "Opportunities for Action" is designed to address various threats to the Lake's water quality, including phosphorus loadings, invasive species, and toxic substances.

(See <http://www.epa.gov/NE/eco/lakechamplain/index.html>, <http://www.lcbp.org>, and http://nh.water.usgs.gov/champlain_feds/ for more information.)

FY 2009 Activities and Performance Plan:

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 2009 activities include:

- Addressing high levels of phosphorous, which encourages algal blooms in parts of the lake, by working to help implement the joint Vermont and New York Lake Champlain TMDL to reduce phosphorus loads from all categories of sources (point, urban and agricultural nonpoint);
- Preventing the introduction of an invasive form of *Didymosphenia geminata* into the Lake Champlain basin from the neighboring Connecticut River watershed;

- Monitoring the population of alewives, a recent invasive species affecting Lake Champlain, as well as working to remove and/or prevent the entry or dispersal of this and other invasive plants, fish, and invertebrates in the basin;
- Completing development and beginning implementation of an ecological report card which tracks ecological status and restoration progress in the Lake Champlain Basin;
- Completing revisions to the Lake Champlain Basin Management Plan, including commemorating the quadricentennial and incorporating recent developments and ongoing work in the Basin;
- Implementing a revised long-term limnological monitoring program for Lake Champlain;
- 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.

Performance Targets:

Work under this program supports the Improve Water Quality on a Watershed Basis sub-objective and the Restore and Protect Critical Ecosystems objective. Currently, there are no performance measures for this specific program.

This program has not been reviewed under the PART process.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$1,773.0) This total is the net of the 1.56% rescission and reduces congressionally directed funding in the FY 2008 Omnibus for the Lake Champlain Basin. This will return support for implementation of the Lake Basin Plan, “Opportunities for Action,” including monitoring and assessment, and addressing high nutrient levels and invasive species to the baseline level.

Statutory Authority:

1909 The Boundary Waters Treaty; 1990 Great Lakes Critical Programs Act; 2002 Great Lakes and Lake Champlain Act; CWA; North American Wetlands Conservation Act; U.S.-Canada Agreements; National Heritage Areas Act of 2006; Water Resources Development Act (WRDA) of 2000.

Geographic Program: Other

Program Area: Geographic Programs

Goal: Healthy Communities and Ecosystems

Objective(s): Communities; Restore and Protect Critical Ecosystems

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$9,704.2	\$8,575.0	\$32,072.0	\$7,715.0	(\$24,357.0)
Total Budget Authority / Obligations	\$9,704.2	\$8,575.0	\$32,072.0	\$7,715.0	(\$24,357.0)
Total Workyears	5.9	12.4	12.4	12.4	0.0

Program Project Description:

EPA targets efforts to protect and restore various communities and ecosystems impacted by environmental problems. Under this program, the Agency works with communities to develop and implement 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.

The South Florida Program leads special initiatives and planning activities in the South Florida region, which includes the Everglades and Florida Keys coral reef ecosystem. In FY 2009 EPA will implement, coordinate and facilitate activities including the Clean Water Act (CWA) Section 404 Wetlands Protection Program, the Comprehensive Everglades Restoration Program (CERP), the Water Quality Protection Program for the Florida Keys National Marine Sanctuary (FKNMS), the Southeast Florida Coral Reef Initiative (SEFCRI) as directed by the U.S. Coral Reef Task Force, the Brownfields Program, and other programs.

The Northwest Forest Program supports interagency coordination, watershed assessment, conservation, and restoration efforts across five states in the Pacific Northwest. Key elements of the program include two collaborative, watershed-scale monitoring programs that help characterize watershed conditions across 70 million acres of Forest Service and Bureau of Land Management (BLM) administered lands in the northwest. In addition to providing status and trend information for aquatic and riparian habitats, the two monitoring programs help support adaptive management and state water quality/watershed health programs.

The Lake Pontchartrain Basin Restoration Program strives to restore the ecological health of the Basin by developing and funding restoration projects. It also supports related scientific and public education projects.

The Community Action for a Renewed Environment (CARE) program is a community-based, multi-media program designed to help local communities address the cumulative risk of toxics exposure. Through the CARE program, EPA provides technical support and funding to approximately 50 communities to help them build partnerships and use collaborative processes to

select and implement actions to improve community health and the environment. Much of the risk reduction comes through the application of over 40 EPA voluntary programs designed to address community concerns such as Diesel Retrofits, Brownfields, the National Estuary Program, Design for the Environment, Environmental Justice Revitalization Projects, Tools for Schools, and Regional Geographic Initiatives. The process funded by the CARE program assists communities in tailoring the application of these and other programs to meet their specific priority needs.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will protect and restore various communities and ecosystems impacted by diffuse sources of pollution. These community-based approaches will decrease the cumulative risk for geographic areas. In addition to the below activities, EPA will continue to focus on coastal ecosystems in FY 2009.

South Florida

In conducting special initiatives and planning activities, EPA is investing \$2.1 million in the South Florida Program in FY 2009 for the following activities:

- Assist with coordinating and facilitating the ongoing implementation of the Water Quality Protection Program for the FKNMS, including management of long-term status and trends monitoring projects (water quality, coral reef, and seagrass) and the associated data management program.
- Conduct studies to determine cause and effect relationships among pollutants and biological resources, implement wastewater and storm water master plans, and provide public education and outreach activities.
- Provide monetary and/or technical/managerial support for priority environmental projects and programs in South Florida, including:
 - Southeast Florida Coral Reef Initiative;
 - Water Quality Protection Strategy for the South Florida Ecosystem;
 - Integrated Mercury Study; and
 - REMAP Monitoring Program (to assess ecosystem characteristics and conditions throughout the Everglades 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 South Florida Urban Initiative.
- Assist with development of Total Maximum Daily Loads (TMDLs) for South Florida.

- Assist with development of and tracking NPDES and other permits including discharge limits that are consistent with state and Federal law, and Federal Court consent decrees.

In FY 2009, EPA will continue to focus on the strategic targets in the 2006-2011 Strategic that address important environmental markers such as stony coral cover, health and functionality of seagrass beds, water quality in the FKNMS, phosphorus levels throughout the Everglades Protection Area, and effluent limits for all discharges, including storm water treatment areas.

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 2009, EPA will invest \$1.1 million in the Northwest Forest Program for the following activities:

- Complete on-the-ground stream reach and watershed condition/trend monitoring in 75 to 100 sub-watersheds in California, Oregon, Idaho, Montana, and Washington.
- Utilize remote sensing and GIS data layers to assess watershed conditions in over 1,000 watersheds in western Oregon and Washington, and in Northern California.
- Provide monitoring information to states to assist in CWA reporting and 303(d)-related efforts.
- Utilize upslope analysis, in-channel assessments, emerging research, and decision support models to inform management decisions and refine future monitoring efforts.

Lake Pontchartrain

The program will work to restore the ecological health of the Lake Pontchartrain Basin. In FY 2009, EPA will invest \$978 thousand in the Lake Pontchartrain Basin Program for the following activities:

- Completing plans and studies as identified in the Lake Pontchartrain Basin Program Comprehensive Management Plan (LPBCMP) which supports the following goals:
 - Planning and design of consolidated wastewater treatment systems which support the Agency's Sustainable Infrastructure goal;
 - Repair and replacement studies to improve existing wastewater systems; and
 - Design of storm water management systems.
- Conducting outreach and public education projects that address the goals of the LPBCMP, such as:
 - Improving the management of animal waste lagoons by educating and assisting the agricultural community on lagoon maintenance techniques; and
 - Protecting and restoring critical habitats and encouraging sustainable growth by providing information and guidance on habitat protection and green development techniques.

CARE

With a FY 2009 investment of \$2.4 million in the CARE Program, EPA will continue to provide technical support for communities, help them use collaborative processes to select and implement local actions, and award Federal funding for projects to reduce exposure to toxic pollutants. CARE uses two sets of cooperative agreements. In the smaller Level I agreements, the community, working with EPA, creates a collaborative problem-solving group of community stakeholders. That group assesses the community’s toxic exposure problems and priorities and begins to identify potential solutions. In the larger Level II agreements, the community, working with EPA, selects and funds projects that reduce risk and improve the environment in the community.

In FY 2009, the CARE Program will provide support to communities to help them understand and improve their local environments and health by:

- Selecting and awarding assistance agreements to community partnerships to improve local environments;
- Providing technical support and training to help CARE 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 voluntary programs and helping communities utilize these programs to reduce risks;
- Implementing a Memorandum of Understanding with the Centers for Disease Control’s Agency for Toxic Substances and Disease Registry to improve support for communities by coordinating the efforts of multiple Federal agencies working at the community level to improve environmental health; and
- Conducting outreach to share lessons learned by CARE communities and encouraging other communities to build partnerships and take actions to reduce risks.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of population in each of U.S. Pacific Island Territories served by CWS will receive drinking water that meets all applicable health-based drinking water standards throughout the year.			72	72	Percent Population

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	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.			70	86	Percent Days

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of the time that the sewage treatment plants in the U.S. Pacific Island Territories will comply with permit limits for biochemical oxygen demand (BOD) and total suspended solids (TSS).			67	64	Percent Time

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Achieve "no net loss" of stony coral cover in FL Keys Nat'l Marine Sanctuary (FKNMS) and in the coastal waters of Dade, Broward, and Palm Beach Counties, FL working with all stakeholders.			6.8/5.9	No Net Loss	Mean Percent Area

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Maintain the overall water quality of the near shore and coastal waters of the Florida Keys Nat'l			Maintain	Maintain	Sea Grass Health

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
	Marine Sanctuary (FKNMS).					

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	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.			Maintain	Maintain	Parts per Billion

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$56.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$946.0) This reduction to the CARE program will decrease the number of grants from approximately 20 to approximately 12. The decrease will target Level I grants to ensure that funds are available for the existing CARE communities eligible for the larger Level II grants to reduce risks at the community level.
- (-\$4,922.0) This reduces congressionally directed funding in the FY 2008 Omnibus for the San Francisco Bay.
- (-\$18,688.0) This reduces congressionally directed funding in the FY 2008 Omnibus for Puget Sound activities.
- (+\$143.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

Florida Keys National Marine Sanctuary and Protection Act of 1990; National Marine Sanctuaries Program Amendments Act of 1992; CWA; Water Resources Development Act of 1996; Water Resources Development Act of 2000; RCRA; CERCLA; Economy Act of 1932; Intergovernmental Cooperation Act; CAA; SWDA; TSCA.

Regional Geographic Initiatives

Program Area: Geographic Programs

Goal: Healthy Communities and Ecosystems

Objective(s): Communities

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$6,302.5</i>	<i>\$9,553.0</i>	<i>\$0.0</i>	<i>\$4,844.0</i>	<i>\$4,844.0</i>
Total Budget Authority / Obligations	\$6,302.5	\$9,553.0	\$0.0	\$4,844.0	\$4,844.0
Total Workyears	14.4	17.3	0.0	17.3	17.3

Program Project Description:

EPA uses Regional Geographic Initiative (RGI) funds to support innovative, geographically-based projects. These funds are available to EPA Regional offices to support priority local and regional environmental projects, which may include protecting children’s health, restoring watersheds, providing for clean air, preventing pollution and fostering environmental stewardship. RGI provides an essential tool to facilitate holistic, innovative solutions to complex environmental problems. RGI is one of EPA’s premiere innovation resources -- spurring local projects that have often become national models. Examples are school bus diesel retrofits, watershed planning, and developing agricultural pollution prevention performance standards for pest management.

RGI projects are chosen based on national criteria that support EPA’s goals and priorities. These criteria state that RGI projects: address places, sectors or innovative projects; are based on a regional, state, tribal or other strategic plan; address problems that are multi-media in nature; fill a critical gap in the protection of human health and the environment; demonstrate state, local and/or other stakeholder participation; and/or identify opportunities for leveraging other sources of funding. Each Region administers RGI funds and has the discretion to set Regional specific criteria in addition to the national criteria. If the regional offices decide to apply additional criteria they are related to Regional, state, and/or local priorities or initiatives. RGI funds support Regional priorities through contracts, grants, inter-agency agreements, and cooperative agreements.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA Regional Offices plan to support projects and initiatives that align with Goal 4 Healthy Communities and Ecosystem while achieving Regional specific strategic priorities/goals. The following is a snapshot of RGI projects planned:

- Promote collaborations and environmental stewardship to support national programs and initiatives. The New Jersey Passaic River is considered one of the most degraded rivers in the U.S. and is experiencing considerable population growth and development,

resulting in significant loss of floodplains, fish spawning habitat, benthic habitat, wetlands, and other valuable aquatic and terrestrial habitats. EPA, the Army Corps of Engineers, NOAA, US F&WS and the State of New Jersey are developing a comprehensive watershed-based plan to clean up contamination in the river, improve water quality, and restore the ecological health of the watershed. In FY 2009, Region 2 will use RGI funds to support this effort and leverage state and other federal funding for education and outreach to foster public environmental stewardship; for local habitat restoration projects; and to promote the application of sustainable tools and programs within the watershed.

- Incorporate multi-media approaches to environmental issues. Three quarters of California's dairy cows are in the San Joaquin Valley where they contribute greatly to some of the worst water and air pollution in the country. Past RGI projects supporting the Collaborative leveraged over \$16 million seeking to manage manure to improve the quality of soil, manage nutrients and provide renewable energy, while developing technologies that reduce emissions of pollutants to air and water. In FY 2009, Region 9 will use RGI funding to pilot projects that combine multiple treatment processes such as energy production, denitrification and composting; reduce emissions of priority pollutants from dairies; excess nutrients and salts in water, and Volatile Organic Compounds (VOCs) and ammonia that are precursors to formation of ground-level ozone and particulate matter.
- Support emerging environmental issues. Region 5 will focus FY 2009 RGI funding on critical Homeland Security functions and will work with states to implement: (a) the Heartland Emergency Response Exchange (HERE) to enable the rapid, accurate and secure exchange of critical data for emergency planners and emergency responders to natural and man-made disasters. This will increase data availability and compatibility between EPA and its states across organizational lines and, (b) the Disaster Debris Recovery Network to ensure that each state has the capability to safely manage post-disaster waste disposal and increase recovery and recycling of debris. RGI funds will assist with planning and preparation for the management of debris. Key outputs will include: databases and maps of debris facilities and debris management contractors; preparing debris management contractors to effectively work with incident management teams and, providing assistance to states and tribes so that they can help local communities prepare debris management plans.
- Plan to fill critical gaps. Region 8 will use RGI to fund FY 2009 projects for: 1) mercury deposition studies to understand the fate and transport of mercury and its effect on aquatic resources and wildlife. The focus will be on a project in the Great Salt Lake as a key step to identify ecosystem protection measures, and regain full use of aquatic and wildlife resources dependent upon the lake; and 2) understanding the environmental impact of emerging energy technologies important to our nation's energy future. The Region plans to use funds to develop scientific information to support EPA's permitting decisions involving a new technology for uranium extraction. There is a national need for information on this technology as nuclear energy is expanding as part of our energy portfolio.

- Provide seed funding and leverage federal, state, public and private dollars that help accelerate the pace of environmental and public health protection. Region 1 will use RGI funds to support the Healthy Communities Grant Program, assisting communities to reduce environmental risks, protect and improve human health, and improve the quality of life in New England. Region 1 plans to fund projects that must: (1) Be located in and/or directly benefit one or more of four Target Investment Areas [Environmental Justice Areas of Potential Concern, Sensitive Populations (e.g. children, elderly, tribes and/or others at increased risk), Places with High Risk from Toxic Air Pollution, and/or Urban Areas (population of 35,000 or more)]; and (2) Identify measurable environmental and/or public health results in one or more Target Program Areas (Asthma, Capacity-Building on Environment and Public Health Issues, Clean Energy, Healthy Indoor/Outdoor Environments, Healthy Schools, Smart Growth, Urban Natural Resources and Open/Green Space). This approach ensures that RGI resources are invested wisely, use competition, are well leveraged, and achieve measurable environmental and public health results.
- Showcase innovative solutions. Region 7 plans to continue to support the satellite Environmental Finance Center (EFC) which provides small rural communities enhanced access to financial products and technical assistance in the area of sustainable infrastructure. Continuing support for the satellite EFC will increase the number of community systems that receive water that meets all applicable health-based drinking water standards through effective treatment and source water protection. In FY 2009, RGI money will support process improvements in the Region, including Kaizen process improvement events with states modeled after the successful 2007 Water Quality Standards Kaizen event. This effort resulted in a vastly improved, streamlined process with 48% fewer steps and improved working relationships between Region 7 and its states.
- Support Regional specific priorities. Region 10's Strategic Endeavor addresses the program "Clean, Affordable Energy and Climate Change;" important regional priorities will use RGI to fund projects meeting one or more of the following objectives: 1) promote the availability of renewable energy; 2) promote the efficient use of existing energy sources; or 3) sequester carbon. Region 6 will use RGI funds to further regional priorities and focus specific projects to: (a) fund a project with the City of Dallas to reduce vehicle emissions and help the area attain air quality standards; (b) pilot new strategies for cleaning up tire piles along the US/Mexican Border and reusing the waste tires; and (c) host workshops to bring together local governments to expand water conservation/efficiency measures. Region 3 will continue the Student Environmental Development Program in the District of Columbia and Philadelphia, PA and in support of the Administrator's initiative for the Minority Institutions Program; projects will be developed and funded for Lincoln University, University of Maryland - Eastern Shore, Hampton University, and Norfolk State University -- all Historically Black Colleges and Universities. Region 4 will use RGI funds that develop models and programs to address local problems and regional priorities. RGI projects will focus on the following anticipated results: 1) Strategic Agriculture: increase in growers using better waste

management practices, reducing exposure to contaminants, and conserving energy; and 2) Children's Health: reduction in chronic health disorders and reduced exposure to environmental contaminants.

Performance Targets:

Work under this program supports EPA's Objective 4.2: Communities. Currently, there are no performance measures for this specific Program.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$2,384.0 / +17.3 FTE) This reflects an increase for payroll and cost of living for all FTE. Congress eliminated this program in FY 2008.
- (+\$2,460.0) This increase reflects partial restoration of this program at a funding level that recognizes the integration of Regional Geographic program efforts into other existing Regional and state programs throughout the Agency. This total is net of the FY 2008 Omnibus 1.56% rescission.

Statutory Authority:

CWA; CAA; TSCA; CERCLA; SDWA; PPA; RCRA.

Program Area: Homeland Security

Homeland Security: Communication and Information

Program Area: Homeland Security

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$8,119.0</i>	<i>\$6,906.0</i>	<i>\$6,822.0</i>	<i>\$6,940.0</i>	<i>\$118.0</i>
Hazardous Substance Superfund	\$300.0	\$0.0	\$0.0	\$0.0	\$0.0
Total Budget Authority / Obligations	\$8,419.0	\$6,906.0	\$6,822.0	\$6,940.0	\$118.0
Total Workyears	13.0	17.0	17.0	17.0	0.0

Program Project Description:

This program designs, develops, deploys, and maintains a secure and stable infrastructure to support the Agency's critical communications and data-transfer demands in the event of a national or local disaster. This infrastructure provides rapid access to communication tools, accelerated transfers of data, models and maps to support response activities (e.g., plume models and maps to determine the extent of contamination) and enhance staff access to all EPA data and web resources. This program also supports a dispersed workforce in the event of a large-scale catastrophic incident, a Continuity of Operations (COOP) Plan, or pandemic situation and enables the upgrading and standardization of technology, with particular emphasis on the Internet Protocol Version 6 (IPv6) infrastructure. This program also enables video contact between localities, headquarters, Regional offices, and laboratories in emergency situations.

The Homeland Security Presidential Directives (HSPDs), the Homeland Security Strategy, and use of an Agency-wide Homeland Security Collaborative Network (HSCN) support the Agency's ability to effectively implement its broad range of homeland security responsibilities, ensure consistent development and implementation of homeland security policies and procedures, avoid duplication, and build a network of partners so that EPA's homeland security efforts are integrated into Federal homeland security efforts. This program also serves to capitalize on the concept of "dual-benefits" so that EPA's homeland security efforts enhance and are integrated into EPA core environmental programs that serve to protect human health and the environment. Homeland Security information technology efforts are closely coordinated with the Agency-wide Information Security and Infrastructure activities, which are managed in the Information Security and IT/Data Management programs.

FY 2009 Activities and Performance Plan:

EPA will coordinate 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 Homeland Security Council. EPA will ensure that interagency intelligence-related planning and operational requirements are met. EPA also will track emerging national/homeland security issues in order to anticipate and avoid crisis situations and target Agency efforts proactively against threats to the United States.

EPA's FY 2009 resources will support the Agency's rapid response infrastructure by delivering increased network capacity and expanding the Agency's bandwidth functions (e.g., Voice over IP) and other related IPv6 improvements. These capabilities will allow secure, reliable, and high-speed data access and communication to first responders, on-scene coordinators, emergency response teams, headquarters support teams, and investigators wherever they are located (regardless of what jurisdiction they operate under) and also will support EPA's Homeland Security Presidential Directive responsibilities.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$69.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$500.0) This reduction reflects completion of work associated with the LAN-in-a-Box initiative.
- (+\$200.0) This increase supports the expansion of the emergency notification system through the purchase of necessary IT equipment for essential personnel.
- (+\$349.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

NCP; CERCLA; SDWA; CWA; CAA; Bio Terrorism Act; Homeland Security Act of 2002; Defense Against Weapons of Mass Destruction Act (Title XIV of Public Law 104-201).

Homeland Security: Critical Infrastructure Protection

Program Area: Homeland Security
Goal: Clean Air and Global Climate Change
Objective(s): Healthier Outdoor Air

Goal: Clean and Safe Water
Objective(s): Protect Human Health

Goal: Compliance and Environmental Stewardship
Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$9,555.5</i>	<i>\$7,787.0</i>	<i>\$7,665.0</i>	<i>\$6,759.0</i>	<i>(\$906.0)</i>
Science & Technology	\$10,575.4	\$25,586.0	\$15,357.0	\$27,131.0	\$11,774.0
Hazardous Substance Superfund	\$1,637.2	\$1,857.0	\$1,828.0	\$1,679.0	(\$149.0)
Total Budget Authority / Obligations	\$21,768.1	\$35,230.0	\$24,850.0	\$35,569.0	\$10,719.0
Total Workyears	53.7	59.0	59.0	49.0	-10.0

Program Project Description:

This program involves several EPA activities that coordinate and support the protection of the nation’s critical public infrastructure from terrorist threats. EPA activities support effective information sharing and dissemination to help protect critical water infrastructure. Support to state and local governments also helps develop methods to detect anomalies in ambient air. EPA also provides subject matter expertise in environmental criminal investigations and training support for terrorism-related investigations.

FY 2009 Activities and Performance Plan:

Water Security

In FY 2009, EPA will continue to build its capacity to identify and respond to threats to critical national water infrastructure. EPA’s wastewater and drinking water security efforts will continue to support the implementation of information sharing tools and mechanisms to 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. EPA will continue to support effective communication conduits to disseminate threat and incident information and to serve as a clearing-house for sensitive information. EPA promotes information sharing between the water sector and such groups as environmental professionals and scientists, law enforcement and public health agencies, the intelligence community, and technical assistance providers. Through such 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.

EPA partners with the Water Information Sharing and Analysis Center (WaterISAC) to provide up-to-date security information for drinking water and wastewater utilities. This group is continuing to evaluate the potential for integration with the Department of Homeland Security's Homeland Security Information Network (HSIN), a new information sharing network offered to all critical infrastructure sectors, including all utilities within the water sector. In FY 2009, more than 11,000 distinct water sector organizations will receive notices and have access to WaterISAC designed to provide important and timely communication from the Federal government to water sector affiliates. In addition, more than 500 drinking water and wastewater utilities, representing 60% of the U.S. population, will rely on a secure and up-to-date web-based environment to share and receive security sensitive information as subscribers to WaterISAC.

The FY 2009 request level for WaterISAC is \$2.6 million.

Counterterrorism

In FY 2009, EPA will continue to train all criminal investigators within the Office of Criminal Enforcement, Forensics and Training (OCEFT) in "Hot Zone Forensic Evidence Collection" typically utilized at crime scenes involving Weapons of Mass Destruction (WMD) as well as environmental crimes. The program will continue this multi-year effort to train and provide these agents with the necessary specialized response skills and evidence collection equipment. This will enable these agents to collect evidence and process a crime scene safely and effectively in a contaminated environment (hot zone). A new element will be added to this training in FY 2009. Personnel trained under this program will be incorporated into the Agency's Response Support Corps and will be utilized to supplement the Agency's critical infrastructure support missions as outlined in the various Emergency Support Functions of the National Response Framework (NRF).

Advanced crime scene processing training also will be provided to those criminal investigators assigned to the National Counter Terrorism Evidence Response Team (NCERT). NCERT will continue to provide environmental expertise for criminal cases and support the FBI and Department of Homeland Security (DHS) during select National Special Security Events (NSSE) and also will supply the required support as described in the various Emergency Support Functions (ESFs) of the National Response Plan (NRP) and National Response Framework (NRF) during a national emergency. Additionally, EPA agents in the homeland security program will provide more robust support, involving evidence collection, to the BioWatch, Water Security Initiative, and RadNet programs.

Monitoring

EPA will continue to provide support for infrastructure protection by assisting state and local governments to develop methods for detecting anomalies in ambient air. This includes the continued development of source-oriented, near-field modeling science and techniques to address direct releases or emissions of toxic and/or harmful air pollutants as well as the

development and improvements of multi-pollutant models to demonstrate effects of air threats to air quality. For monitoring, EPA will continue the testing and improvement of monitoring technologies and institutional infrastructure of the Federal, state and local ambient air monitoring networks and capabilities. EPA will provide technical assistance, as necessary, to respond to or be prepared for an air quality threat in the United States.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$79.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$540.0) This increase will fund specific skills trainings (e.g., ICS Group Supervisor, damage assessment, sanitary survey, etc.), exercises focusing on water security, and associated travel to support the Regions' emergency response duties as specified in DHS' National Response Framework.
- (-\$1,647.0 / -9.0 FTE) This redirection will consolidate FTE for the Protection Services Detail with other Agency security resources in the Facilities Infrastructure and Operations program. In light of current requirements, the Agency will be able to continue to meet homeland security responsibilities for the enforcement program in FY 2009.
- (+\$122.0) This change reflects restoration of the 1.56% rescission to all program projects.

Statutory Authority:

SDWA; CWA; Public Health Security and Bioterrorism Emergency and Response Act of 2002; EPCRA; CAA; RCRA; TSCA; Residential Lead-Based Paint Hazard Reduction Act; FIFRA; ODA; NEPA; North American Agreement on Environmental Cooperation; 1983 La Paz Agreement on U.S.- Mexico Border Region; Pollution Prosecution Act.

Homeland Security: Preparedness, Response, and Recovery

Program Area: Homeland Security

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$3,394.3	\$3,381.0	\$3,329.0	\$3,412.0	\$83.0
Science & Technology	\$39,003.6	\$40,768.0	\$38,193.0	\$46,210.0	\$8,017.0
Hazardous Substance Superfund	\$50,318.1	\$45,280.0	\$44,629.0	\$56,676.0	\$12,047.0
Total Budget Authority / Obligations	\$92,716.0	\$89,429.0	\$86,151.0	\$106,298.0	\$20,147.0
Total Workyears	166.7	167.6	167.6	174.2	6.6

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 Weapons of Mass Destruction (WMD). EPA continues to increase the state of preparedness for homeland security incidents. The response to chemicals is different from the response to pests, but for both, the goals are to facilitate preparedness, safe response by first responders, safe re-occupancy of buildings or other locations and to protect the production of crops, livestock, and food in the U.S. In the case of chemicals, new information is needed to assist emergency planners and first responders in assessing immediate hazards, while clean-up methods are generally known due to long-standing chemical emergency preparedness work. EPA, working with other Federal and state agencies and industry, is addressing the need for readily available chemical pesticide products for decontamination of agricultural structures, crops, and livestock and food facilities.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will maintain the accelerated development of values for Acute Exposure Guideline Levels (AEGLs), which emergency planners and first responders use to prepare for and deal with chemical emergencies by determining safe exposure levels. Following September 11, 2001, the program was created to accelerate the development of proposed AEGL values, which are put to use immediately. Commencing in FY 2009, the program will shift emphasis towards elevating proposed AEGL values to Interim and ultimately Final status in conjunction with the National Academies of Science. Accordingly, in FY 2009, the program plans to develop proposed AEGL values for 18 additional chemicals, compared with 33 in FY 2007 and 23 in FY 2006, remaining on target to meet its long-term goal of developing proposed AEGL

values for 287 chemicals by 2011. In addition, final values will be completed for at least six additional chemicals in FY 2009. For more information, please visit www.epa.gov/oppt/aegl.

Performance Targets:

Work under this program supports EPA's Healthy Communities objective. A performance measure tracking development of proposed AEGL values are included in the Chemical Risk Review and Reduction program project. The AEGL program has consistently achieved or exceeded its performance targets, reflecting significantly greater than expected progress in developing proposed AEGL values due in part to unanticipated opportunities to develop values for categories of similar chemicals. The program significantly exceeded its FY 2007 annual performance target of 24 additional chemicals with proposed AEGL values by completing that work for 33 chemicals, due in part to delays in FY 2006 pending resolution of issues surrounding the use of data from human studies. Cumulative results demonstrate a total of 218 proposed AEGLs completed indicating significant progress towards completing 287 chemicals by 2011. For more information, please visit www.epa.gov/oppt.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$15.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$68.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

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.

Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$6,219.1</i>	<i>\$6,345.0</i>	<i>\$6,248.0</i>	<i>\$6,415.0</i>	<i>\$167.0</i>
Science & Technology	\$2,023.9	\$594.0	\$585.0	\$594.0	\$9.0
Building and Facilities	\$10,372.2	\$7,870.0	\$7,747.0	\$8,070.0	\$323.0
Hazardous Substance Superfund	\$636.7	\$594.0	\$585.0	\$1,194.0	\$609.0
Total Budget Authority / Obligations	\$19,251.9	\$15,403.0	\$15,165.0	\$16,273.0	\$1,108.0
Total Workyears	2.3	3.0	3.0	3.0	0.0

Program Project Description:

This Homeland Security Program ensures the protection of EPA staff and physical buildings. It is comprised of three distinct elements: (1) Physical Security - ensuring EPA's physical structures and critical assets are secure and operational with adequate security procedures in place to safeguard staff in the event of an emergency; (2) Personnel Security - initiating and adjudicating personnel security investigations; and (3) National Security Information - classifying and safeguarding sensitive mission critical data.

FY 2009 Activities and Performance Plan:

In FY 2009, the Agency will focus on meeting the mandates contained in Homeland Security Presidential Directive 12 (HSPD-12). HSPD-12 requires Federal Agencies to issue secure and reliable identification to all employees and contractors. Federal Information Processing Standard (FIPS) 201-1, Personal Identity Verification (PIV) of Federal Employees and Contractors, issued by the National Institute of Standards and Technology (NIST), establishes the technical specifications for the smart cards that respond to this requirement. Additionally, EPA will continue its physical security activities on a regular basis, including conducting security vulnerability assessments and mitigation at EPA's facilities nationwide.

Personnel security will play a major role in the Agency's new EPA Personnel Access Security System (EPASS) deployment. Concurrent with new EPASS responsibilities, the personnel security program will continue to perform position risk designations; prescreen prospective new

hires; process national security clearances; and maintain personnel security files and information on more than 26,000 employees and select non-Federal workers.

Regarding National security information, FY 2009 activities will include classifying, declassifying, and safeguarding classified information; identifying and marking of classified information; education, training, and outreach; audits and self inspections; and certification and accreditation of Secure Access Facilities (SAFs) and Sensitive Compartmented Information Facilities (SCIFs).

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$27.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$140.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

The National Security Strategy; Homeland Security Presidential Directives 3, 7, and 12; Intelligence Reform and Terrorism Prevention Act of 2004; Executive Orders 10450, 12958, and 12968; Title V CFR Parts 731 and 732.

Program Area: Indoor Air

Indoor Air: Radon Program

Program Area: Indoor Air

Goal: Clean Air and Global Climate Change

Objective(s): Healthier Indoor Air

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$5,201.2	\$5,429.0	\$5,363.0	\$5,488.0	\$125.0
Science & Technology	\$434.1	\$428.0	\$422.0	\$441.0	\$19.0
Total Budget Authority / Obligations	\$5,635.3	\$5,857.0	\$5,785.0	\$5,929.0	\$144.0
Total Workyears	37.0	39.9	39.9	39.4	-0.5

Program Project Description:

EPA’s non-regulatory indoor radon program promotes voluntary public action to reduce health risk from indoor radon (second only to smoking as a cause of lung cancer). 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. EPA also recommends that new homes be built using radon-resistant features in areas where there is elevated radon. This voluntary program includes national, Regional, state, and Tribal programs and activities that promote radon risk reduction activities.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will:

- Continue to partner with national organizations and conduct public outreach on radon risks and solutions;
- Work with states, tribes, and localities to improve their radon programs to increase risk reduction;
- Continue partnerships that will make radon risk reduction a normal part of doing business in the marketplace; and
- Expand scientific knowledge and technologies to support and drive aggressive action on radon in conjunction with partners.

In FY 2009, EPA will continue to promote public action to test homes for indoor radon. Where levels are above the action level, the Agency will continue to: a) encourage builders to construct new homes with radon-resistant features in areas where there is elevated radon and b) encourage radon action during real estate transactions.

EPA also will continue its work with national partners to inform and motivate public action. The outreach will include risk estimates from the National Academy of Sciences that demonstrate substantial risks associated with radon exposure.

The Indoor Air program received a rating of “moderately effective” during a 2005 PART assessment. The Indoor Air program is not regulatory; instead, EPA works toward its goal by conducting research and promoting appropriate risk reduction actions through voluntary education and outreach programs. The Agency will continue to focus on making efficiency improvements and plans to improve transparency by making state radon grantee performance data available to the public via a website or other easily accessible means.

The majority of Federal resources directed to radon risk reduction are allotted to states under the State Indoor Radon Grants program. EPA strategically employs its programmatic resources to underwrite its national leadership of the Federal/state/private coalition attacking national radon risk. EPA targets its efforts to public outreach and education activities designed to increase the public-health effectiveness of state and private efforts. This includes support for national public information campaigns that attract millions of dollars in donated air time, identification and dissemination of “best practices” from the highest achieving states for transfer across the nation, public support for local and state adoption of radon prevention standards in building codes, coordination of national voluntary standards (e.g., mitigation and construction protocols) for adoption by states and the radon industry, and numerous other activities strategically selected to promote individual action to test and mitigate homes and promote radon-resistant new construction.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of additional homes (new and existing) with radon reducing features	late 2008	190,000	225,000	265,000	Homes

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Total Cost (public and private) per future premature cancer death prevented through lowered radon exposure.		No Target Established	No Target Established	415,000	Dollars

Program goals are the result of the total funding the program area receives through EPM, S&T, and State Indoor Radon Grant (SIRG) funding.

In FY 2009, EPA's goal is to add 265,000 homes with radon reducing features, bringing the cumulative number of U.S. homes with radon reducing features to over 2 million. EPA estimates that this cumulative number will prevent approximately 875 future premature cancer deaths (each year these radon reducing features are in place). EPA will track progress against the efficiency measure, in the table above, triennially with the next report date in FY 2009.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$111.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$14.0) This reflects an increase for IT and telecommunications resources.
- (-0.5 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities.

Statutory Authority:

CAA Amendments of 1990; IRAA, Section 306; 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 Section 10.

Reduce Risks from Indoor Air

Program Area: Indoor Air

Goal: Clean Air and Global Climate Change

Objective(s): Healthier Indoor Air

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$21,425.6	\$21,440.0	\$21,632.0	\$19,180.0	(\$2,452.0)
Science & Technology	\$791.2	\$788.0	\$777.0	\$790.0	\$13.0
Total Budget Authority / Obligations	\$22,216.8	\$22,228.0	\$22,409.0	\$19,970.0	(\$2,439.0)
Total Workyears	64.7	68.3	68.3	63.8	-4.5

Program Project Description:

In this non-regulatory, voluntary program, 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. Air inside homes, schools, and workplaces can be more polluted than outdoor air in the largest and most industrialized cities. (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.) People typically spend close to 90 percent of their time indoors and may be more at risk from indoor than outdoor air pollution. (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.)

Additionally, EPA uses technology transfer to improve the design, operation, and maintenance of buildings – including schools, homes, and workplaces – to promote healthier indoor air. EPA provides technical assistance that directly supports state, local governments and public health organizations.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue to promote community adoption of comprehensive asthma-care programs that emphasize management of environmental asthma triggers, such as environmental tobacco smoke, dust mites, mold, pet dander, cockroaches and other pests, and nitrogen dioxide. Working principally with Federal and non-profit partners, and continue to reach populations disproportionately impacted by asthma and environmental tobacco smoke.

EPA will work in partnership and collaboration with other Federal agencies, the health care community, and state and local organizations to promote its Smoke-free Homes Pledge Campaign.

EPA will continue to work with the health care provider community to integrate environmental asthma management into the standards of care for asthma.

Through its remaining partnership agreements, EPA will continue to reach out to the school community to encourage adoption of the Indoor Air Quality Tools for Schools (IAQ TfS) approach or comparable indoor air quality programs. For new construction and renovation, EPA will promote Design Tools for Schools (DTfS)²⁹ a web-based guidance tool, as well as EPA’s Healthy School Environments Assessment Tool (HealthySEAT) which assists school districts in integrating indoor air quality and performance goals into the design, construction, and renovation of school buildings. EPA uses partnerships to inform and motivate school officials, school nurses, teachers, facility managers and planners, and parents to improve indoor air quality (IAQ) in schools.

EPA also will promote a suite of “best practice” guidance, including guidance for the control and management of moisture and mold in commercial and public buildings, comprehensive best practice guidance for IAQ during each phase of the building cycle, and subsequent best maintenance practices for indoor environmental quality and energy efficiency, due to ongoing increased growth in allergy rates.

Internationally, EPA will continue to work to provide technology transfer to developing countries so that individuals and organizations within those countries have the tools to address human health risk due to indoor smoke from cooking fires. Since 2003, the indoor air program has helped 1.4 million households across the globe—an estimated 8 million people—adopt clean and efficient cooking technologies.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Average cost to EPA per student per year in a school that is implementing an Indoor Air Quality plan.		No Target Established	No Target Established	1.40	Dollars

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Estimated annual number of schools establishing indoor air quality programs based on EPA's Tools for Schools guidance.	Data Avail 2008	1100	1100	1000	Number

²⁹ www.epa.gov/iaq/schooldesign last accessed 7/23/2007.

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Annual Cost to EPA per person with asthma taking all essential actions to reduce exposure to indoor environmental asthma triggers.		No Target Established	No Target Established	3.90	Dollars

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Additional health care professionals trained annually by EPA and its partner on the environmental management of asthma triggers.	Data Avail 2008	2000	2000	2000	Number

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of public that is aware of the asthma program's media campaign.	Data Avail 2008	>20	>20	>20	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Total number of schools implementing an effective indoor air quality plan.		No Target Established	No Target Established	37,000	Number

EPA will continue to work under its long term 2012 goal to have 6.5 million people with asthma take the essential actions to reduce their exposure to environmental triggers. EPA's goal has been to motivate close to 400,000 additional people with asthma to take these actions in 2009, bringing the total number to approximately 5.3 million people with asthma taking these actions. EPA will work at a more measured pace to reduce existing disparities between disproportionately impacted populations and the overall population. EPA will also continue to work toward its long term 2012 goal that 40,000 primary and secondary schools (35% of schools) will be implementing effective indoor air quality management programs consistent with EPA guidance.

The Indoor Air program, rated by OMB as "moderately effective" during a 2005 PART

assessment will continue to focus on making efficiency improvements in response to recommendations in the PART assessment. EPA will track progress against the efficiency measures included in the tables above triennially with the next planned report date in FY 2009.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$2,086.0/ -4.5 FTE) This decrease reflects a shift away from activities in the asthma program such as incorporating management of environmental triggers into national clinical practice and standards of care for health plans and health care providers as well as training and education of asthma care providers on the environmental management of these triggers. EPA will focus its efforts more narrowly to reach populations disproportionately impacted by asthma and environmental tobacco smoke.
- (-\$366.0) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with a reduction based on the recalculation of base workforce costs.

Statutory Authority:

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

Program Area: Information Exchange / Outreach

Children and Other Sensitive Populations: Agency Coordination

Program Area: Information Exchange / Outreach

Goal: Healthy Communities and Ecosystems

Objective(s): Communities

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$4,968.5	\$6,203.0	\$6,144.0	\$6,309.0	\$165.0
Total Budget Authority / Obligations	\$4,968.5	\$6,203.0	\$6,144.0	\$6,309.0	\$165.0
Total Workyears	12.6	13.9	11.9	13.9	2.0

Program Project Description:

The Child and Aging Health Protection program advocates for and facilitates the consideration of children's environmental health concerns, as identified in the Agency's *National Agenda to Protect Children's Health from Environmental Threats*, and Executive Order 13045, *Protection of Children's Health from Environmental Health Risks and Safety Risks*. EPA also recognizes that older adults are more susceptible to environmental health risks than the general population. EPA's Aging Initiative strives to protect the health of older adults. This cross-cutting, non-regulatory program works with other EPA offices, Federal agencies, states, Tribes, the public, healthcare providers, industry, and non-governmental organizations to achieve its mission. Core activities focus on building capacity, providing tools and information to inform decisions, and engaging in educational outreach activities.³⁰

FY 2009 Activities and Performance Plan:

In FY 2009, the Agency will fund the Office of Children's Health Protection at \$6,309 thousand with 13.9 FTE under this program. The Office of Environmental Education has been eliminated with no funding given in FY 2009. The Child and Aging Health Protection program will ensure that EPA's policies and programs explicitly consider and use the most up-to-date data and methods for protecting children and older adults from heightened public health risks. EPA also will work with states, Tribes, and local governments to effectively incorporate environmental health considerations of children and older adults into new or existing programs; and will ensure that non-governmental organizations and the public (family members, health care providers, community leaders, etc.) have and use reliable/valid scientific information when making decisions that impact the health of children and older adults. The following are examples of current and planned activities:

- Work with other Agency offices to implement the *Guide to Considering Children's Health When Developing EPA Actions* and assist in assessing children's health risks as

³⁰ Please refer to: <http://yosemite.epa.gov/ochp/ochpweb.nsf/content/homepage.htm>.

part of EPA's rule making activities and evaluating the application of such guidance throughout EPA.

- Work within EPA to generate and apply new scientific research, tools and assessments, and promote easy access to information regarding children's environmental health. Support efforts within the Agency's Regional offices to address children's environmental health issues that are of high priority in their states.
- Provide tools, information, and support to build capacity in states, tribes, and local governments to protect children from environmental health risks. Support the Healthy Schools Environmental Health Assessment Tool.
- Support partners outside of the Agency to ensure healthcare providers, civic entities, and the public have access to tools and information needed to protect children and older adults from environmental health risks. EPA also helps provide health professionals and the public with consultation, education, and referral services through its support for Pediatric Environmental Health Specialty Units.
- Support the Prevention, Pesticides and Toxic Substances program's implementation of a comprehensive program to address hazards created by renovating, repairing, and painting homes that have lead-based paint, and a final regulation to address lead-safe work practices for renovation, repair, and painting activities.

Performance Targets:

Work under this program supports EPA's Objective 4.2: Communities. Currently, there are no performance measures for this specific Program.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$340.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$100.0) This change reflects a reduction in contract support for the Children's Health Protection Advisory Committee (CHPAC) through more efficient use of technology.
- (-\$38.0) The Agency is not funding the increase directed by Congress for this program restoration in FY 2008.
- (-\$37.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.
- (+2.0 FTE) Congress requested that the Agency provide staff and funding and reflects consolidation of the Environmental Education activities with the Children's' office in FY 2008. This change represents the return of FTEs that were supplied for this program as a

consequence of the Congressional request. The Agency is not requesting funding in FY 2009 for the Environmental Education Division within the Office of the Administrator.

Statutory Authority:

Executive Order 13045.

Environmental Education

Program Area: Information Exchange / Outreach

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance; Improve Environmental Performance through Pollution Prevention and Other Stewardship Practices

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$7,807.2	\$0.0	\$8,860.0	\$0.0	(\$8,860.0)
Total Budget Authority / Obligations	\$7,807.2	\$0.0	\$8,860.0	\$0.0	(\$8,860.0)
Total Workyears	16.0	0.0	19.6	0.0	-19.6

Program Project Description:

The Environmental Education Program provides leadership resources to educational organizations at the local, state, and national levels to enable them to conduct educational initiatives concerning protection of the environment. The primary audience is composed of teachers, students, and non-formal educators in parks, zoos, and museums. Environmental education projects use sound science to educate our citizens about the need for responsible stewardship to preserve and protect the environment.³¹

FY 2009 Activities and Performance Plan:

EPA believes that environmental education is an integral part of all its programs. This, when coupled with the fact that many states, local governments and private organizations have developed their own environmental education programs, supports the elimination of funding for this particular program project.

Performance Targets:

Measure Type	Measure	FY 2007 Target	FY 2007 Actual	FY 2008 Target
Outcome	Percent of all students and teachers reached demonstrate increased environmental knowledge, as measured by the Guidelines for Learning for K-12, developed by the North American Association for Environmental Education.		Data not yet available	Baseline data due in FY08
Output	Number of states adopting or aligning Guidelines for Learning		Data not yet available	Baseline data due in FY08

³¹ For more information, please see www.epa.gov/enviroed

Measure Type	Measure	FY 2007 Target	FY 2007 Actual	FY 2008 Target
	curricula and standards to state academic standards or number of states developing new environmental education standards based on Guidelines for Learning.			
Outcome	Percent of college students who pursue environmental careers after receipt of NNEMS fellowship from EPA.	25	Data not yet available	To be determined
Efficiency	Ratio of number of students/teachers that have improved environmental knowledge per total dollars expended.		Data not yet available	Baseline data due in FY08

The Environmental Education program has received a “Results Not Demonstrated” rating. The program is now collecting baseline performance data for the measures noted below and anticipates reporting the initial results on the National Network for Environmental Management Studies (NNEMS) measure in calendar year 2008.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$8,860.0) This change represents the elimination of all funding for this program.
- (-19.6 FTE) Congress directed the Agency to provide staff and funding for Environmental Education in FY 2008. The Agency is not requesting funding in FY 2009 for Environmental Education. The FTE diverted for this are being returned to the programs where they were: Congressional, Intergovernmental, and External Relations program (+13.6 FTE); the Small Business Ombudsman program (+2.0 FTE); the Small Minority Business Assistance program (+2.0 FTE); and the Children’s and other Sensitive Populations program (+2.0 FTE).

Statutory Authority:

National Environmental Education Act (PL 101-619).

Congressional, Intergovernmental, External Relations

Program Area: Information Exchange / Outreach

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$49,193.3</i>	<i>\$49,747.0</i>	<i>\$48,971.0</i>	<i>\$49,756.0</i>	<i>\$785.0</i>
Hazardous Substance Superfund	\$137.5	\$155.0	\$154.0	\$0.0	(\$154.0)
Total Budget Authority / Obligations	\$49,330.8	\$49,902.0	\$49,125.0	\$49,756.0	\$631.0
Total Workyears	375.7	379.1	365.5	372.4	6.9

Program Project Description:

The Congressional, Intergovernmental and External Relations program furnishes the resources for those headquarters and Regional offices that provide the vision, leadership, and support needed to enable EPA to meet its commitments to protect human health and the environment. This program provides the resources for the offices of the Regional Administrators as well as Regional Congressional and Legislative Support and Public Affairs. EPA's Congressional and Intergovernmental Relations function provides resources to respond to Congressional requests for information and provide written and oral testimony, briefings, and briefing materials. The Office provides national support to the Regional Geographic Initiatives Program and the Regional Science and Technology Program.

FY 2009 Activities and Performance Plan:

In FY 2009, the Office of Congressional and Intergovernmental Relations will be funded at \$7,192 thousand with 56.8 FTE. This Office develops legislative strategies to support program Offices and coordinates the Agency's appearances before Congress. EPA must work effectively with states, local, and Tribal governments, and other external constituencies, to ensure that their interests and concerns are considered in Agency policies, guidance, and regulations. In FY 2009, the Office of Cooperative Environmental Management (OCEM) under this program will be funded at \$1,987 thousand with 11.1 FTE. This office provides resources to develop and manage Agency-wide FACA policy and guidance. OCEM also has direct management responsibility for four FACA committees.

EPA will continue to ensure that its Federal advisory committees comply with requirements and administrative guidelines provided by the General Services Administration's Committee Management Secretariat. Key activities include:

- Ensuring that EPA's Federal advisory committees comply with FACA requirements through a comprehensive committee management and review process.
- Providing EPA Regional managers with tools and opportunities to determine regional FACA priorities; better utilize existing EPA committees; and explore options for new committees and subcommittees.
- EPA also will ensure that all new or renewed FACA Charters include preliminary performance measures, and report results associated with the Agency's committee management process.

Further, in order to help EPA build a more positive and proactive relationship with the agricultural industry, and to build partnerships to find better, more efficient ways to protect human health and the environment, the Agency will launch a Farm, Ranch, and Rural Communities FACA. This committee will provide advice and recommendations to the Administrator on critical environmental issues involving agriculture.

The Immediate Office of the Administrator is funded at \$5,037 thousand and 34.8 FTE. This office within the Congressional, Intergovernmental and External Relations program supports the achievement of the Agency's strategic goals by communicating Agency proposals, actions, policy, data, research, and information through mass media, print publications, and directly via the Web.

The Office of Public Affairs will review and consolidate web content to provide the public with easily accessible, high quality, timely, coherent, and comprehensive information on the Agency's activities and policies. The Office will coordinate with the Office of Environmental Information to ensure effective distribution of policy and regulatory information requested by citizens, the media, other government entities, and non-government organizations. The Office of Public Affairs will be funded at \$5,712 thousand with 44.8 FTE under this program. The Office of Public Affairs informs the general public, state, local and Tribal governments about environmental problems and goals, and works to strengthen communications with state, local and Tribal governments and organizations, news media, and the public. The Office also works to increase public awareness and enhance public perceptions of environmental issues, as well as their social, technological and scientific solutions.

The Office of Executive Services will align and maximize the effective utilization of resources within the Office of the Administrator through workforce and succession planning, addressing staffing needs, conducting workload and budget projections and providing developmental opportunities. In FY 2009 the Office of Executive Services (OES) will be funded at \$3,266 thousand with 24 FTE. OES serves as the central management arm of the Office of the Administrator. This office provides up-to-date knowledge, tools, and practices for effective management of administration, human resources, budget and financial management, and information technology.

The Office of the Executive Secretariat (OEX) will be funded at \$1,750 thousand with 13.6 FTE. This office manages the Administrator's and Deputy Administrator's correspondence and records, including identification and maintenance of vital records.

The Office of the Executive Secretariat supports the Agency's strategic goals by:

- (a) Managing the Agency's correspondence tracking and workflow management database;
- (b) Providing records management support, training, and guidance for the Administrator's staff offices; and
- (c) Managing all aspects of the Administrator's and Deputy Administrator's non-Congressional correspondence and records management, including identification and maintenance of vital records.

The Regional Administrators and their staff also provide leadership to the Regional offices and states they serve. The Congressional, Intergovernmental and External Relations programs:

- Lead and support the Administration's efforts to pass legislation to protect human health and the environment and implement recently passed legislation.
- Foster public awareness of environmental issues and the Federal government's role in monitoring compliance and enforcing the nation's environmental laws. This awareness is critical to public support and to the Agency's success in meeting its goals.
- Build a stronger EPA partnership with local governments and coordinates with other EPA offices and the Clean Air Advisory Committee on such issues as recycling, landfills, Brownfields, and the Clean Diesel campaign.
- Provide national policy and program management to more fully integrate the National Environmental Performance Partnerships System (NEPPS) framework and principles into the Agency's core business practices. Key activities include:
 - (a) Leading an Agency-wide performance management initiative to streamline state reporting burden;
 - (b) Implementing the OMB-directed State Grants Performance Measures Template;
 - (c) Leading a Performance Partnership Grant (PPG) initiative to encourage broader application of PPG programmatic flexibility by the states; and
 - (d) Working with states to develop a longer term strategic plan for the future direction of the state-EPA partnership.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$2,755.0) This reflects an increase for payroll and cost of living for all FTE.

- (-\$695.0 / -5.7 FTE) EPA's Office of Enforcement and Compliance Assurance (OECA) proposes to reorganize its Office of Planning, Policy Analysis and Communications, and reassign staff to other OECA offices. Four of these FTE will transfer to the policy and legislative functions: coordinating and developing cross-cutting policies and Congressional Testimony for non budget issues; reviewing prospective Performance Track incentives, acting as liaison with the Agency's Congressional Office; and developing legislative activities reports.
- (+\$110.0 / +2.0 FTE) This increase provides the workforce and contract and expenses funding necessary to support the Farm, Ranch and Rural Communities FACA.
- (-3.4 FTE) This decrease represents anticipated savings accomplished through more efficient management and administrative practices, as well as IT and communications changes that will encourage more economically efficient resource utilization.
- (-\$1,180.0) This decrease represents anticipated savings accomplished through more efficient management and administrative practices, as well as IT and communications changes that will encourage more economically efficient resource utilization.
- (+\$10.0) This increase provides additional resources for the Administrator's representational fund. The increase from \$9 thousand to \$19 thousand will allow EPA to host the Commission for Environmental Cooperation's annual meeting in FY2009. EPA hosts the meeting once every three years.
- (+13.6 FTE) Congress directed the Agency to provide staff and funding for Environmental Education in FY 2008. This change represents the return of FTEs that were diverted from this program for that purpose.
- (-\$215.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

As provided in Appropriations Act funding; FACA; EAIA; NAFTA Implementation Act; RLBPHRA; NAAED; LPA-US/MX-BR; CERCLA.

Exchange Network

Program Area: Information Exchange / Outreach

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$17,541.7</i>	<i>\$15,364.0</i>	<i>\$15,137.0</i>	<i>\$18,058.0</i>	<i>\$2,921.0</i>
Hazardous Substance Superfund	\$1,374.2	\$1,433.0	\$1,411.0	\$1,433.0	\$22.0
Total Budget Authority / Obligations	\$18,915.9	\$16,797.0	\$16,548.0	\$19,491.0	\$2,943.0
Total Workyears	30.0	24.0	24.0	24.0	0.0

Program Project Description:

This program supports the development and maintenance of the National Environmental Information Exchange Network (the Exchange Network). The Exchange Network is an integrated information network using standardized data formats and definitions to facilitate information sharing among EPA and its partners across the Internet. This program provides resources to develop, implement, operate and maintain the Agency's Central Data Exchange (CDX, www.epa.gov/cdx), EPA's node on the Exchange Network, which is the point of entry for data submissions to the Agency and data exchanges with our partners. This program creates a reliable, secure internet-based approach to exchanging environmental information between trusted partners. As a result, the Exchange Network encourages the development and use of environmental data standards, fosters the adoption of needed authentication and electronic signature approaches and strengthens the partnerships crucial to exchange of environmental information among federal entities, states, tribes and other consortia involved in environmental stewardship activities.

FY 2009 Activities and Performance Plan:

In FY 2009, the major focus of work is on creating national infrastructure, developing new applications for use, and establishing standards, schemas and templates which support environmental data flows. These activities build on efforts started in FY 2004 to enhance the availability, quality, and analytical usefulness of environmental information for EPA and its partners and stakeholders. These efforts support data exchange by states, tribes, and other partners through the use of the Exchange Network and CDX.

After 2007, all 50 states, one territory, and seven tribes will have nodes on the Exchange Network and will be using it to send data to EPA and share data with other partners. In FY 2009, EPA,

states, as well as more tribes and territories, will continue to re-engineer data systems so information that was previously not available, or not easily available, can be transferred via the Exchange Network using common data standards and data formats called schemas. These efforts will be closely coordinated with the Agency’s program offices and the Agency’s system of data registries. As data flows are added, the broader use of data standards (quality tools that check data before it is submitted) and reusable schemas will increase the accuracy and timeliness of the data, improve analytical capabilities, and create savings through economies of scale.

In addition, EPA will improve data security by implementing electronic reporting standards that support the authentication and electronic signatures of report submitters. EPA will work to provide assistance to states, tribes, and territories in implementing these standards. Effective implementation of the Exchange Network activities relies on close coordination with the Information Security, Agency architecture, and data management activities. Coordination helps to ensure that necessary security measures are adhered to, system platforms follow the Agency’s Enterprise Architecture, and data management follows documented standards.

Another major activity for FY 2009 will be OEI’s continuing stewardship of the Agency’s integration with the Department of Homeland Security/Customs and Border Protection’s Automated Commercial Environment/Integrated Trade Data System (ACE/ITDS). EPA has an important role in the development of this system and in ensuring that imports coming into the United States meet American health, environmental and safety standards, and in carrying out effective enforcement against violators. Six major EPA programs across the offices of Enforcement, Toxic Substances, Pesticides, Solid Waste, Transportation and Air Quality and Atmospheric programs have a role. Requested resources will pay for design and development of improved program office business processes and operations; upgraded EPA program office data systems; upgrades to the Agency’s Central Data Exchange which will serve as the hub for program system data exchanges with ACE/ITDS; required legal, regulatory and policy analysis and changes in EPA program offices; and, finally, for additional data standards development and coordination with other Agencies necessary to ensure efficient import safety data exchanges across the Federal government. Funding is centralized in this program project but will support the linkage of individual programmatic data sources to ACE/ITDS.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Number of major EPA environmental systems that use the CDX electronic requirements enabling faster receipt, processing, and quality checking of data.	37	36	45	60	Systems

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Number of users from states, tribes, laboratories, and others that choose CDX to report environmental data electronically to EPA.	88,516	55,000	100,000	110,000	Users

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$138.0) This change reflects an increase for payroll and cost of living for existing FTE.
- (+\$3,100.0) This increase supports environmental information efforts in support of the International Trade Data System (ITDS). The funding will support the development of linkages between several EPA program offices participating in the ACE/ITDS program and the integration effort with Customs and Border Protection.
- (-\$600.0) This reduction will be offset by delaying planned enhancements to CDX.
- (+\$283.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

FACA; GISRA; CERCLA; CAA; CWA; ERD and DAA; TSCA; FIFRA; FQPA; SDWA; FFDCRA; EPCRA; CERCLA; SARA; GPRA; GMRA; CCA; PRA; FOIA; CSA; Privacy Act Electronic Freedom of Information Act.

Small Business Ombudsman

Program Area: Information Exchange / Outreach

Goal: Compliance and Environmental Stewardship

Objective(s): Improve Environmental Performance through Pollution Prevention and Other Stewardship Practices

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$3,761.9	\$3,261.0	\$3,210.0	\$3,217.0	\$7.0
Total Budget Authority / Obligations	\$3,761.9	\$3,261.0	\$3,210.0	\$3,217.0	\$7.0
Total Workyears	11.5	12.0	10.0	12.0	2.0

Program Project Description:

The Small Business Ombudsman (SBO) serves as EPA’s gateway and leading advocate for small business regulatory issues. The SBO partners with state Small Business Environmental Assistance Programs (SBEAPs) nationwide, and with hundreds of small business trade associations, to reach out to the small business community. 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.³² The Office of Small and Disadvantaged Business Utilization (OSDBU) partially utilizes the resources within the Small Business Ombudsman program. OSDBU is funded at \$1,903 thousand with 7 FTE.

The core SBO functions include participating in the regulatory development process; operating the Small Business Ombudsman Hotline; supporting the Small Business Environmental Homepage; participating in EPA program and Regional offices’ small business related meetings; and supporting internal and external small business activities. The SBO’s outreach and communication services help small businesses learn about new EPA actions and developments, and help EPA learn about the concerns and needs of small businesses. The SBO supports 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 SBO 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.

The remaining resources are utilized by EPA’s Office of Policy Economics and Innovation (OPEI). OPEI is funded at \$1,314 thousand with 7 FTE. This office assists with EPA’s Sector Strategies Program and assesses the effect of regulatory options on small businesses, and proposes flexible, cost-effective solutions to environmental problems in areas such as spill prevention, storm water, air emissions, and recycling of industrial materials. The program also

³² Please refer to: <http://www.epa.gov/sbo/>.

quantifies the environmental impact of small business sectors to help EPA and other stakeholders prioritize future activities, and works collaboratively with industry groups to create stewardship programs and meaningful assistance and tools for priority areas.

FY 2009 Activities and Performance Plan:

The Small Business Ombudsman will:

- Support and promote EPA's Small Business Strategy and the President's Management Agenda, by encouraging small businesses, states, and trade associations to comment on EPA rulemaking through the E-Rulemaking initiative, as well as providing updates on the Agency's rulemaking activities in the semi-annual Small Business Ombudsman Update.
- 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 Gateway "one-stop" activities, which help improve services and reduce the burden on small businesses by guiding them through government rules and regulations. EPA also will support and promote a state-lead multi-media small business initiative and coordinate efforts within the Agency.
- Strengthen and support partnerships with state SBEAPs and trade associations, and provide recognition to 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.
- Improve the environmental performance of key small business sectors by developing flexible, cost-effective solutions to environmental issues through the Sector Strategies Program.

Performance Targets:

Work under this program supports EPA's Objective 5.2: Improve environmental Performance through Pollution Prevention and Other Stewardship Practices. Currently, there are no performance measures for this specific Program.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$319.0) This reflects an increase for payroll and cost of living for all FTE.
- (-\$100.0) This decrease represents anticipated savings accomplished through improved management and administrative practices that result in more efficient operations.

- (-\$212.0) This change reflects restoration of the 1.56% rescission to all program projects combined with several small technical changes such as realignment of IT, travel or other support costs across programs.
- (+2.0 FTE) Congress directed the Agency to provide staff and funding for Environmental Education in FY 2008. This change represents the return of FTEs that were diverted from this program for that purpose.

Statutory Authority:

CAA, section 507.

Small Minority Business Assistance

Program Area: Information Exchange / Outreach

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$2,437.3	\$2,466.0	\$2,428.0	\$2,411.0	(\$17.0)
Total Budget Authority / Obligations	\$2,437.3	\$2,466.0	\$2,428.0	\$2,411.0	(\$17.0)
Total Workyears	9.3	11.8	9.8	11.8	2.0

Program Project Description:

This program is located in the Office of the Administrator, Office of Small and Disadvantaged Business Utilization (OSDBU). OSDBU fully utilizes the resources of this program and partially utilizes the resources with the Small Business Ombudsman program. The Office of Small and Disadvantaged Business Utilization provides technical assistance to small businesses, and to Headquarters and Regional employees, to ensure that small, disadvantaged, women-owned, Historically Underutilized Business Zone (HUBZone), and Service-Disabled Veteran-Owned Small Businesses (SDVOSBs) receive a fair share of EPA's procurement dollars. This program enhances the ability of these businesses to participate in the protection of human health and the environment. The functions assigned to this area involve ultimate 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 further the Federal laws and regulations regarding utilization of small and disadvantaged businesses, in both direct procurement acquisitions and indirect procurement assistance.³³

FY 2009 Activities and Performance Plan:

Small and disadvantaged business procurement experts will provide assistance to Headquarters and Regional program office personnel, as well as small business owners, to ensure that small, disadvantaged, Women-Owned Small Businesses (WOSBs), HUBZone firms, and SDVOSBs receive a fair share of EPA's procurement dollars in FY 2009. This fair share may be received either directly or indirectly through contracts, grants, cooperative agreements, or interagency agreements. EPA has a number of national goals that it negotiates with the Small Business Administration (SBA) every 2 years.

³³ Please refer to: <http://www.epa.gov/osdbu/>.

In FY 2009, EPA's contract bundling reviews for an increasing number of Agency contracts will: (1) eliminate unnecessary contract bundling, and (2) mitigate the effects of bundling on America's small business community. Strong emphasis will be placed on implementing Section 811 of the Small Business Reauthorization Act of 2000, 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 will emphasize contracting with SDVOSBs, as mandated by the White House's October 21, 2004 Executive Order, which requires increased Federal contracting opportunities for this group of entrepreneurs.

Under its Indirect Procurement Program, EPA has a statutory goal of 10 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 8 percent goal for all other programs. The Small Minority Business Assistance program encourages the Agency to meet these direct and indirect procurement goals. These efforts will enhance the ability of America's small and disadvantaged businesses to help the Agency protect human health and the environment and, at the same time, create more jobs. As a result of the Supreme Court's decision in *Adarand v. Peña*, 115 S. Ct. 2097 (1995), EPA will continue implementation of the Agency's rule for the participation of Disadvantaged Business Enterprises in procurements funded through EPA's assistance agreements.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$251.0) This reflects an increase for payroll and cost of living for all FTE.
- (-\$100.0) This decrease represents anticipated savings accomplished through improved management and administrative practices that result in more efficient operations.
- (-\$168.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.
- (+2.0 FTE) Congress directed the Agency provide staff and funding in for Environmental Education in FY 2008. This change represents the return of FTEs that were diverted from this program for that purpose.

Statutory Authority:

Small Business Act, sections 8 and 15, as amended; Executive Orders 12073, 12432, and 12138; P.L. 106-50; CAA.

State and Local Prevention and Preparedness
 Program Area: Information Exchange / Outreach
 Goal: Healthy Communities and Ecosystems
 Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$12,867.6</i>	<i>\$12,960.0</i>	<i>\$12,784.0</i>	<i>\$13,298.0</i>	<i>\$514.0</i>
Total Budget Authority / Obligations	\$12,867.6	\$12,960.0	\$12,784.0	\$13,298.0	\$514.0
Total Workyears	52.0	57.9	57.9	57.9	0.0

Program Project Description:

EPA works with state and local partners to help protect the public and the environment from catastrophic releases of hazardous substances that occur at chemical handling facilities. Under the Clean Air Act (CAA), EPA regulations require that facilities handling more than a threshold quantity of certain extremely hazardous substances must implement a risk management program and submit a Risk Management Plan (RMP) to EPA. The RMP must also be sent to the state, local planning entity, the Chemical Safety and Hazard Investigation Board, and made available to the public. The RMP describes the hazards of the chemicals used by the facility, the potential consequences of worst case and other accidental release scenarios, a 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. Facilities are required to update their RMP at least once every five years and sooner if certain changes are made at the facility.

The Agency works with state and local partners to help them implement their own risk management program through technical assistance grants, technical support, outreach, and training and also works with industry partners to produce tools and guidance used by industry, government and local communities to control hazardous materials. EPA works with communities to provide chemical risk information on local facilities, as well as assist them in understanding how the chemical risks may affect their citizens. Additionally, EPA supports continuing 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 in a better position to prepare for, reduce and mitigate releases that may occur.

RMP data are a valuable source of information to homeland security analysts for the identification of potential hazards in the chemical sector. EPA assists the Department of Homeland Security (DHS) by providing updated copies of the RMP database, analytical support, and ongoing technical support for integration of RMP and Emergency Planning and Community Right to Know Act (EPCRA) tools and information into DHS programs. EPA also provides other Federal Agency partners, as well as state and local governments, information and analyses

from the RMP database that is helpful for homeland security planning related to chemical accidents and terrorism. In addition, EPA conducts analyses of RMP data to identify chemical accident trends and industrial sectors that may be more accident-prone and to gain knowledge on the effectiveness of risk management measures³⁴.

FY 2009 Activities and Performance Plan:

In FY 2009, the Agency will continue its efforts to help state and local partners implement their risk management programs. EPA will continue to refine RMP database analyses, make the data more easily available to appropriate government agencies and improve data utility for security and emergency prevention, preparedness, and response efforts. EPA also will use information generated by the RMPs with other right-to-know data to conduct initiatives and activities aimed at risk reduction in high-risk facilities, priority industry sectors, and/or specific geographic areas. The CAA requires EPA to establish a system to audit RMPs. As such, EPA has developed and implemented an RMP audit and inspection program in an effort to help agencies, states, and prospective third party auditors acquire or improve skills required to conduct audits. This program also is used to continuously improve the quality of risk management programs as well as check compliance with the requirements.

In FY 2009, EPA activities in support of these efforts include the following:

- EPA and other implementing agencies will perform their audit and inspection obligations through a combination of desk audits of RMP plans and at least 400 on-site facility inspections. Due to the increased concern over homeland security, as well as lessons learned from recent accidents, EPA will conduct more RMP inspections in FY 2009 at high-risk facilities, such as petroleum refineries and larger chemical manufacturing sites. EPA will continue its extensive quality assurance oversight of data collection and reporting procedures.
- EPA will complete work on an update and revision to its RMP and EPCRA Inspector Training curriculum, and provide training for Federal, state, and local implementing agency inspectors.
- EPA will complete work to transition the RMP submission system to completely Internet-based risk management plan submission. Transitioning the system to full Internet-based submission capability will reduce facility burden, reduce data processing errors, and result in more timely updates of EPA's RMP*Info database.
- FY 2009 coincides with the second major RMP five year update cycle since inception of the Risk Management Program. All facilities that have not updated their RMPs within the past five years will be required to send an updated plan to EPA. Therefore, EPA will receive and process approximately 10,000 updated Risk Management Plan submissions during this fiscal year.

³⁴ <http://yosemite.epa.gov/oswer/CeppoWeb.nsf/content/RMPsubmission.htm>

- Using the results of the FY 2008 survey of the Nation's Local Emergency Planning Committees (LEPCs), EPA will develop guidance materials in order to meet the identified needs of the LEPCs, provide technical assistance, and work with State Emergency Response Commissions (SERCs) and the National Association of State Title III Program Officials (NASTTPO) to provide support for the LEPCs.
- EPA will continue to support DHS' implementation of the Department's Chemical Facility Anti-Terrorism Standards (CFATS). This new regulatory program incorporates the EPA RMP list and threshold quantities, and integrates the RMP*Comp modeling software tool into DHS' Top Screen for CFATS. EPA provides ongoing technical support and consultation to DHS in this effort.
- EPA and the National Oceanic Atmospheric Administration will continue improvements to the CAMEO software suite by updating the MARPLOT® mapping program, adding new information to the CAMEO chemical library to assist first responders and emergency planners, and, in conjunction with industry associations, continue development of a new Chemical Reactivity Management software system that will allow users to more accurately identify and manage hazards involving reactive chemical mixtures. EPA will continue to provide real-time technical support via the RMP Reporting Center. EPA also will provide end user or train-the-trainer training as requested through EPA Headquarters or Regional Offices.
- EPA will work with The Fertilizer Institute to complete publication and outreach on new joint implementation guidance materials for Agricultural Retail Facilities covered under the EPA Risk Management Program. This Internet-based suite of guidance materials will include an on-line tutorial, a guidance manual, and a web-based tool allowing covered facilities to develop, download, and print their own customized operating procedures and maintenance manuals needed for compliance with RMP requirements.
- EPA will participate with the National Fire Protection Association (NFPA) to continue refining the international NFPA Hazardous Chemicals Code (NFPA-400). After its initial publication in 2008, this code will ultimately be adopted by state and local authorities as the standard for storage and handling of hazardous chemicals in most commercial sites. EPA also will continue working with NFPA on revisions to the Liquefied Petroleum Gas safety code (NFPA-58) to make important improvements in safety requirements for propane facilities nationwide.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$337.0) This reflects an increase for payroll and cost of living for existing FTE.

- (+\$177.0) This change reflects the restoration of the 1.56% rescission in addition to small technical changes such as realignment of IT, travel or other support costs across the program.

Statutory Authority:

EPCRA; SARA of 1986; Section 112r, Accidental Release Provisions of the CAA of 1990; Chemical Safety Information, Site Security, and Fuels Regulatory Relief Act.

TRI / Right to Know

Program Area: Information Exchange / Outreach

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$14,605.5</i>	<i>\$15,728.0</i>	<i>\$15,504.0</i>	<i>\$15,109.0</i>	<i>(\$395.0)</i>
Total Budget Authority / Obligations	\$14,605.5	\$15,728.0	\$15,504.0	\$15,109.0	(\$395.0)
Total Workyears	41.9	43.0	43.0	43.0	0.0

Program Project Description:

The Toxics Release Inventory (TRI) program is the Agency’s only multi-media, integrated provider of information to the public on the releases and other waste management of toxic chemicals from a broad segment of industrial facilities. The program collects data on over 600 chemicals, operates all systems for warehousing of the information, provides quality assurance, and then makes it publicly available on an annual basis within a year of its collection. Because of their scope and timeliness, TRI data are the premier source of information for community right to know groups and thereby fulfill the Agency’s requirements under Section 313 of the Emergency Planning and Community Right to Know Act. The data are also extensively used by the financial community to monitor company “greenness” and by other EPA programs to reduce their own data needs and reply to requests from regulated industries.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA anticipates continuing its efforts to reduce the TRI reporting burden on industry without compromising the utility or quality of the data. The main focus of the FY 2009 efforts in this regard will be to continue to improve web-based applications to simplify reporting and to improve quality assurance tools to better identify areas of industry desired reporting guidance (e.g. trace metals in scrap). This guidance can greatly reduce the cost of completing the TRI questionnaire.

In addition, EPA will continue to provide TRI reporting facilities with compliance assistance through workshops, web-based reference tools, and telephone hotline support. EPA also will continue working to increase the percentage of TRI reports that are submitted in electronic format via EPA’s Central Data Exchange (CDX) as well as increasing the number of States participating in TRI data exchange. This latter activity will also reduce industry reporting burden.

The program will also work in partnership with other EPA programs and stakeholder groups to expand the availability and usability of all toxic chemical release information. This will include working with public groups to provide better hazard and other contextual information. Such information will allow local communities to better prioritize their concerns in terms of the

chemicals posing the most significant risk, rather than potentially misleading pounds-based decision making. A key activity in this area is implementing the Toxicity Equivalency Rule (TEQ) which will greatly improve the public's understanding of dioxin emissions.

Performance Targets:

Work under this program supports several cross-cutting goals and objectives. Currently, there are no performance measures specific to this program project.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$166.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$500.0) The reduction reflects the presumption that most programming for the Toxicity Equivalency Rule (TEQ) rule will be completed by FY 2009 and by lower industry training costs as the program increases its use of web based training.
- (-\$530.0) This reduction is the result of accounting changes in the regions which have the effect of shifting costs from this program project to the IT/Data Management program project.
- (+\$469.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

FACA; GISRA; CERCLA; SARA; EPCRA; CAA; CWA; SDWA; TSCA; FIFRA; FQPA; FFDCA; ERD and DAA; GPRA; GMRA; CCA; PRA; FOIA; CSA; PR; EFOIA; Pollution Prevention Act.

Tribal - Capacity Building

Program Area: Information Exchange / Outreach

Goal: Compliance and Environmental Stewardship

Objective(s): Improve Human Health and the Environment in Indian Country

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$10,861.3</i>	<i>\$11,477.0</i>	<i>\$11,328.0</i>	<i>\$11,710.0</i>	<i>\$382.0</i>
Total Budget Authority / Obligations	\$10,861.3	\$11,477.0	\$11,328.0	\$11,710.0	\$382.0
Total Workyears	78.8	73.1	73.1	73.1	0.0

Program Project Description:

Under Federal environmental statutes, EPA has responsibility for protecting human health and the environment in Indian country. EPA has worked to establish the internal infrastructure and organize its activities in order to meet this responsibility.

Since adopting the EPA Indian Policy in 1984, EPA has worked with tribes on a government-to-government basis in recognition of the Federal government's trust responsibility to Federally-recognized tribes. EPA's American Indian Environmental Program leads the Agency-wide effort to ensure environmental protection in Indian country. (See <http://www.epa.gov/indian/> and <http://www.epa.gov/indian/policyintitvs.htm> for more information.)

EPA's strategy for this program has three major components:

- Work with tribes to create an environmental presence for each Federally-recognized tribe (discussed under the Tribal General Assistance Program in the STAG appropriation);
- Provide the data and information needed by Tribal governments and EPA to meet Tribal environmental priorities. At the same time, ensure EPA has the ability to view and analyze the conditions on Indian lands and the effects of EPA and Tribal actions and programs on the environmental conditions;
- Provide the opportunity for implementation of Tribal environmental programs by tribes, or directly by EPA, as necessary.

FY 2009 Activities and Performance Plan:

To expand EPA's effort to ensure environmental protection in Indian country, the program strives to provide support to EPA's National Tribal Operations Committee, the Tribal Caucus, and support for Agency-wide multimedia meetings, including the Indian Program Policy Council. EPA conducts program evaluations which aid in improving delivery of financial

services to tribes and is committed to measures development work across the Agency that strengthens the accuracy and relevancy of tribal measure outcomes.

Access to information is a powerful tool in assisting local Tribal priority setting and decision making and is a major emphasis for EPA's Tribal Capacity programs. In FY 2007 EPA launched the American Indian Tribal Portal. The purpose of the portal is to help American Indian communities and supporters locate Tribal related information within EPA and other government agencies. The portal is operated and maintained by EPA's American Indian Environmental Program and work to support this effort will continue in 2009. (See <http://www.epa.gov/Tribalportal/> for more information.)

The ability to comprehensively and accurately examine conditions and make assessments provides a blueprint for planning future activities and helps maximize limited resources. Priorities are implemented through the development of Tribal/EPA Environmental Agreements (TEAs) or similar Tribal environmental plans that address and support priority environmental multi-media concerns in Indian country. Complementary to the efforts of providing an environmental presence through the Indian General Assistance Program (GAP), EPA's enhanced information technology infrastructure, which includes the Tribal Program Enterprise Architecture (TPEA), extracts records from databases on the basis of Tribal reservation boundaries and assigns those records to Tribal governments. This process is known as "Tribally enabling" the EPA Enterprise Architecture. By 2009, the continued integration and merger of TPEA with the EPA Enterprise Architecture will lead to a more efficient information technology infrastructure.

TPEA, part of the Agency's Envirofacts system, is a multi-agency, multimedia database that is designed to support Tribal programs for all tribes, as well as the EPA National Program Managers. The database links Tribal environmental information from EPA with Tribal data systems from other agencies, including the U.S. Bureau of Reclamation and the Indian Health Service. In FY 2009, EPA will continue to enhance this database to promote management of Tribal environmental programs and to show results of environmental improvements in Indian country. TPEA organizes environmental data on a Tribal basis, bringing together data from different agencies, programs and Tribes in a format providing a clear, up-to-date picture of environmental conditions in Indian country. TPEA is entirely Internet-based and is designed to track the following three classes of information:

- Environmental information from national monitoring and facility management databases;
- EPA programmatic information, generally utilizing customized databases where data are input by regional program offices; and
- Individual sets of environmental data to be submitted by Tribes.

EPA's Indian Policy affirms the principle that the Agency has a government-to-government relationship with tribes and that "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, 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. In FY 2009, EPA will continue to encourage Tribal capacity development to implement federal environmental programs, including the use of Direct Implementation Tribal Cooperative Agreement (DITCA) authority.

EPA instituted an annual review of the national GAP grant program to ensure effective management of grant resources. This effort includes review of Regional GAP programs and individual GAP grant files. Regional reviews of the GAP program by the Agency will continue in FY 2009. All GAP grantees must meet the requirement, begun in FY 2007, to submit a standardized work plan which includes milestones, deliverables and links to the Agency’s strategic plan. Standardized workplans lead to a better characterization of environmental and public health benefits of the capacity building activities in a consistent manner.

Performance Targets:

In FY 2009, EPA will continue to support standardization and a crosswalk of Tribal identifier codes to integrate and consistently report Tribal information across Federal agencies. One example of this effort has been the adoption by EPA of the Bureau of Indian Affairs (BIA) Tribal identifier code system as an agency standard for all the EPA databases. TPEA will also, by FY 2009, compile and display the universe of Tribal EPA regulated facilities, assigning each one to a specific Tribal entity, through the use of an Indian country flag in the EPA Facility Registry System. This type of cross-platform data analysis is not possible without EPA’s TPEA initiative.

With the addition of these two data systems, EPA will be able to measure environmental quality in Tribal lands in two important areas: ambient quality of air and water, and emissions of pollutants into the environment. Both kinds of measures (ambient quality and emissions) are important in the development of outcome-based performance measures for EPA Tribal programs.

In FY 2009 TPEA will continue to work to link directly to the Sanitation Deficiency System Database (SDS) of the Indian Health Service (IHS). Information in the IHS SDS system is reported in the Agency’s Strategic Plan. Work under this program supports multiple strategic objectives. Currently, there are no performance measures for this specific Program.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$327.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$55.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

Indian General Assistance Program Act, 42 U.S.C. § 4368b (1992), as amended.

Program Area: International Programs

US Mexico Border

Program Area: International Programs

Goal: Healthy Communities and Ecosystems

Objective(s): Communities

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$5,790.7	\$4,646.0	\$5,439.0	\$0.0	(\$5,439.0)
Total Budget Authority / Obligations	\$5,790.7	\$4,646.0	\$5,439.0	\$0.0	(\$5,439.0)
Total Workyears	22.0	21.2	21.2	0.0	-21.2

Program Project Description:

The 2,000 mile border between the U.S. and Mexico is one of the most complex and dynamic regions in the world. This region accounts for 3 of the 10 poorest counties in the U.S., with an unemployment rate 250-300 percent higher than the rest of the United States. 432 thousand of the 14 million people in the region live in 1,200 colonias³⁵, which are unincorporated communities characterized by substandard housing and unsafe drinking water.

The key areas of focus for the Border 2012 Program include: (1) improving water quality in the region; (2) improving availability of low sulfur diesel fuel on the border; (3) the stabilization of abandoned hazardous waste sites; (4) removal of used tire piles along the U.S.-Mexico Border; (5) defining baseline and alternative scenarios for air emissions reductions along the border region; and (6) binational emergency preparedness drills and exercises at border sister cities. Note that additional Border efforts are described in the Infrastructure Assistance: Mexico Border program project narrative.

FY 2009 Activities and Performance Plan:

EPA integrated the U.S.-Mexico Border, International Capacity Building, and Persistent Organic Pollutants programs in FY 2009. The activities are described within the International Sources of Pollution program.

Performance Targets:

Work under this program supports EPA’s objective to sustain, clean up, and restore communities and the ecological systems that support them. Currently, there are no performance measures specific to this program project.

³⁵ http://www.borderhealth.org/border_region.php

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$5,439.0 / -21.2 FTE) This represents a transfer to the International Sources of Pollution program. This is the outgoing transfer from the U.S.-Mexico Border base resources, including payroll and FTE, and does not reflect a reduction in that program's resources.

Statutory Authority:

CWA; CAA; TSCA; RCRA; PPA; FIFRA; Annual Appropriation Acts.

Commission for Environmental Cooperation

Program Area: International Programs

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical and Pesticide Risks; Communities

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$4,208.8	\$4,022.0	\$3,962.0	\$0.0	(\$3,962.0)
Total Budget Authority / Obligations	\$4,208.8	\$4,022.0	\$3,962.0	\$0.0	(\$3,962.0)
Total Workyears	6.1	6.4	6.4	0.0	-6.4

Program Project Description:

The Commission on Environmental Cooperation (CEC) is an international organization that was created by the United States, Canada, and Mexico under the North American Agreement on Environmental Cooperation (NAAEC), a side agreement to the North American Free Trade Agreement (NAFTA). The CEC addresses regional environmental concerns, helps prevent potential trade and environmental conflicts, and promotes the effective enforcement of environmental law. The CEC is comprised of a Council, a Secretariat, and a Joint Public Advisory Committee. U.S. participation in the CEC is coordinated by the EPA Administrator, who represents the United States on the three-member Council that governs the Commission.

FY 2009 Activities and Performance Plan:

EPA integrated the Environment and Trade and Commission on Environmental Cooperation programs in FY 2009. The activities are described within the Trade and Governance program.

Performance Targets:

Work under this program supports EPA's objective to sustain, clean up and restore communities and the ecological systems that support them, and also indirectly supports pertinent objectives under all 5 Goals of EPA's Strategic Plan. Currently, there are no performance measures for this specific program.

FY 2009 Change from 2008 Enacted Budget (Dollars in Thousands):

- (-\$3,962.0 / -6.4 FTE) This represents a transfer to the Trade and Governance program. This is the outgoing transfer from the Commission on Environmental Cooperation's base resources, including payroll and FTE, and does not reflect a reduction in that program's resources.

Statutory Authority:

NAFTA; NAAEC.

Environment and Trade

Program Area: International Programs
Goal: Healthy Communities and Ecosystems
Objective(s): Communities

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$1,817.4</i>	<i>\$1,945.0</i>	<i>\$1,920.0</i>	<i>\$0.0</i>	<i>(\$1,920.0)</i>
Total Budget Authority / Obligations	\$1,817.4	\$1,945.0	\$1,920.0	\$0.0	(\$1,920.0)
Total Workyears	8.3	8.9	8.9	0.0	-8.9

Program Project Description:

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 the Office of the United States Trade Representative (USTR) to provide advice, guidance and clearance to the USTR in the development of U.S. international trade and investment policy. This input pertains to comprehensive multilateral trade rounds (e.g., the ongoing Doha round of the World Trade Organization (WTO)), bilateral or plurilateral free trade agreements, and other matters. In addition, USTR and EPA co-manage the Trade and Environment Policy Advisory Committee (TEPAC), a Congressionally-mandated private sector advisory group that provides advice and information in connection with the development, implementation, and administration of U.S. trade policy.

The Trade Promotion Authority (TPA) section of the Trade Act of 2002 requires that the U.S. seek provisions in each trade agreement to prevent lowering environmental standards or weakening the enforcement of existing laws to attract investment or trade. It also calls for environmental reviews of trade agreements and the provision of U.S. assistance to promote sustainable development and increase the capacity of U.S. trading partners to develop and implement environmental protection standards.

In its capacity as a member of the TPSC and TPRG, EPA performs three major functions pursuant to the TPA. First, by contributing to the development, negotiation and implementation of environment-related provisions in all new U.S. free trade agreements, EPA helps to ensure that U.S. trading partner countries improve and enforce their domestic environmental laws, which promotes sound environmental practices. In addition, EPA facilitates trade in environmentally-preferable goods and services during negotiations. As U.S. trading partner countries pursue more environmentally-sound economic development under the trade agreement's environmental provisions, reduced growth in environmental impacts such as air pollution and the inadvertent transmission of invasive alien species is expected. A second major function involves helping to develop the U.S. Government's (USG) environmental reviews of each new free trade agreement. As a complement of this effort, we encourage and support our trade partners in conducting their own assessments of the environmental implications of trade

liberalization. EPA's third major function under the TPA involves helping to negotiate and implement the environmental cooperation agreements that parallel each new trade agreement. EPA and other entities of the USG provide assistance to promote sustainable development and increase the capacity of U.S. trading partners to develop and implement environmental protection standards that offer high levels of protection.

FY 2009 Activities and Performance Plan:

EPA integrated the Environment and Trade and Commission on Environmental Cooperation programs in FY 2009. The activities are described within the Trade and Governance program.

Performance Targets:

Work under this program supports EPA's objective to sustain, clean up and restore communities and the ecological systems that support them, and also indirectly supports pertinent objectives under Goals 1 (e.g., long-range transboundary air pollution) and 2 (e.g., marine pollution and invasives) of EPA's Strategic Plan. To illustrate, EPA's work with China, a major source and shipper of goods to the U.S., is expected to help to reduce ship- and port operations-related air emissions (e.g., of PM and SO_x) associated with U.S imports of their goods. This should help to improve air quality in communities around major U.S. and Chinese ports and help to reduce long-range transmission of air pollution from China. With the conclusion in FY 2008 of ongoing work to develop baseline assessments of the environmental law and enforcement regimes of nine trading partner countries, EPA will be better positioned to advance new performance measures and objectives. Currently, there are no performance measures for this specific program.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$1,920.0 / -8.9 FTE) This represents a transfer to the Trade and Governance program. This is the outgoing transfer from the Environmental and Trade base resources, including payroll and FTE, and does not reflect a reduction in that program's resources.

Statutory Authority:

Trade Act of 2002; 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); WTO Agreements; NAFTA; NAAEC; PPA.

International Capacity Building

Program Area: International Programs

Goal: Clean Air and Global Climate Change

Objective(s): Healthier Outdoor Air

Goal: Clean and Safe Water

Objective(s): Protect Human Health; Protect Water Quality

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical and Pesticide Risks

Goal: Compliance and Environmental Stewardship

Objective(s): Achieve Environmental Protection through Improved Compliance

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$7,210.8	\$5,311.0	\$5,228.0	\$0.0	(\$5,228.0)
Total Budget Authority / Obligations	\$7,210.8	\$5,311.0	\$5,228.0	\$0.0	(\$5,228.0)
Total Workyears	34.9	27.1	27.1	0.0	-27.1

Program Project Description:

EPA has improved the quality of life for all Americans by safeguarding their air, water, and land and helping protect their health. Addressing issues at home is only part of the environmental effort. As globalization continues and as we better understand the interdependencies of ecosystems and the transport of pollutants, it becomes clearer that the actions of other countries can affect the U.S. environment. For example, the water quality of a lake here in the U.S. is affected not only by pesticides from nearby farms, lawns, or gardens but also by pollutants emitted thousands of miles away. Air quality in the U.S. is affected by emissions from other countries. The depletion of a natural resource, such as forest cover in one nation, can have environmental and economic consequences in many other countries. To achieve our domestic environmental objectives, it is important to address foreign sources of pollution that impact the U.S. International capacity-building plays a key role in protecting human health and the environment by providing technical cooperation to help countries reduce air pollution, better manage air quality, and reduce the global use and emission of mercury.

FY 2009 Activities and Performance Plan:

EPA integrated the U.S.-Mexico Border, International Capacity Building, and Persistent Organic Pollutants programs in FY 2009. The activities are described within the International Sources of Pollution program.

Performance Targets:

Work under this program supports EPA's objective to sustain, clean up, and restore communities and the ecological systems that support them. Currently, there are no performance measures specific to this program project.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$5,228.0 / -27.1 FTE) This represents a transfer to the International Sources of Pollution program. This is the outgoing transfer from the International Capacity Building base resources, including payroll and FTE, and does not reflect a reduction in that program's resources.

Statutory Authority:

PPA; FIFRA; CAA; TSCA; NEPA; CWA; SDWA; RCRA; CERCLA; NAFTA; OAPCA; MPRSA; CRCA.

POPs Implementation

Program Area: International Programs

Goal: Healthy Communities and Ecosystems

Objective(s): Communities

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$1,682.4</i>	<i>\$1,831.0</i>	<i>\$1,808.0</i>	<i>\$0.0</i>	<i>(\$1,808.0)</i>
Total Budget Authority / Obligations	\$1,682.4	\$1,831.0	\$1,808.0	\$0.0	(\$1,808.0)
Total Workyears	9.9	11.3	11.3	0.0	-11.3

Program Project Description:

This program supports EPA's international efforts to reduce Persistent Organic Pollutants (POPs). Domestic POPs-related activities and associated funding are included in the Toxic Substances: Chemical Risk Management program. EPA's international activities under this program focus on reducing POPs under the Stockholm Convention³⁶. Long-range and transboundary atmospheric transport and deposition of POPs such as polychlorinated biphenyls (PCBs), dioxins, and furans are a continuing threat to human health and ecosystems. After release, these pollutants can be transported far from their sources, enter the ecosystem, and bioaccumulate through the food chain. To reduce the risks posed to the American public, both international and domestic sources must be addressed.

To demonstrate the U.S. commitment to international action on these chemicals, EPA is working to mitigate potential risk from POPs reaching the U.S. by long range transport by: 1) reduction/elimination of sources of POPs in countries of origin, focusing on PCB-containing equipment, obsolete pesticides stockpiles, and dioxins and furans emissions from combustion sources; and 2) better inter- and intra-country coordination on POPs implementation activities through improved access to POPs technical, regulatory and program information from all sources, including the Internet.

FY 2009 Activities and Performance Plan:

EPA integrated the U.S.-Mexico Border, International Capacity Building, and Persistent Organic Pollutants programs in FY 2009. The activities are described within the International Sources of Pollution program.

³⁶ For more information on the Stockholm Convention, see <http://www.pops.int>

Performance Targets:

Work under this program supports EPA's objective to sustain, clean up, and restore communities and the ecological systems that support them. Currently, there are no performance measures specific to this program project.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$1,808.0 / -11.3 FTE) This represents a transfer to the International Sources of Pollution program. This is the outgoing transfer from the Persistent Organic Pollutants base resources, including payroll and FTE, and does not reflect a reduction in that program's resources.

Statutory Authority:

PPA; FIFRA; CAA; TSCA; NEPA; CWA; MPRSA.

International Sources of Pollution

Program Area: International Programs

Goal: Clean and Safe Water

Objective(s): Protect Water Quality

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical and Pesticide Risks; Communities

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$0.0</i>	<i>\$0.0</i>	<i>\$0.0</i>	<i>\$12,408.0</i>	<i>\$12,408.0</i>
Total Budget Authority / Obligations	\$0.0	\$0.0	\$0.0	\$12,408.0	\$12,408.0
Total Workyears	0.0	0.0	0.0	59.6	59.6

Program Project Description:

EPA has improved the quality of life for all Americans by safeguarding their air, water, and land and helping protect their health. Addressing issues at home is only part of the environmental effort. As globalization continues and as we better understand the interdependencies of ecosystems and the transport of pollutants from its sources, it becomes clearer that the actions of other countries can affect the U.S. environment. In many cases, it is more efficient to reduce emissions from foreign sources than from domestic ones. Solving these and other problems requires strong collaboration between EPA and its international partners.

To achieve our domestic environmental objectives, it is important to address foreign sources of pollution that impact the U.S. International capacity-building plays a key role in protecting human health and the environment by providing technical cooperation to help countries reduce air pollution, better manage air quality, and reduce the global use and emission of mercury. The depletion of natural resources, such as forest cover in one nation, can have environmental and economic consequences in many other countries. Air quality in the U.S. is affected by emissions from other countries, such as particles, mercury and toxics, which can have a detrimental impact on human health and the environment in the U.S.

Long-range and transboundary atmospheric transport and deposition of POPs such as polychlorinated biphenyls (PCBs), pesticides, dioxins, and furans are a continuing threat to human health and ecosystems. After release, these pollutants can be transported far from their sources, enter the ecosystem, and bioaccumulate through the food chain. EPA's international efforts, under the Stockholm Convention³⁷, are focused to reduce Persistent Organic Pollutants (POPs). Domestic POPs-related activities and associated funding are included in the Toxic Substances: Chemical Risk Management program.

³⁷ For more information on the Stockholm Convention, see <http://www.pops.int>

FY 2009 Activities and Performance Plan:

Air Quality

In FY 2009, EPA will continue to provide technical cooperation to help communities and countries reduce air pollution and better manage air quality. Partnership for Clean Fuels and Vehicles, a global partnership launched at the World Summit on Sustainable Development (WSSD) in 2002, will continue to focus on (a) lead phase-out, (b) introduction of low-sulfur fuels, and (c) introduction of cleaner vehicle technologies. Our efforts in 2009 will include working with the approximately 20 countries that have not yet eliminated lead from gasoline, introducing catalytic converters in those countries that have recently eliminated lead in gasoline, and supporting improved standards and demonstration projects that encourage sulfur reductions in transport fuels to 50 ppm and lower globally.

In continuation of efforts to reduce transboundary stationary-source pollution, EPA will focus on practical measures to achieve reductions in PM, NO_x and other emissions. For example, EPA will work with China to reduce dioxin and furans from cement kilns and assess and reduce emissions of PM and mercury from coal combustion sources. To help reduce greenhouse gas (GHG) emissions worldwide, EPA will work with China, Mexico, Russia, and India through capacity and technology transfer activities.

EPA will work to transfer appropriate air management tools and techniques to India, China, Mexico, Central America, Russia, Africa, and other key countries and regions as we collaborate with partners to improve air quality. For example, EPA will work with the Indian government to continue to develop a national standard for nitrogen oxides from power plants, and develop a harmonized air monitoring network in Central America that will be integrated with NASA's satellite monitoring to provide key air quality information throughout Central America.

In FY 2009, as part of its effort to reduce global sources of persistent bioaccumulative toxics, EPA will continue to give priority to reducing the global use and emission of mercury. EPA is a global leader in the development and implementation of Global Partnerships for Mercury Reduction. EPA's mercury partnership work has focused on four sectors – chlor-alkali, products, combustion, and artisanal mining – which together account for over 80% of global anthropogenic atmospheric emissions of mercury³⁸.

Border Regions

The US/Mexico Border 2012 Program is a joint effort between the U.S. and Mexican governments.² In FY 2009, the Program will continue to focus on: (1) improving water quality in the region; (2) improving availability of low sulfur diesel fuel on the border; (3) the stabilization of abandoned hazardous waste sites; (4) removal of used tire piles along the U.S.-Mexico Border; (5) defining baseline and alternative scenarios for air emissions reductions along the border region; and (6) binational emergency preparedness drills and exercises at border sister cities.

² http://www.epa.gov/border2012/pdf/2012_english.pdf

To date, the US/Mexico Border program has successfully implemented Phase 1 and 2 of the stabilization and clean-up of the Metales y Derivados site, an abandoned, secondary lead smelter in Tijuana, which resulted in the removal of nearly 2,000 tons of hazardous waste and recycling of 50 tons of lead smelter process equipment in Mexico. In FY 2009, the Metales y Derivados remediation will be in the final stages of restoration. These actions are consistent with the Border 2012 draft Binational Policy on Clean-Up and Restoration.³ In FY 2009, incorporating lessons learned, the Border 2012 Program will focus on remediation of other hazardous waste sites on the border. Specifically, Border 2012 has started assessment and will begin clean-up of two new sites: 1) Laguna Escondida in Tamaulipas, Mexico, lagune contaminated with untreated waste; and 2) Nacosari in Sonora, Mexico, an abandoned mine.

Because of the known public and environmental threats of the over 10 million used tires stockpiled across the US/Mexico Border, the cleanup of abandoned tire piles is a significant binational border priority. One of the largest tire piles in the whole border region is the Ciudad Juárez pile, with approximately 4 - 5 million tires. In the California/Baja California region, the largest tire piles were in Centinela, with 1.2 million tires and INNOR, with over 400,000 tires. Working in cooperation with local and state governments and industry, cleanups at all three of the largest tire piles along the border are underway or completed. Cleanup at the INNOR and Centinela tire pile in the Mexicali are completed. Both of these projects sent the waste tires to cement kilns where they were used as tire derived fuel. In FY 2009, Border 2012 will continue the clean up of the remaining large tire pile in Ciudad Juarez, with the goal of removing approximately one million tires per year. In addition, Border 2012 will develop institutional capacity materials for waste management and pollution prevention as they pertain to scrap tire pile prevention along the US/Mexico border.

Water Quality

In FY 2009, EPA will continue developing and implementing its' program to address water quality issues worldwide. In Latin America and Asia, EPA will continue to promote the development and implementation of Water Safety Plans (WSPs), a health-based risk assessment methodology for managing drinking water quality. By identifying the greatest vulnerabilities within an entire water system, from catchment to consumer, water utilities are able to target their investments strategically to have the greatest health impact. This work includes collaborating with the World Health Organization and other key partners on sharing experiences and lessons learned globally. EPA's focus will be to promote WSPs as a sustainable approach to improving drinking water quality. Additionally, EPA will continue to identify and share sustainable finance mechanisms that can be used to support critical water infrastructure improvements in other countries.

EPA is working with national governments in Central America to build regulatory frameworks for wastewater discharges. This effort will focus on building capacity to implement the regional model wastewater discharge regulation, and will include training on inspection of wastewater treatment plants and discharges. In addition, EPA will work with the U.S. Coast Guard, Department of State, and other interested agencies to pursue development of more stringent

³ <http://www.epa.gov/border2012>

international air emission standards from ships and will seek U.S. ratification of international treaties that are critical to efforts in addressing vessel and land-based marine pollution. EPA also will work to improve the environmental profile of ports and vessels as ports emerge as a nexus of expanding global trade.

Land Pollution

In FY 2009, EPA will continue to provide technical cooperation, expertise, and assistance to help communities and countries preserve and restore the land and to mitigate sources of land pollution. To demonstrate the U.S. commitment to international action on these chemicals, EPA is working to mitigate potential risk from POPs reaching the U.S. by long range transport by: 1) reduction/elimination of sources of POPs in countries of origin, focusing on PCB-containing equipment, obsolete and prohibited pesticides stockpiles, and dioxins and furans emissions from combustion sources; and 2) better inter- and intra-country coordination on POPs implementation activities through improved access to POPs technical, regulatory and program information from all sources, including the Internet.

In FY 2009, EPA will continue efforts to reduce sources of POPs worldwide. Efforts will focus on regions and countries whose POPs releases are having the most significant impact on U.S. human health and the environment, specifically Russia, China, India, and Central America. EPA will transfer innovative U.S. technologies to these countries and regions, and will help develop regulatory and financial infrastructure for sustainable projects.

Persistent Organic Pollutants

EPA will continue to assist Russia in inventory development, repackaging, laboratory testing, and environmentally-safe storage of up to 700 tons of obsolete pesticides, including pesticides containing POPs and heavy metals. EPA also will continue working with Russia on development of infrastructure for environmentally-safe destruction of PCBs and obsolete pesticides. In 2009, EPA will develop the Integrated Hazardous Waste Management Strategy for Russia and begin destruction of pesticides in two Russian regions. In addition, EPA will assist China with the first pilot demonstration project to reduce dioxins/furans emissions from the Chinese cement sector, which produces over one-half of the world's cement.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of countries completing phase out of leaded gasoline. (incremental)			7	4	Countries

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Cleanup waste sites in the United States-Mexico border region. (incremental)				1	sites

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of countries introducing low sulfur in fuels. (incremental)			2	3	Countries

FY 2009 Change from 2008 Enacted Budget (Dollars in Thousands):

- (+\$5,228.0 / +27.1 FTE) This redirection is the result of a realignment of program projects. These funds are an incoming transfer of the International Capacity Building program's base resources, including payroll and FTE.
- (+\$1,808.0 / +11.3 FTE) This redirection is the result of a realignment of program projects. These funds are an incoming transfer of the Persistent Organic Pollutants program's base resources, including payroll and FTE.
- (+\$5,439.0 / +21.2 FTE) This redirection is the result of a realignment of program projects. These funds are an incoming transfer of the US/Mexico Border program's base resources, including payroll and FTE.
- (+\$584.0) This reflects an increase for payroll and cost of living for the transferred existing FTE.
- (-\$651.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

PPA; FIFRA; CAA; TSCA; NEPA; CWA; SDWA; RCRA; CERCLA; NAFTA; OAPCA; MPRSA; CRCA; Annual Appropriation Acts.

Trade and Governance

Program Area: International Programs
Goal: Healthy Communities and Ecosystems
Objective(s): Communities

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$0.0</i>	<i>\$0.0</i>	<i>\$0.0</i>	<i>\$6,216.0</i>	<i>\$6,216.0</i>
Total Budget Authority / Obligations	\$0.0	\$0.0	\$0.0	\$6,216.0	\$6,216.0
Total Workyears	0.0	0.0	0.0	16.3	16.3

Program Project Description:

As our understanding of environmental issues has increased, so has our appreciation of the need to partner with other countries on environmental goals. International cooperation is vital to achieving our mission. Our shared goals for environmental protection can open doors between the United States and foreign governments. Assisting other countries in their environmental protection efforts can be an effective part of a larger U.S. strategy for promoting sustainable development and advancing democratic ideals. EPA supports U.S. diplomatic, trade, and foreign policy goals that extend far beyond our domestic agenda.

Good environmental governance abroad not only yields a cleaner environment, it helps ensure that U.S. companies and communities compete on an equal footing in the international marketplace. In particular, EPA works with U.S. trading partners to help them enforce their own environmental laws. Through leadership in the Commission on Environmental Cooperation (CEC), the Organization for Economic Cooperation and Development, and other international entities, EPA supports environmental performance reviews of other countries so that good governance best practices (such as providing access to information, collaborating with diverse stakeholders, and providing transparency in environmental decision making) are shared and countries continually improve.

EPA has played a key role in ensuring trade-related activities also sustain environmental protection since the 1972 Trade Act mandated inter-agency consultation by the U.S. Trade Representative on trade policy issues. U.S. trade with the world has grown rapidly from \$34.4 billion in 1960 to \$2.884 trillion in 2006 (U.S. Census Bureau, Foreign Trade Division). This increase underscores the importance of addressing the environmental consequences associated with trade. 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 the Office of the United States Trade Representative (USTR) to provide advice, guidance and clearance to the USTR in the development of U.S. international trade and investment policy. This input pertains to comprehensive multilateral trade rounds (e.g., the ongoing Doha round of the World Trade Organization (WTO)), bilateral free trade agreements, and other matters. In addition, USTR and EPA co-manage 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. EPA, represented by the Administrator, is the lead U.S. agency to implement the North American Agreement on Environmental Cooperation (NAAEC), which involves trilateral efforts to assess and reduce the environmental effects of the recent dramatic increases in trade among the three North American nations.

The establishment of the NAAEC was driven by the notion that trade liberalization would increase trade but subsequently would likely have a negative impact on the environment in North America. NAFTA did in fact result in increased commerce, and trade with NAFTA partner countries has increased 480.6 percent since 1985 (in 1985 total trade among Canada, Mexico and the U.S. was \$149.0 billion; in 2006 that number grew to \$865.3 billion).³⁹ Booming trade after NAFTA's entry into force has caused increasing traffic congestion and related environmental consequences, particularly in terms of air pollution.⁴⁰ For example, the majority of trade between Mexico and the U.S. is carried by heavy-duty diesel trucks, which are major emitters of NOx and particulate matter (PM). The increased traffic entering the U.S. at key border crossings, such as the San Diego/Tijuana area, have resulted in correspondingly higher NOx and PM emissions.⁴¹

To address trade-related environmental issues, 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, EPA helps to ensure that U.S. trading partner countries improve and enforce their domestic environmental laws. EPA also works with USTR to promote environmental protection through liberalized trade in environmentally-preferable goods and services. A second major function involves helping to develop the U.S. Government's (USG) environmental reviews of each new free trade agreement, as well as encouraging other trade partners to assess the environmental implications of their own trade liberalization commitments. EPA's third major function in this area involves helping to negotiate and implement the environmental cooperation agreements that parallel each trade agreement, such as the NAAEC. EPA, along with USG agencies and other collaborators support implementation of agreements by assisting our trading partners to develop effective and efficient environmental protection standards. A fourth major function is to provide technical and policy guidance so as to minimize potential conflicts between trade and environment policy during the negotiation of trade policy and obligations, as well as the development of domestic regulations.

FY 2009 Activities and Performance Plan:

During FY 2009, EPA will continue to provide input to U.S. engagement in multilateral trade negotiations and initiation and/or conclusion of new bilateral free trade agreements and trade and investment framework agreements. To facilitate a successful conclusion of the Doha Round of

³⁹ US Census Bureau, Foreign Trade Division, 2007

⁴⁰ U.S. Transportation Research Board, The National Academies, "Critical Issues in Transportation," 2006

⁴¹ Short-term exposure to diesel exhaust can irritate the eye, nose and throat, cause respiratory symptoms such as increased cough, labored breathing, chest tightness and wheezing, and cause inflammatory responses in the airways and the lung. Longer-term exposure to diesel exhaust can cause chronic respiratory symptoms and reduced lung function, and may cause or worsen allergic respiratory diseases such as asthma

negotiations under the WTO, EPA will continue to provide the USTR with policy and technical guidance, as well as analytical data to inform environmental practices in key trade partner countries. In addition to helping the USTR develop and negotiate the environmental provisions of these agreements, 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.

EPA also will provide targeted capacity building support under the environmental cooperation agreements developed parallel to U.S. free trade agreements such as those with Jordan, Chile, Bahrain, Morocco, Oman, Singapore, and in the Central American, North American and the Caribbean regions. Should the newly concluded agreements with Colombia, Peru or South Korea enter into force, EPA will seek to provide appropriate capacity building assistance to these countries. The priorities for a majority of this cooperative work are established through a State Department-chaired and -led inter-agency process in which EPA is a full member, with additional input provided by the USTR-led inter-agency process. NAAEC priorities are set by the CEC member countries.

As the first environmental cooperation agreement under a trade agreement, the NAAEC paved the way for many of our subsequent efforts under other FTAs and is thus a good example of EPA's approach to trade-related work. Through the NAAEC, EPA will continue to work with Mexico and Canada through the CEC to facilitate trade expansion while protecting the environment by:

- Increasing the comparability, reliability and compatibility of national and sub-regional information.
- Strengthening institutions and sharing environmental knowledge among a broad range of stakeholders.
- Promoting policies and actions that provide mutual benefits for the environment, trade and the economy.

EPA will continue to strengthen cooperation and promote public participation in the development and improvement of environmental laws, regulations, procedures, policies and practices. EPA will support the CEC's efforts to strengthen capacity and improve compliance with environmental laws while encouraging voluntary measures on the part of industry. EPA also will continue to work with the CEC to implement quality assurance mechanisms, transparency, and cost effectiveness. EPA will also support CEC efforts as it works with the Parties to the NAAEC to: 1) strengthen enforcement of environmental laws; 2) facilitate the movement of legal materials across borders by improving the exchange of information, training customs and other law enforcement officials; and 3) build the capacity of legal and judicial systems, with an emphasis on Mexico.

The CEC continues efforts on the Sound Management of Chemicals program, which promotes regional cooperation and capacity building for pollution prevention, source reduction, and pollution control for chemicals of common concern. North American Regional Action Plans

were developed and are being implemented for mercury, lindane, and dioxin and furans. EPA will also support the CEC's efforts to publish report data on pollutant releases and transfers from industrial activities in North America with an emphasis on increasing the comparability of Pollutant Release and Transfer Registers (PRTs) and building Mexico's capacity to collect and report data. EPA will continue to support the development of an integrated monitoring program for the sound management of chemicals and the development of a digital North American Environmental Atlas, which will improve the comparability of data and compatibility of information across the three countries in North America on continent-wide environmental topics, including a harmonized classification system for industrial pollutant data.

EPA will support the CEC's efforts to catalyze cooperation among the Parties to the NAAEC on North American Air Quality management through the completion and implementation of a new strategy that builds upon the previous CEC work to assist Mexico in developing emissions inventories and building air monitoring capacities that are comparable with the United States and Canada. In addition, EPA will continue to address the environmental concerns associated with increased trade. The Agency will work to decouple economic growth from negative environmental impacts by: 1) promoting the North American market for renewable energy; 2) encouraging green purchasing; and 3) expanding the use of market based mechanisms to increase sustainable trade while encouraging conservation.

Performance Targets:

Work under this program supports EPA's Goal 4 objective to sustain, clean up and restore communities and the ecological systems that support them, and also indirectly supports all four additional goals. There are currently no performance measures for this program.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$3,962.0 / +6.4 FTE) This redirection is the result of a realignment of program projects. These funds are an incoming transfer of the Commission on Environmental Cooperation program's base resources, including payroll and FTE.
- (+\$1,920.0 / +8.9 FTE) This redirection is the result of a realignment of program projects. These funds are an incoming transfer of the Environment and Trade program's base resources, including payroll and FTE.
- (+1.0 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills, and Agency priorities.
- (+\$90.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$244.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

Trade Act of 2002; 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); WTO Agreements; NAFTA; NAAEC; PPA.

Program Area: IT / Data Management / Security

Information Security

Program Area: IT / Data Management / Security

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$4,291.9</i>	<i>\$5,583.0</i>	<i>\$5,504.0</i>	<i>\$5,790.0</i>	<i>\$286.0</i>
Hazardous Substance Superfund	\$562.3	\$792.0	\$780.0	\$801.0	\$21.0
Total Budget Authority / Obligations	\$4,854.2	\$6,375.0	\$6,284.0	\$6,591.0	\$307.0
Total Workyears	10.2	15.8	15.8	15.8	0.0

Program Project Description:

The Information Security program protects the confidentiality, availability, and integrity of EPA's information assets. The program also 1) establishes a risk-based cyber security program using a defense-in-depth approach that includes partnering with other Federal agencies and the states, 2) implements aggressive efforts to respond to evolving threats and computer security alerts and incidents, and integrates information security into its day-to-day business, 3) manages the Federal Information Security Management Act data collection and reporting requirements, and 4) supports the development, implementation, and operation and maintenance of the Automated Security Self Evaluation and Reporting Tool documentation system.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA also will coordinate information security activities which support emerging Homeland Security IT needs, as well as Exchange Network and IT/Data Management program requirements. The Agency will, where possible, identify and implement more efficient solutions.

Effective information security is a constantly moving target. Every year, Agency managers are challenged with responding to increasingly creative and sophisticated attempts to breach organizational protections. The goal of the Agency's Information Security program is to effectively protect the confidentiality, availability, and integrity of EPA's information assets amid the evolving risks that are present in a fully networked world. The Agency's Information Security program uses a defense-in-depth approach that includes partnering with other Federal agencies and states, integrating information security into day-to-day business operations, and aggressively responding to evolving threats and computer security alerts and incidents. The program is based on a successful implementation of the Federal Risk Management Framework, mandated by the Federal Information Security Management Act (FISMA). This is a collective

effort to harden the Agency’s diverse and distributed IT environments in accordance with federal security standards.

The foundation for the Federal Risk Management Framework is a requirement that Agency managers understand the protection requirements of the information they use while fulfilling the Agency’s mission operations. Based upon that understanding, managers must ensure appropriate federal security standards are implemented, that security standard decisions are documented, and, most importantly, that implementation is rigorously monitored to ensure the protection remains effective. The Information Security program assists Agency managers in implementing these requirements as well as preparing and providing periodic mandated reports to the Office of Management and Budget (OMB) and Congress. Failing to securely manage Agency information and information systems could severely disrupt the Agency’s ability to fulfill its environmental mission. A breach of confidentiality, such as a release of sensitive personally identifiable information (PII), could do significant harm to individuals as well as impact the Agency’s budgetary decisions and harm the Agency’s credibility. Breaches of integrity and availability could severely impact confidence in the reliability of Agency information. If such breaches accompanied an emergency of some kind, it would negatively affect the Agency’s emergency response.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percent of Federal Information Security Management Act reportable systems that are certified and accredited.	100	100	100	100	Percent

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$54.0) This reflects an increase for payroll and cost of living for existing FTEs.
- (+\$232.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

FISMA; GPRA; GMRA; CCA; PRA; FOIA; PR; EFOIA.

IT / Data Management

Program Area: IT / Data Management / Security

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$99,196.3</i>	<i>\$91,019.0</i>	<i>\$90,753.0</i>	<i>\$94,360.0</i>	<i>\$3,607.0</i>
Science & Technology	\$4,522.1	\$3,499.0	\$3,453.0	\$3,859.0	\$406.0
Leaking Underground Storage Tanks	\$136.5	\$177.0	\$174.0	\$162.0	(\$12.0)
Oil Spill Response	\$23.8	\$34.0	\$33.0	\$24.0	(\$9.0)
Hazardous Substance Superfund	\$15,975.5	\$16,338.0	\$16,083.0	\$16,872.0	\$789.0
Total Budget Authority / Obligations	\$119,854.2	\$111,067.0	\$110,496.0	\$115,277.0	\$4,781.0
Total Workyears	497.4	488.0	488.0	488.0	0.0

Program Project Description:

Agency offices rely on the IT/Data Management program and its capabilities to develop and implement tools for ready access to accurate and timely data. This program houses all of the critical IT infrastructure that allows efficient exchange and storage of data, analysis and computations. It also allows access to the scientific, regulatory, and best practice information 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, the Central Data Exchange (CDX), and the Permit Compliance System (PCS). Recent partnerships include portals projects with EPA's Research and Development and Air and Radiation programs. Because the IT/Data Management function supports the entire Agency, funds are provided in each operating appropriation including Environmental Programs and Management.

This program manages and coordinates the Agency's Enterprise Architecture and develops analytical tools (e.g., Environmental Indicators) to ensure sound environmental decision-making. The program implements the Agency's e-Government (e-Gov) responsibilities and designs, develops, and manages the Agency's internet and intranet resources, including the Integrated Portal. The program: (1) supports 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; (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 EPA's processes and data are of quality and adhere to Federal guidelines; and (4) supports Regional information technology infrastructure, administrative and environmental programs, and telecommunications.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA's Information Technology community will continue to focus on improving the Agency's use of technology, pursuing enterprise solutions and protecting privacy and security of data holdings while improving delivery of information and services to partners and citizens. The Agency's IT/Data Management program forms the core of this effort with its focus on building and implementing the Agency's Integrated Portal and Enterprise Content Management System (ECMS), developing improved Environmental Indicators, and deploying enterprise-wide IT infrastructure solutions. The ECMS and EPA's enterprise-wide IT infrastructure solutions, combined with the Exchange Network and CDX, provide the foundation for improved information and data access and sharing opportunities among the states, the tribes, the public, the regulated community, and EPA.

The Environmental Information program's FY 2009 technology efforts have three major components:

- OEI's efforts in the areas of Analytical Capacity and Indicators are expected to help identify data gaps, and suggest areas where additional capacity is needed;
- Through use of the portal and Exchange Network, the Technology Initiative program will increase the integration of quality data, streamline transactions to foster collaboration, reduce the data entry burden, and improve decision making;
- OEI's Readiness to Serve initiative will build the capacity and infrastructure needed to allow more EPA employees to telecommute or work safely and securely in the field.

Feedback and results received during stakeholder meetings on EPA's FY 2003 "Draft Report on the Environment" identified key areas for data collection, review and analysis. EPA's technology efforts and its focus areas work together to advance data analyses and the development of an analytical tool kit, including environmental indicators. These efforts will be reflected in the next "Report on the Environment." That document has two major components, the science document and the summary document, both of which are expected to be released to the public in mid-2008.

Technology efforts in FY 2009 for EPA's Integrated Portal activities include implementing identity and access management solutions and integrating geospatial tools. The Portal is the EPA's link to diverse data sets and systems giving users the ability to perform complex environmental data analyses on data stored at other locations. It provides a single business gateway for employees to access, exchange and integrate standardized local, Regional and national environmental and public health data.

Using a collaborative process, the Agency will continue to implement the ECMS project, an enterprise-wide, multi-media solution designed to manage and organize environmental data and documents for EPA, Regions, field offices and laboratories. Previously fragmented data storage approaches will be converted, over time, into a single resource on a standard platform which is accessible to everyone in the Agency, reducing data and document search time and assisting in security and information retention efforts.

EPA's infrastructure program will continue to deliver secure information services to ensure that the Agency and its programs have a full range of information technology infrastructure components (e.g., user equipment, network connectivity, e-mail, application hosting, and remote access) that make information accessible across the spectrum of mission needs at all locations. The program uses performance-based, outsourced services to obtain the best solutions (value for cost) for the range of program needs. This includes innovative multi-year leasing that sustains and renews technical services in a least-cost, stable manner as technology changes over time (e.g., desktop hardware, software and maintenance). Physical infrastructure is a challenge because demands on bandwidth increase as system capabilities and public users grow.

EPA's environmental information needs require the Agency to ensure that it is keeping pace with the states in the areas of data collection, management and utilization. Additionally, this program will continue to focus on information security and the need for each Regional office to have an internal IT security capacity. The Regional offices will implement Agency information resource management policies in areas such as data and technology standards, central data base services, and telecommunications.

In FY 2009, EPA continues active participation in nine government-wide E-government initiatives and six Lines of Business. Through these projects, EPA will implement consolidated practices used to manage information technology, improve access and tools for analysis of environmental information, create new approaches to allow citizens and businesses to more directly participate in Agency rulemaking activities, and develop enterprise solutions for our internal business practices. EPA contributions to the initiatives are intended to ensure efficiency, economy, and security in federal IT investments and systems used by federal employees, partners, stakeholders and citizens.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$1,287.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$530.0) This change is a shift of regional resources from TRI/Right to Know program into general IT support.

- (+\$1,218.0) This increase reflects a restoration of funds that were reduced in this program in FY 2008 for anticipated Agency-wide IT/infrastructure savings pending analysis of final costing. The analysis has been completed and funding changes have been incorporated across the board for FY 2009 IT/infrastructure costs.
- (-\$1,000.0) This decrease reduces congressionally-directed funding of \$1 million for library support. Funds were provided for enhancements to benefit the entire EPA Library Network. The FY 2009 budget request will support the Network at the level of service described in the Report to Congress due March 26, 2008.
- (-\$423.0) This change reflects the net of expected savings from IT and telecommunications to support investment in e-Government activities.
- (+\$1,995.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs
- (-0.5 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills, and Agency priorities.

Statutory Authority:

FACA; GISRA; CERCLA; CAA; CWA; ERD &DAA;TSCA; FIFRA; FQPA; SDWA; FFDCA; EPCRA; RCRA; SARA; GPRA; GMRA; CCA; PRA; FOIA; CSA; PR; EFOIA.

Program Area: Legal / Science / Regulatory / Economic Review

Administrative Law

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$4,891.0</i>	<i>\$5,260.0</i>	<i>\$5,178.0</i>	<i>\$4,949.0</i>	<i>(\$229.0)</i>
Total Budget Authority / Obligations	\$4,891.0	\$5,260.0	\$5,178.0	\$4,949.0	(\$229.0)
Total Workyears	34.3	34.7	34.7	33.7	-1.0

Program Project Description:

This program provides support to EPA's Administrative Law Judges (ALJs) and Environmental Appeals Board (EAB). The ALJs preside in hearings and issue decisions in cases initiated by EPA's enforcement program concerning those accused of environmental violations. The EAB issues final decisions in environmental adjudications, primarily enforcement and permit-related, that are on appeal to the Board. ALJs and the EAB issue decisions under the authority delegated by the Administrator. These decisions establish the Agency's legal interpretation on the issues presented. The EAB also makes policy determinations in the matters before it, as necessary and appropriate to resolve disputes. In addition, the EAB serves as the final approving body for proposed settlements of enforcement actions initiated by the Agency's Headquarters Offices.

FY 2009 Activities and Performance Plan:

In FY 2009 the ALJ office will be funded at \$2,721 thousand with 18.3 FTE, and the EAB office will be funded at \$2,228 thousand with 15.4 FTE. By adjudicating disputed matters, the ALJs and EAB will further the EPA's long-term strategic goals of protecting human health and the environment in FY 2009. The EAB issues final Agency decisions in environmental adjudications on appeal to the Board. These decisions are the end point for appeals in the Agency's administrative enforcement and permitting programs. The right of affected persons to appeal these decisions within the Agency is conferred by various statutes, regulations and constitutional due process rights. The ALJs will preside in hearings and issue initial decisions in cases brought by EPA's enforcement program against those accused of environmental violations under various environmental statutes.

The Agency has sought efficiencies in this process. The ALJs have increased their use of alternative dispute resolution techniques to facilitate the settlement of cases and, thereby,

avoided more costly litigation. The EAB and ALJs also use videoconferencing technology to reduce expenses for parties involved in the administrative litigation process.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-1.0 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities.
- (-\$229.0) This change reflects the 1.56% rescission to all program projects combined with small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

CERCLA; FIFRA; CWA; CAA; TSCA; RCRA; SDWA; EPCRA; as provided in Appropriations Act funding.

Alternative Dispute Resolution

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$970.5</i>	<i>\$1,175.0</i>	<i>\$1,160.0</i>	<i>\$1,264.0</i>	<i>\$104.0</i>
Hazardous Substance Superfund	\$1,020.6	\$837.0	\$825.0	\$846.0	\$21.0
Total Budget Authority / Obligations	\$1,991.1	\$2,012.0	\$1,985.0	\$2,110.0	\$125.0
Total Workyears	6.6	7.3	7.3	7.3	0.0

Program Project Description:

The Agency's General Counsel and Regional Counsel Offices will provide environmental Alternative Dispute Resolution (ADR) services.

FY 2009 Activities and Performance Plan:

In FY 2009, the Agency will 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. Under EPA's ADR Policy, 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 multiple strategic objectives. Currently, there are no performance measures for this specific Program.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$53.0) This reflects an increase for payroll and cost of living for existing FTE.

- (+\$51.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

EPA's General Authorizing Statutes.

Civil Rights / Title VI Compliance

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$10,796.0</i>	<i>\$11,240.0</i>	<i>\$11,065.0</i>	<i>\$11,097.0</i>	<i>\$32.0</i>
Total Budget Authority / Obligations	\$10,796.0	\$11,240.0	\$11,065.0	\$11,097.0	\$32.0
Total Workyears	71.1	70.0	70.0	68.5	-1.5

Program Project Description:

EPA’s Office of Civil Rights provides policy direction and guidance on equal employment opportunity, civil rights, affirmative employment and diversity issues for the Agency’s program offices, Regional offices and laboratories. EPA’s Civil Rights Programs include Title VI compliance and review; intake and processing of complaints of discrimination from Agency employees and applicants for employment under Title VII; implementation of processes and programs in support of reasonable accommodation and Minority Academic Institutions (MAIs); and diversity initiatives, especially those related to issues on ageism and sexual orientation. Program functions include accountability for implementation, program evaluation and compliance monitoring of the Civil Rights Act of 1964 (Titles VI, VII, IX), and legislative requirements and executive orders covering civil rights, affirmative employment, disability, and MAIs. The program also interprets policies and regulations, ensures compliance with civil rights laws, Equal Employment Opportunity Commission (EEOC) regulations, and equal employment initiatives, and upholds the civil rights of EPA employees and prospective employees as required by Federal statutes and Executive Orders. EPA’s Office of Civil Rights provides policy direction and guidance on equal employment opportunity, civil rights, affirmative employment and diversity issues for the Agency’s program offices, Regional offices and laboratories.

FY 2009 Activities and Performance Plan:

The FY 2009 funding amounts for the Office of Civil Rights in Headquarters will be \$7,656 thousand with 39.5 FTE and the Regional portion will be funded at \$3,441 thousand with 29.0 FTE. In FY 2009, the Office of Civil Rights will focus on its core mission, to insure the fair and equitable treatment of all employees and applicants, and to foster an environment in which diversity is recognized as a valuable resource within the Agency as a whole. EPA expects to conduct compliance reviews of five recipients of EPA financial assistance in FY 2009. The

Agency's Civil Rights External Compliance Program also expects to improve its processing of external complaints.

In FY 2009, the Agency will:

- Work with the U.S. Department of Justice, Department of Health and Human Services and the Department of Education on issues regarding discrimination on the basis of age, sex, and other factors, as well as working with other Federal agencies that may simultaneously receive discrimination complaints from the same complainant regarding a particular recipient agency.
- Work to reduce employment complaints while completing all new discrimination complaints within required time frames.
- Ensure that certification training and guidance is provided to more than 100 EEO Counselors in the Agency's Regional offices per year. The Agency will continue to train EEO Officers in the Discrimination Complaint Tracking System, and provide technical assistance as needed.
- Examine ways to more effectively and efficiently reduce the number of pending complaints, increase the number of compliance reviews conducted, and improve recipient agencies civil rights programs through guidance and/or training.
- Monitor and evaluate the effectiveness of the Reasonable Accommodation process. Continue to provide technical assistance to managers, supervisors, employees and the designated Local Reasonable Accommodation Coordinators, in the form of expert training and consultation by the Northeast Regional Application Center, to insure efficient implementation of the policy and procedures.
- Monitor the Agency's compliance with various statutes, EEOC regulations, EPA policy and procedures related to the reasonable accommodation of qualified applicants and employees with disabilities.
- The Affirmative Employment and Diversity staff will provide programs that increase the cultural awareness of minorities and women; highlight the accomplishments of EPA employees involved in ensuring equal employment opportunity; support special emphasis programs and initiatives that involve management, unions, and community groups; meet on a regular basis with external and union officials to improve communication and relationships; and coordinate the development of recruitment and retention strategies.
- In FY 2009, the MAI program will conduct information exchange sessions with Agency managers from each Region and program office; meet with representatives from minority colleges; introduce representatives from minority colleges to appropriate Agency personnel; participate on interagency workgroups that support Federal assistance for minority colleges; and facilitate constructive dialogues that will advance the goals of the MAI program.

As a result of these activities, the Agency's mission and cornerstone themes will be supported by a workforce that is motivated, treated in a fair and non-discriminatory manner and produce positive outcomes with respect to the Agency's goals.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$81.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$49.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.
- (-1.5 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities.

Statutory Authority:

CRA VII, as amended; FWPCA amended; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1975; Rehabilitation Act of 1974, as amended; ADA as amended; OWBPA as amended; ADEA as amended EEOC Management Directive 715; Executive Orders 13163, 13164, 13078, 13087, 13171, 11478, 13125, 13096, 13230, 13256 February 12, 2002 (HBCUs), 13270 July 3, 2002 (Tribal Colleges), 13339 May 13, 2004 (Asian American Participation in Federal Programs).

Legal Advice: Environmental Program

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$38,242.4</i>	<i>\$39,366.0</i>	<i>\$39,480.0</i>	<i>\$39,925.0</i>	<i>\$445.0</i>
Hazardous Substance Superfund	\$826.8	\$606.0	\$740.0	\$631.0	(\$109.0)
Total Budget Authority / Obligations	\$39,069.2	\$39,972.0	\$40,220.0	\$40,556.0	\$336.0
Total Workyears	240.8	247.2	247.2	247.2	0.0

Program Project Description:

The Agency's General Counsel and Regional Counsel Offices will provide legal representational services, legal counseling and legal support for all Agency environmental activities.

FY 2009 Activities and Performance Plan:

In FY 2009, legal advice to environmental programs will include litigation support representing EPA and providing litigation support in cases where EPA is a defendant, as well as those cases where EPA is not a defendant, but may have an interest in the case. Legal advice, counsel, and support are necessary for Agency management and program offices on matters involving environmental issues including, for example, providing interpretations of, and drafting assistance on, relevant and applicable laws, regulations, directives, policy and guidance documents, and other materials.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$1,892.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$707.0) This change reflects restoration of the 1.56% rescission to all program projects combined with several changes in IT, travel or other support costs.

- (-\$740.0) This change reduces a congressionally directed increase in the FY 2008 Omnibus. Support efforts for agency programs can be implemented at the requested level.

Statutory Authority:

EPA's General Authorizing Statutes.

Legal Advice: Support Program

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$12,435.8</i>	<i>\$13,986.0</i>	<i>\$14,117.0</i>	<i>\$14,442.0</i>	<i>\$325.0</i>
Total Budget Authority / Obligations	\$12,435.8	\$13,986.0	\$14,117.0	\$14,442.0	\$325.0
Total Workyears	81.0	85.3	85.3	85.3	0.0

Program Project Description:

The General Counsel and the Regional Counsel Offices provide legal representational services, legal counseling and legal support for all activities necessary for the operation of the Agency.

FY 2009 Activities and Performance Plan:

In FY 2009, legal representational services, legal counseling and legal support will be provided for all Agency activities as necessary for the operation of the Agency (i.e., contracts, personnel, information law, ethics and financial/monetary issues). Legal services include litigation support representing EPA and providing litigation support in cases where EPA is a defendant as well as those cases where EPA is not a defendant, but may have an interest in the case. Legal advice, counsel and support are necessary for Agency management and administrative offices on matters involving actions affecting the operation of the Agency, including, for example, providing interpretations of relevant and applicable laws, regulations, directives, policy and guidance documents, and other materials.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$708.0) This reflects increase for payroll and cost of living for existing FTE.

- (-\$383.0) This change reflects restoration of the 1.56% rescission to all program projects combined with several technical changes such as realignment of IT, travel or other support costs across programs. Funds will support legal analyses and operations in FY 2009.

Statutory Authority:

EPA's General Authorizing Statutes.

Regional Science and Technology

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$3,399.8	\$3,574.0	\$3,518.0	\$3,318.0	(\$200.0)
Total Budget Authority / Obligations	\$3,399.8	\$3,574.0	\$3,518.0	\$3,318.0	(\$200.0)
Total Workyears	3.5	3.0	3.0	2.0	-1.0

Program Project Description:

The Regional Science and Technology (RS&T) program supports the purchase of equipment for use by Regional laboratories, field investigation teams, and mobile laboratory units, as well as that required for laboratory quality assurance and quality control. Regional laboratories provide essential expertise in ambient air monitoring, analytical pollution prevention, and environmental biology, microbiology, and chemistry. Centers of Applied Science for specialty work have been established in these areas as well. In recent years, EPA has made significant strides toward improving data collection and analytical capacity to strengthen science based decision making. Funding for necessary equipment is essential for continued progress.

RS&T activities support all of the Agency's national programs and goals, especially enforcement, by supplying ongoing laboratory analysis, field sampling support, and Agency efforts to build Tribal capacity for environmental monitoring and assessment. The RS&T program provides in-house expertise and technical capabilities in the generation of data for Agency decisions. RS&T organizations support the development of critical and timely environmental data and data review activities in emerging situations.

FY 2009 Activities and Performance Plan:

In FY 2009, RS&T resources will support Regional implementation of the Agency's statutory mandates through: *field operations* for environmental sampling and monitoring; *Regional laboratories* for environmental analytical testing; *quality assurance* oversight and data management support; and *environmental laboratory accreditation*. Direct laboratory support also increases efficiencies in Regional program management and implementation.

The Agency will stay abreast of rapidly changing technologies (i.e., new software, instrumentation, and analytical capability such as Polymerase Chain Reaction Technology) that

allow EPA to analyze samples more cost effectively and/or detect lower levels of contaminants, and to assay new and emerging contaminants of concern, such as endocrine disruptors, perchlorate, mercury, and chemical weapons and their degradation products. In accordance with new policy directives, including those related to Homeland Security, the Agency will enhance laboratory capacity and capability to ensure that its laboratories implement critical environmental monitoring and surveillance systems, develop nationwide laboratory networks, and develop enhanced response, recovery and cleanup procedures.

The Agency recognizes the value of accredited labs and continues to work toward the accreditation of all of its labs. The National Environmental Laboratory Accreditation Conference/Program ensures continued confidence that our environmental testing laboratories at the Federal, state, local, private and academic levels are qualified to produce data supporting environmental compliance at all levels within the regulatory community. The Agency's Laboratory Competency Policy, established in 2004, requires all Agency laboratories to seek accreditation or equivalent external assessments, if no suitable accreditation program is available (such as for research activities). In FY 2009 Regional laboratories will sustain existing accreditations or seek accreditation, according to their approved Implementation Plan.

EPA's Regional laboratories contribute to various aspects of the Agency's PART measures in each of the major Agency programs. The Civil and Criminal Enforcement PART measures are supported through significant technical and analytical activities for civil enforcement, cases including the Resource Conservation and Recovery Act, Toxic Substances Control Act and Superfund programs. The laboratories analyze samples associated with a variety of activities including unpermitted discharges, illegal storage and/or disposal of hazardous wastes, and illegal dumping. Resulting data are then used by the Agency's Criminal Investigation Division and by Assistant U.S. Attorneys to support prosecution cases.

Laboratory equipment such as Standard Reference Photometers are used to ensure, for example, that the national network of ozone ambient monitors accurately measure ozone concentrations in support of Mobile Source and Air Toxics PART measures. Nearly 60 percent of the analyses performed by Regional laboratories support the cleanup of uncontrolled or abandoned hazardous waste sites associated with the Superfund program. Analytical support also is provided for identifying and assessing risks associated with pesticides and other high risk chemicals.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$118.0) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with a reduction based on a recalculation of base workforce costs.

- (-\$100.0) This decrease represents anticipated savings accomplished through more efficient laboratory management and administrative practices, and automation changes that will encourage more economically efficient laboratory resource utilization.
- (+\$18.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.
- (-1.0 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills, and Agency priorities.

Statutory Authority:

CWA; CAA; TSCA; CERCLA; SDWA; PPA; RCRA; FIFRA.

Regulatory Innovation

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Healthy Communities and Ecosystems

Objective(s): Communities

Goal: Compliance and Environmental Stewardship

Objective(s): Improve Environmental Performance through Pollution Prevention and Other Stewardship Practices

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$22,498.4	\$23,866.0	\$21,327.0	\$24,405.0	\$3,078.0
Total Budget Authority / Obligations	\$22,498.4	\$23,866.0	\$21,327.0	\$24,405.0	\$3,078.0
Total Workyears	112.4	106.7	106.7	106.6	-0.1

Program Project Description:

Increasingly, complex environmental problems – such as poor water quality, rising levels of urban smog, and the need for cost effective solutions to national water infrastructure issues – require the Agency to find new ways to leverage partnership opportunities with states, local communities, and businesses to produce better environmental results at lower costs. The testing of innovative, new ideas and creative approaches is critical to continued environmental progress and to building the next generation of environmental protection – one that focuses more on results and less on process; emphasizes environmental protection, not just pollution control; and takes a comprehensive approach to environmental problem-solving that will lead to sustainable outcomes.

As EPA works collaboratively with external partners to test new approaches to environmental protection, the Agency has a responsibility to understand and act on the environmental results that its programs achieve. Moving towards a "results-driven organization," EPA needs to analyze performance information collected through established Agency processes and requirements in a timely manner and use the information to inform Agency decisions. Through performance analysis and program evaluation, the Agency will be able to integrate innovations and best practices into the way it does business.

Through public recognition, incentives, and help in overcoming regulatory barriers, the Agency promotes environmental stewardship in all parts of society. EPA encourages and enables companies, communities, individuals, and other governmental organizations to actively take responsibility for their environmental footprint and commit to improving environmental quality and achieving sustainable results. The Agency also supports and encourages efforts to improve environmental performance "beyond compliance" with regulatory requirements as a means to

achieve long-term, system-wide environmental protection goals. Through regulatory innovation, EPA is establishing the building blocks for a future, more effective system of environmental protection.

FY 2009 Activities and Performance Plan:

In FY 2009, Regulatory Innovation activities will include:⁴²

National Environmental Performance Track: Performance Track recognizes and encourages private and public facilities to demonstrate strong environmental performance and achieve measurable results that go beyond current requirements. In FY 2009, the program will focus on meeting its three-year leadership goal of 550 members (current member total is 496); increase the program's business value for members and prospective members; implement incentives and provide information that enable facilities to reach higher levels of environmental performance; and focus further on achieving significant environmental results that reflect the Agency's priorities. The Performance Track program will improve the usability and breadth of performance information, implement national and regional challenge commitments, and leverage state environmental leadership programs by better aligning Performance Track with the approximately 22 similar state programs. (Total EPA cost, including salary is \$7,175 thousand with 33 FTE.)

State Innovation Grants (SIG): These competitive grants provide resources to assist states in implementing system-wide innovative environmental protection strategies that are transferable to other states. Examples include establishment of recognition programs for environmental leaders, promotion of environmental management systems, and implementation of the Environmental Results Program model. The model is an integrated system of multi-media compliance assistance, self-certification, and statistically-based performance measurement. It helps small business sectors improve environmental performance and creates the means for more efficient oversight. In FY 2009, EPA anticipates making up to eight awards. Since 2002, EPA has supported 35 projects with grants awarded to 24 states through the State Innovation Grant program. (Total EPA cost, including salary is \$3,008 thousand with 12 FTE.)

Innovative Pilot Testing: While State Innovation grants are the primary mechanism for the development and implementation of strategic innovations, pilot testing of promising new ideas is conducted through a variety of additional mechanisms. Examples include organizing the development and issuance of flexible air permits (in partnership with EPA's Air and Radiation program and Performance Track); providing technical assistance and information to states that are adopting, or considering, the Environmental Results Program as a means of regulating small sources; providing a forum for information-sharing among states experimenting with the use of environmental management systems (EMSs) in permits; and providing technical assistance to the states in evaluating the results of those experiments. (Total EPA cost, including salary \$2,031 thousand with 15 FTE.)

Environmental Management Systems (EMS): EMSs are internal decisional tools that business and industry use to identify their "environmental footprint," and to reduce their environmental

⁴² For more information, please see <http://www.epa.gov/opei/>.

impacts while increasing operating efficiency. EPA will provide leadership and coordination with other agencies, states, industry, and governmental organizations on promoting the widespread use of EMSs to protect the environment. EMS implementation supports the President's Management Agenda goal of improved efficiency and performance in the Federal government. EPA will strengthen national EMS implementation programs in several key sectors, including agribusiness, construction, shipbuilding and ports. (Total EPA cost, including salary is \$1,600 thousand with 4 FTE.)

Sector Strategies Program: This program supports EPA's mission by developing comprehensive performance improvement strategies for major manufacturing and service sectors of the U.S. economy, designed to promote widespread environmental gains with reduced administrative burden. In FY 2009, there will be at least 13 participating sectors, including agribusiness; chemical manufacturing; construction; pulp and paper; steel; oil and gas; and ports, representing more than 800,000 facilities nationwide. The program will focus greater attention on priority issues such as energy production and efficiency, greenhouse gas emissions, and material recovery/reuse. The program will reduce performance barriers and promote industry-wide stewardship initiatives, such as the Mercury Switch Removal Program. The program will enhance its strong focus on environmental results through expanded analysis of sector-wide trends, presented in *Sector Strategies Performance Reports*. (Total EPA cost, including salary is \$3,316 thousand with 14.9 FTE.)

Program Evaluation and Performance Analysis: Resources are consolidated for program evaluation to help assess whether program outputs are leading to desired outcomes and promoting continuous program improvement. In FY 2009, through an annual Program Evaluation Competition managed by the National Center for Environmental Innovation, resources will be provided to EPA programs and Regional offices to conduct evaluations of priority programs. Specific consideration is given to evaluations that further the Government Performance and Results Act, Program Assessment Rating Tool (PART) and innovation priorities. Program evaluation and performance measurement capacity are also built through performance management training provided to EPA staff and managers. Performance analysis helps the Agency answer the questions of "what," "how," and "why" related to program performance: what are others achieving; how are they achieving them; and why are some achieving better results than. (Total EPA cost, including salary is \$2,555 thousand with 7.7 FTE.)

Building Stronger Communities: The Smart Growth program achieves measurably improved environmental and economic outcomes by working with states, communities, industry leaders, and nonprofit organizations to minimize the environmental impacts of development. The program provides tools, technical assistance, education, and research to help states and communities grow in ways that minimize environmental and health impacts of development patterns and practices. The Smart Growth program shows community and government leaders how they can meet environmental standards through innovative community design and identifies and researches new policy initiatives to support environmentally friendly development patterns. EPA engages the architecture, transportation, construction, residential and commercial real estate industries to identify and remove barriers to growth and to improve the economy, community, public health, and the environment. In FY 2009, EPA plans to build upon its work in outreach

and direct implementation assistance. EPA will provide national best practices to communities and use its local, on-the-ground work to communicate its national research and policy agenda. EPA has identified four areas as offering the greatest potential for strategic environmental returns: (1) state and local Governments; (2) standard-setting organizations; (3) Federal government; and, (4) the Private Sector. (Total EPA cost including salary is \$2,817 thousand with 14.9 FTE.)

Environmental Stewardship: EPA will continue activities that more fully engage all parts of society (businesses, communities, all levels of governments, and individuals) in actions that improve environmental quality and achieve sustainable results. As a follow-up to the White House Conference on Cooperative Conservation, EPA has overall Federal leadership for: (1) assessing legal authorities that hinder collaborative approaches, (2) seeking ways to improve implementation of the Federal Advisory Committee Act to gain multi-stakeholder consensus on controversial issues, and (3) providing information to assist in improving public engagement in controversial and complex environmental issues that need resolution in a geographic area. EPA plans to improve the management of its partnership programs through technical support, training and skill building around program design, measurement, and evaluation. Additional support will be provided to Agency stewardship priorities – for design and operation of site-specific projects in the regions, and for incorporation in national program policies. (Total EPA cost, including salary is \$1,903 thousand with 8 FTE.)

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	75 percent of innovation projects completed under the SIG program will achieve, on average, 8 percent or greater implementation in environmental results for sectors and facilities involved, or 5 percent or greater implementation in cost-effectiveness & efficiency.			75	75	Percentage

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Reduce hazardous materials use at Performance Track facilities.			10,000	10,000	Tons

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Reduce water use at Performance Track facilities.			3,900,000,000	3,900,000,000	Gallons

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Reduce combined NOx, SOx, VOC and PM emissions at Performance Track facilities.			4,000	4,000	Tons

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Reduce production of greenhouse gases at Performance Track facilities.			175,000	175,000	MTCO2E

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Reduce toxic releases to water at Performance Track facilities.			220	220	Tons

Work under this program supports EPA's Objective 5.2: Improve Environmental Performance Through Pollution Prevention and Other Stewardship Practices.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$465.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$800.0) These resources are consolidated from across the Agency to create a central coordination point to support the development of a robust evaluation capability in performance management.
- (-\$880.0) This decrease reflects the integration of regulatory innovation and other collaborative partnerships into existing programs throughout the Agency. In FY 2009, the Agency also will shift its Sector Strategies focus and resources to larger business sectors, and will reduce the annual number of State Innovation grants awarded.
- (+\$2,355.0) This change reflects the restoration of a reduction directed by Congress for FY 2008. The restored resources will provide tools, technical assistance, education, and

research to help states and communities grow in ways that minimize environmental and health impacts of development patterns and practices.

- (+\$338.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs. Funding will support the innovation program.
- (-0.1 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities.

Statutory Authority:

Annual Appropriations Acts; CWA, Section 104(b)(3); CAA, Section 104(b)(3).

Regulatory/Economic-Management and Analysis

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$17,755.0</i>	<i>\$20,104.0</i>	<i>\$16,381.0</i>	<i>\$20,588.0</i>	<i>\$4,207.0</i>
Total Budget Authority / Obligations	\$17,755.0	\$20,104.0	\$16,381.0	\$20,588.0	\$4,207.0
Total Workyears	99.4	104.2	104.2	104.2	0.0

Program Project Description:

EPA’s regulations and programs have far-ranging impacts and must be based on the best possible analyses. The Regulatory Economic, Management and Analysis program is designed to strengthen EPA’s policy and program analysis, and ensure EPA’s managers are provided with timely regulatory, policy and program management information. Activities are designed to ensure that the Administrator and other senior EPA leaders have sound analyses for decision-making. The program works to fill gaps in EPA’s ability to quantify the costs and benefits of environmental regulations and policies and improve operations and outcomes based on program and performance analyses. Resources are used to develop and analyze various regulatory and non-regulatory approaches; develop and evaluate policy options; identify successful approaches; address priority problem areas; and to target specific areas of concern, such as small businesses. A particular area of emphasis is providing management information on regulation and policy development and program management to ensure better managerial accountability. An increased effort will be placed on improving program operations.

Objectives of the program include:

- Ensuring that Agency decision-making processes are invested with high quality and timely information so that appropriate consideration is given to all relevant science, economic, and policy factors and to ensure consideration of an appropriate range of alternatives to achieve the best overall environmental results.
- Advancing the theory and practice of quality economics, and promoting policy analysis and risk analysis within the Agency.
- Providing information on the full societal impacts of reducing environmental risks, including the costs and benefits of regulatory options.

- Supporting the development of regulatory and policy alternatives, especially economic incentives as an environmental management tool.
- Confirming and maintaining the accuracy and consistency of EPA's economic analyses, while promoting the use of economic, science, regulatory and program analysis to inform management decisions throughout the Agency.
- Leading Agency implementation of the Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA), and advocating for appropriate Small Business outreach and accommodation in EPA rulemaking to address unnecessary burdens on small entities.
- Promoting appropriate implementation of the Administrative Procedure Act and the Paperwork Reduction Act.

FY 2009 Activities and Performance Plan:

Program activities planned for FY 2009 include:

- Participating in the development of the Administrator's priority actions, reviewing economic and risk analyses conducted across EPA offices, and providing technical assistance when needed to help meet Agency goals. The Agency also will continue to chair the Small Business Advocacy Panels.
- Conducting and supporting research on methods to improve the quality and quantity of economic science available to inform the Agency's decision-makers, including management of the Science to Achieve Results in the Economic and Decision Sciences research program. Research priorities include estimation of the economic value of improvements in human health and welfare, integration of ecological and economic models to value improvements in ecological functions and services and improvements in other data collection techniques used to measure economic costs and benefits. The Agency also will establish effective management systems to improve the quality and consistency of EPA's economic and risk assessment studies.
- Supporting data collection and the dissemination of information on the economic benefits, costs and impact of environmental regulations, including for example, examining pollution abatement and control expenditures by U.S. manufacturing industries.⁴³
- Providing training on the Agency's Action Development process, Economic Analysis Guidelines and related requirements (e.g., OMB Circular A-4). EPA will review and revise its economic guidelines so that they remain current with advancements and reflect best practices in the profession.⁴⁴

⁴³ Please refer to: <http://www.census.gov/econ/overview/mu1100.html>

⁴⁴ Please refer to: <http://yosemite.epa.gov/ee/epa/eed.nsf/webpages/Guidelines.html>;

- Facilitating communication between the scientific community and Agency policy analysts by supporting workshops on priority economic and environmental policy issues, (e.g., benefits valuation, market mechanisms and incentives, and treatment of uncertainties in risk and economic analyses⁴⁵). Support the utilization of high-quality outside technical peer review of influential economic models and methods used in Agency regulations.
- Improving the availability of management information.
- Conducting program analysis and seeking to improve operations and environment outcomes.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$353.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$3,553.0) This change reflects the restoration of a reduction taken to this program directed by Congress in FY 2008. Funding is needed to support research on methods to improve the quality and quantity of economic science available Agency’s decision-makers.
- (+\$301.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

TSCA sections 4, 5, and 6 (15 U.S.C. 2603, 2604, and 2605); CWA sections 304 and 308 (33 U.S.C. 1312, 1314, 1318, 1329-1330, 1443); SDWA section 1412 (42 U.S.C. 210, 300g-1); RCRA/HSWA: (33 USC 40(IV)(2761), 42 USC 82(VIII)(6981-6983)); CAA: 42 USC 85(I)(A)(7403, 7412, 7429, 7545, 7612); CERCLA: 42 USC 103(III)(9651); PPA (42 U.S.C. 13101-13109); FTTA.

⁴⁵ For more information on these workshops, please refer to:
<http://yosemite.epa.gov/ee/epa/eed.nsf/webpages/WorkshopSeries.html>.

Science Advisory Board

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$4,983.3	\$4,790.0	\$4,727.0	\$5,083.0	\$356.0
Total Budget Authority / Obligations	\$4,983.3	\$4,790.0	\$4,727.0	\$5,083.0	\$356.0
Total Workyears	25.6	22.3	22.3	22.3	0.0

Program Project Description:

To ensure that EPA's scientific and technical products are of the highest quality, the Agency's Science Advisory Board (SAB) provides independent, in-depth peer review of EPA's analyses and methods. The Board draws on a balanced range of non-EPA scientists and technical specialists from academia, communities, states, independent research institutions, and industry. This program provides administrative support to 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. These Advisory committees are charged with providing EPA's Administrator with independent advice and peer review on scientific and technical aspects of environmental problems, regulations and research planning.⁴⁶

FY 2009 Activities and Performance Plan:

The Agency brings all of its important scientific products to the SAB as well as emerging and challenging research issues. In FY 2009, the Board will provide scientific and technical advice on 20 key topical areas related to: (1) the technical basis of EPA national standards for air pollutants and water contaminants; (2) risk assessments of major environmental contaminants; (3) economic benefits analyses of EPA's environmental programs; and (4) EPA's research and science programs.

Performance Targets:

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

⁴⁶ Please refer to: <http://www.epa.gov/sab/>.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$250.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$106.0) This change reflects the restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

ERDDAA; 42 U.S.C. § 4365; FACA, 5 U.S.C. App. C; 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

Facilities Infrastructure and Operations
Program Area: Operations and Administration

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$327,954.1</i>	<i>\$303,728.0</i>	<i>\$297,189.0</i>	<i>\$311,068.0</i>	<i>\$13,879.0</i>
Science & Technology	\$32,886.2	\$73,859.0	\$72,707.0	\$74,884.0	\$2,177.0
Building and Facilities	\$28,672.1	\$26,931.0	\$26,511.0	\$26,931.0	\$420.0
Leaking Underground Storage Tanks	\$848.5	\$901.0	\$887.0	\$902.0	\$15.0
Oil Spill Response	\$500.4	\$490.0	\$488.0	\$496.0	\$8.0
Hazardous Substance Superfund	\$70,265.0	\$74,956.0	\$73,787.0	\$76,270.0	\$2,483.0
Total Budget Authority / Obligations	\$461,126.3	\$480,865.0	\$471,569.0	\$490,551.0	\$18,982.0
Total Workyears	399.2	415.9	415.9	410.6	-5.3

Program Project Description:

EPM resources in the Facilities Infrastructure and Operations program are used to fund rent, utilities, and security, and also to manage activities and support services in many centralized administrative areas at EPA. These include health and safety, environmental compliance, occupational health, medical monitoring, fitness/wellness, and environmental management functions. Resources for this program also support a full range of ongoing facilities management services, including facilities maintenance and operations; Headquarters security; space planning; shipping and receiving; property management; printing and reproduction; mail management; and transportation services. Because this program supports the entire agency, funds are included in most appropriations. Because this program supports the entire Agency, funds are included in most appropriations.

FY 2009 Activities and Performance Plan:

For FY 2009, the Agency is requesting a total of \$164,866 thousand for rent; \$11,333 thousand for utilities; \$25,676 thousand for security; \$9,381 thousand for transit subsidy; and \$6,437 thousand for regional moves in the EPM appropriation. The Agency also 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 Agency reviews space needs on a regular basis, and is developing 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.

These resources also help to improve operating efficiency and encourage the use of new, advanced technologies and energy sources. 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) 13423⁴⁷, *Strengthening Federal Environmental, Energy, and Transportation Management*. Additionally, the Agency will attain the Executive Order’s goals 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 buildings. In FY 2009, we plan to reduce energy utilization (or improve energy efficiency) by approximately 190.5 billion British Thermal Units. Based on current energy rates and including an inflation factor of 4 percent we estimate a net savings to the Agency of approximately \$1.84 million.

EPA will provide transit subsidy to eligible applicants as directed by EO 13150⁴⁸ *Federal Workforce Transportation*. EPA will continue its integration of Environmental Management Systems (EMS) across the Agency, consistent with requirements of Executive Order 13423⁴⁹. EPA will advance the implementation of Safety and Health Management Systems to identify and mitigate potential safety and health risks in the workplace to ensure a safe working environment.

Further, the Agency’s Protection Services Detail (PSD) provides physical protection of 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 (i.e., scheduling, local support, travel arrangements, special equipment) needed to carry out its protective function.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Cumulative percentage reduction in energy consumption.	9	6	9	12	Percent

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$334.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$204.0) This reflects an increase in resources for transit subsidy.

⁴⁷ Information available at <http://www.fedcenter.gov/programs/eo13423/>

⁴⁸ Additional information available at <http://ceq.eh.doe.gov/nepa/regs/eos/eo13150.html>

⁴⁹ Information available at <http://www.fedcenter.gov/programs/eo13423/>

- (+\$3,605.0) This increase reflects the net of projected savings in rent and the restoration of Congressionally directed cut in fixed costs as well as the 1.56% rescission in FY 2008 Omnibus. These funds will fund the projected contractual rent increases in FY 2009.
- (+\$3,251.0) This increase will provide additional resources for increases in utility costs. This total includes the restoration of the 1.56% rescission to all program projects.
- (+\$727.0) This increase will provide additional resources for increases in security costs. This total includes the restoration of the 1.56% rescission to all program projects.
- (+\$1,620.0) This change reflects the balance of the 1.56% rescission to all program projects resources requested that are used to fund priority facility support costs.
- (+\$1,676.0) This represents an increase in funding for IT and telecommunication resources.
- (-18.8 FTE) This change reflects transfers to the Human Resources program, in response to an increased workload in human capital and human resources; a transfer of Competitive Sourcing functions to the Acquisition Management program (4.0 FTE); and a transfer of workforce mediation functions and the Human Resources program (4.0 FTE).
- (+\$1,461.0/ +9.0 FTE) This increase reflects the net base workforce cost for a shift of 9.0 FTE for the Protection Services Detail.
- (+\$1,001.0) This increase shifts non-payroll dollars for the Protection Services Detail, which provides physical protection to the EPA Administrator. These resources will be consolidated with other Agency security resources in the Facilities Infrastructure and Operations program project. Resources are being consolidated from other program projects. This is a zero sum transaction.

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; EPACT 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).

Central Planning, Budgeting, and Finance
Program Area: Operations and Administration

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$64,431.2</i>	<i>\$74,960.0</i>	<i>\$73,949.0</i>	<i>\$80,623.0</i>	<i>\$6,674.0</i>
Leaking Underground Storage Tanks	\$812.6	\$1,102.0	\$1,085.0	\$1,131.0	\$46.0
Hazardous Substance Superfund	\$20,428.7	\$24,306.0	\$24,008.0	\$26,102.0	\$2,094.0
Total Budget Authority / Obligations	\$85,672.5	\$100,368.0	\$99,042.0	\$107,856.0	\$8,814.0
Total Workyears	519.9	530.0	530.0	538.1	8.1

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. Also included is 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. (Refer to <http://www.epa.gov/ocfo/functions.htm> for additional information).

FY 2009 Activities and Performance Plan:

The Agency works to ensure sound financial and budgetary management 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 measurements has led to better understanding of program impacts as well as leverage points to increase effectiveness.

EPA will continue efforts to modernize the Agency's financial systems and business processes. The Agency is working to replace its legacy accounting system and related modules with a new system certified to meet the latest government accounting standards. This extensive modernization effort will allow the Agency to improve efficiency and automate quality control functions to simplify use of the system as well as comply with Congressional direction and new Federal financial systems requirements. This work is framed by the Agency's Enterprise Architecture and will make maximum use of enabling technologies for e-Gov initiatives including e-Procurement, e-Payroll, and e-Travel.

EPA plans further improvements to its budgeting and planning system, financial data warehouse, business intelligence tools and reporting capabilities. These improvements will support EPA's "green" score in financial performance on the President's Management Agenda (PMA) scorecard by providing more accessible data to support accountability, cost accounting, budget and performance integration, and management decision-making.

In FY 2009, EPA will continue to strengthen its accountability and effectiveness of operations through improved coordination and integration of internal control assessments as required under Revised OMB Circular A-123. Improvements in internal controls will further support EPA's PMA initiatives for improved financial performance.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$1,666.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$3,520.0) This increase is to cover revised estimates of the expected FY 2009 expenditures for the Financial Replacement System (FinRS) Capital Investment project.
- (+\$1,488.0) This change reflects restoration of the 1.56% rescission to all program projects combined with small technical changes such as realignment of IT, travel, or other support costs across programs. The restored funds will support continuity in provision of the financial services for the Agency and baseline financial systems operations.
- (+6.4 FTE⁵⁰) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities. The increased FTE will support the Agency's Presidential Management Agenda efforts in the areas of Budget Planning and Integration, Financial Management.

Statutory Authority:

Annual Appropriations Act; CCA; CERCLA; CSA; E-Government Act of 2002; EFOIA; EPA's Environmental Statutes, and the FGCAA; FAIR; Federal Acquisition Regulations, contract law and EPA's Assistance Regulations (40 CFR Parts 30, 31, 35, 40,45,46, 47); FMFIA(1982); FOIA; GMRA(1994); IPIA; IGA of 1978 and Amendments of 1988; PRA; PR; CFOA (1990); GPRA (1993); The Prompt Payment Act (1982); Title 5, USC; National Defense Authorization Act.

⁵⁰ The total increase in workyears for this program, as shown in the resource table above, includes two reimbursable FTE for e-Relocation services provided by EPA on behalf of other Federal agencies

Acquisition Management

Program Area: Operations and Administration

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$23,654.1</i>	<i>\$29,992.0</i>	<i>\$28,629.0</i>	<i>\$31,195.0</i>	<i>\$2,566.0</i>
Leaking Underground Storage Tanks	\$223.1	\$165.0	\$162.0	\$165.0	\$3.0
Hazardous Substance Superfund	\$19,129.3	\$24,645.0	\$24,327.0	\$24,985.0	\$658.0
Total Budget Authority / Obligations	\$43,006.5	\$54,802.0	\$53,118.0	\$56,345.0	\$3,227.0
Total Workyears	340.9	357.3	357.3	362.9	5.6

Program Project Description:

EPM resources in this program support contract and acquisition management activities at Headquarters, Regional Offices, Research Triangle Park, North Carolina, and Cincinnati, facilities. Sound contract management fosters efficiency and effectiveness assisting all of EPA's programs. EPA focuses on maintaining a high level of integrity in the management of its procurement activities, and in fostering relationships with state and local governments, to support the implementation of environmental programs.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue to implement its new acquisition system, scheduled to be deployed in FY 2010. The current Acquisition Management System has reached the end of its useful life. Staff increasingly spends time making the system work as opposed to using the system to accomplish their work. Further, the system itself is obsolete; and therefore an upgrade is not cost-efficient.

The new system will provide the Agency with a better, more comprehensive way to manage data on contracts that support mission-oriented planning and evaluation. This will allow the Agency to reach the President's Management Agenda (PMA) goals, E-Government (E-Gov) requirements, and the needs of Agency personnel, resulting in more efficient process implementation. The benefits of the new system are: (1) program offices will be able to track the progress of individual actions; (2) extensive querying and reporting capabilities will allow the Agency to meet internal and external demands, and (3) the system will integrate with the Agency's financial systems and government-wide shared services.

In addition, the Agency will utilize the Integrated Acquisition Environment (IAE), an E-Gov initiative that creates a secure business model that facilitates and supports cost-effective acquisition of goods and services by Federal agencies, while eliminating inefficiencies in the current acquisition environment. The program will also continue to implement new training requirements associated with the IAE and the new acquisition system.

Performance Targets:

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

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$2,264.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$90.0) This provides funding for the E-Government initiative Integrated Acquisition Environment—Loans and Grants.
- (+\$25.0) This increases funding for the EPA’s Acquisition E-Government initiative.
- (+\$187.0) This change reflects the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs. Funds will support the implementation of the acquisition management system.
- (+9.6 FTE) This change reflects EPA’s workforce management strategy that will help the Agency better align resources, skills and Agency priorities. The change includes a transfer of Competitive Sourcing functions from the Facilities, Infrastructure and Operations program, as well a realignment of Regional contract management workload.

Statutory Authority:

EPA’s Environmental Statutes; annual Appropriations Acts; FAR.

Financial Assistance Grants / IAG Management
Program Area: Operations and Administration

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$20,564.5	\$23,439.0	\$23,242.0	\$25,977.0	\$2,735.0
Hazardous Substance Superfund	\$2,671.4	\$3,049.0	\$3,001.0	\$3,116.0	\$115.0
Total Budget Authority / Obligations	\$23,235.9	\$26,488.0	\$26,243.0	\$29,093.0	\$2,850.0
Total Workyears	169.2	177.5	177.5	177.5	0.0

Program Project Description:

Grants and Interagency Agreements comprise over half of the Agency's budget. EPM resources in this program support activities related to the management of Financial Assistance Grants/Interagency Agreements (IAGs), and of suspension and debarment at Headquarters and within Regional offices. The key components of this program are ensuring that EPA's management of grants and IAGs 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 EPA's assistance agreements, and fostering relationships with state and local governments to support the implementation of environmental programs.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will achieve key objectives under its long-term Grants Management Plan.⁵¹ These objectives include strengthening accountability, competition and positive, measurable environmental outcomes, and aggressively implementing new and revised policies on at-risk grantees. The Grants Management Plan has provided 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. EPA will continue to reform grants management by conducting on-site and pre-award reviews of grant recipients and applicants, by improving systems support, by performing indirect cost rate reviews, by providing Tribal technical assistance, and by implementing its Agency wide training program for project officers, grant specialists, and managers. EPA also will continue to streamline Grants Management through the E-Government initiative Grants Management Line of Business (GM LoB). GM LoB

⁵¹ US EPA, *EPA Grants Management Plan*. EPA-216-R-03-001, April 2003, <http://www.epa.gov/ogd/EO/finalreport.pdf>.

offers government-wide solutions to grants management activities that promote citizen access, customer service, and agency financial and technical stewardship.

Performance Targets:

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

FY 2009 Change from the FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$970.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$1,550.0) This increase provides additional funding for the Grant Management Line of Business initiative, a government-wide solution to support end-to-end grants management activities that promote citizen access, customer service, and agency financial and technical stewardship. Funds are included to support modernization of current systems to accommodate new linkages.
- (+\$215.0) This change reflects restoration of the 1.56% rescission to all program projects combined with small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

EPA's Environmental Statutes; Annual Appropriations Acts; FGCAA; Section 40 CFR Parts 30, 31, 35, 40, 45, 46, and 47.

Human Resources Management
Program Area: Operations and Administration

Goal: Provide Agency-wide support for multiple goals to achieve their objectives. This support involves Agency-wide 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 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$39,740.2	\$40,175.0	\$39,760.0	\$43,646.0	\$3,886.0
Leaking Underground Storage Tanks	\$3.0	\$3.0	\$3.0	\$3.0	\$0.0
Hazardous Substance Superfund	\$5,203.0	\$5,036.0	\$4,969.0	\$5,063.0	\$94.0
Total Budget Authority / Obligations	\$44,946.2	\$45,214.0	\$44,732.0	\$48,712.0	\$3,980.0
Total Workyears	298.6	296.3	296.3	304.6	8.3

Program Project Description:

EPM resources in this program support activities related to the provision of human capital and human resources management services to the entire Agency. The Agency continually evaluates and improves human resource and workforce functions, employee development, leadership development, workforce planning, and succession management.

FY 2009 Activities and Highlights:

In FY 2009, the Agency will continue its efforts to strengthen its workforce by focusing on key areas to further develop our existing talent, and by strengthening our recruitment and hiring programs. EPA also remains committed to fully implementing *EPA's Strategy for Human Capital*⁵², which was issued in December 2003 and updated in 2005. As result of that review, the desired outcomes for each strategy were strengthened to focus on measurable results. In FY 2009, the Agency will continue its efforts to implement a Workforce Planning System:

- Closing competency gaps for Toxicology, Information Technology, Human Resources, Grant and Contract specialist positions, as well as leadership positions throughout the Agency.
- Shortening the hiring timeframes for the senior executives and non-SES positions through improved automation and enhancements to application process.

⁵² US EPA, *Investing in Our People II, EPA's Strategy for Human Capital*. Available at <http://www.epa.gov/oarm/strategy.pdf>

- Implementing innovative recruitment and hiring flexibilities that address personnel shortages in mission-critical occupations.

In FY 2009, the Agency will fully implement the Leadership and Professional Development Rotation Program (LPDRP), and the SES Mobility Program. The LPDRP provides employees with new perspectives on the work performed within EPA. The program will provide rotational opportunities for permanent EPA employees in grades GS-13 through GS-15 in order to create a versatile workforce that supports planning and strategic goals. The SES Mobility Program provides SES corps with opportunities to collaborate with seasoned executives in order to enhance leadership development skills.

As part of these activities, EPA will improve the effectiveness and efficiency of Agency human resources operations by establishing Shared Service Centers. These Shared Service Centers will process personnel and benefits actions for EPA's 17,000 employees, as well as vacancy announcements. The establishment of Human Resources Shared Service Centers reflects EPA's ongoing commitment to improve the effectiveness and efficiency of Agency operations. The Centers will enhance the timeliness and quality of customer service and standardize work processes.

In addition, EPA will continue to streamline human resources management by employing the E-gov initiative, Human Resources Line of Business (HR LoB). HR LoB offers government-wide, cost effective, standardized and interoperable HR solutions while providing core functionality to support the strategic management of Human Capital.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Average time to hire non-SES positions from date vacancy closes to date offer is extended, expressed in working days	28	45	45	45	Days

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	For SES positions, the average time from date vacancy closes to date offer is extended, expressed in working days	66	90	73	68	Days

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Agency Managers' satisfaction with the initial stages of the human resources hiring process, as measured by the average score across 4 questions in the OPM Management Hiring Satisfaction Survey.				90	Percent

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Maintenance and improvement of MCO employee competencies, as measured by proficiency levels of competencies in MCO's re-assessed in 2009.				80	Percent

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$2,869.0) This reflects an increase for payroll and cost of living for all FTE. This includes an increase for the Agency's rising workers compensation unemployment cost.
- (+\$500.0) This increase reflects the establishment of a permanent SES Mobility Program that will strengthen succession planning and support the Agency's workforce planning efforts.
- (+\$500.0) This increase reflects the establishment of the Leadership Development Rotation program, as part of a development program for GS-13, -14 and -15 level employees.
- (-\$500.0) This reflects a realignment of resources which, as part of a management strategy, will help EPA to better align resources with Agency high priority programs.
- (+\$50.0) This provides funding for the E-Government initiative Electronic Official Personal Files (E-OPF).
- (+\$467.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs. Funds will support human resources operations and policy efforts.

- (+8.3 FTE) This change reflects an increase in human resources and human capital management activities at EPA's Research Triangle Park, North Carolina, office, as well as a transfer of the Agency's Workforce Solutions program staff from the Facilities, Infrastructure and Operations program.

Statutory Authority:

Title V United States Code.

Program Area: Pesticides Licensing

Pesticides: Protect Human Health from Pesticide Risk

Program Area: Pesticides Licensing

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$0.0</i>	<i>\$62,514.0</i>	<i>\$61,819.0</i>	<i>\$60,606.0</i>	<i>(\$1,213.0)</i>
Science & Technology	\$0.0	\$3,294.0	\$3,250.0	\$3,453.0	\$203.0
Total Budget Authority / Obligations	\$0.0	\$65,808.0	\$65,069.0	\$64,059.0	(\$1,010.0)
Total Workyears	0.0	488.5	488.5	477.3	-11.2

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.”

EPA’s Pesticide program evaluates, assesses and reviews new pesticides before they reach the market and ensures that pesticides already in commerce are safe.⁵³ Under FIFRA, the Federal Food, Drug, and Cosmetic Act (FFDCA), and the Food Quality Act of 1996 that amended FIFRA and FFDCA, EPA is responsible for registration, and registration review of pesticides to protect consumers, pesticide users, workers who may be exposed to pesticides, children, and other sensitive populations. To make registration, and registration review decisions, EPA must balance the risks and benefits of using the pesticide. In establishing tolerances, or the maximum allowable pesticide residues on food or feed, EPA must consider cumulative and aggregate risks and ensure additional protection for children.

EPA began promoting reduced risk pesticides in 1993 by giving registration priority to pesticides that will have low impact on human health; low toxicity to non-target birds, fish, and plants; low potential for contaminating ground water; lower use rates; low pest resistance potential; and that also comport with Integrated Pest Management (IPM) approaches.⁵⁴ Several countries and international organizations have instituted programs to facilitate registering reduced risk pesticides. EPA works with the international scientific community and Organization for Economic Cooperation and Development (OECD) member countries to register 12 new reduced-

⁵³ See U.S. Environmental Protection Agency, Pesticides internet site: <http://www.epa.gov/pesticides/>. Washington, DC: Office of Pesticide Programs.

⁵⁴ See U.S. Environmental Protection Agency, Pesticides: Health and Safety, Reducing Pesticide Risk internet site: <http://www.epa.gov/pesticides/health/reducing.htm>.

risk pesticides and to establish related tolerances (maximum residue limits). Through these efforts, EPA can help to reduce risks to Americans from foods imported from other countries.

EPA's regional offices provide frontline risk management that ensures the decisions made during EPA's registration and reevaluation processes are implemented in pesticide use. An estimated 1.8 million agricultural workers could be exposed to pesticides, and millions of individuals use pesticides in occupations such as lawn care, healthcare, food preparation, and landscape maintenance.⁵⁵ Each year, the risk assessments that EPA conducts yield extensive risk-management requirements for hundreds of pesticides and uses. EPA continues 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 and outreach programs.

FY 2009 Activities and Performance Plan:

During 2009, EPA will continue to review and register new pesticides, new uses for existing pesticides, and other registration requests in accordance with FQPA standards and Pesticide Registration Improvement Renewal Act (PRIA 2) timeframes. EPA will continue to process these registration requests, with special consideration given to susceptible populations, especially children. Specifically, EPA will focus special attention on the foods commonly eaten by children, to reduce pesticide exposure to children where the science identifies potential concerns. Pesticide registration actions will continue to evaluate pesticide products before they enter the market.⁵⁶ 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.

In 2009, EPA will begin the review of 70 pesticides and complete final work plans for 60 through the Registration Review Program, and continue the review of pesticides for which dockets were opened and final work plans were completed in earlier years. Through Registration Review and REDe implementation, EPA will continue to ensure that pesticides meet current scientific standards and address concerns identified after the original registration.⁵⁷ The goal of the Registration Review program is to review pesticide registrations every 15 years to ensure that they meet the most current standards. As the program is implemented, EPA will continue to maintain the Agency's goal of ensuring that pesticides in the marketplace meet the latest health

⁵⁵ U.S. Department of Labor. March 2005. *Findings from the National Agricultural Workers Survey (NAWS) 2001 - 2002. A Demographic and Employment Profile of United States Farm Workers*, Research Report No. 9, Washington, DC: Office of the Assistant Secretary for Policy, Office of Programmatic Policy. Available on the internet at: <http://www.doleta.gov/agworker/naws.cfm>.

⁵⁶ See U.S. Environmental Protection Agency, Pesticides: Topical & Chemical Fact Sheets, Pesticide Registration Program internet site: <http://www.epa.gov/pesticides/factsheets/registration.htm>.

⁵⁷ See U.S. Environmental Protection Agency, Pesticide Tolerance Reassessment and Reregistration internet site: www.epa.gov/pesticides/reregistration.

and safety standards. Registration review will operate continuously, encompassing all registered pesticides.

The Agency will continue to ramp-up the Registration Review program and implement Reregistration Eligibility Decisions (REDs) associated with assessing human health. As part of RED implementation, EPA will continue to address activities vital to effective “real world” implementation of the RED requirements. These activities include reviewing product label amendments that incorporate the mitigation from the REDs; publishing proposed and final product cancellations; implementing memoranda of agreements designed to provide fast/effective risk reduction; and approving product reregistrations. The Agency also will complete certain proposed and final tolerance rulemakings to implement the changes in tolerances and 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 safe and available when used in accordance with the label.

EPA staff will continue to provide locally based technical assistance and guidance to states and tribes on implementation of pesticide decisions. Issues addressed will include newer/safer products and improved outreach and education. Technical assistance will include workshops, demonstration projects, briefings, and informational meetings in areas including pesticide safety training and use of lower risk pesticides.

EPA will engage the public, the scientific community and other stakeholders in its policy development and implementation to encourage a reasonable transition for farmers and others from the older, more potentially hazardous pesticides to the newer pesticides that have been registered using the latest available scientific information. The Agency will continue to update the pesticide review and use policies to ensure compliance with the latest scientific methods. EPA also will continue its emphasis on the registration of reduced risk pesticides, including biopesticides, in order to provide farmers and other pesticide users with new alternatives. In FY 2009, the Agency, in collaboration with the United States Department of Agriculture, will continue to work to ensure that minor use registrations receive appropriate support. 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.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Incidents per 100,000 potential risk events in population occupationally exposed to pesticides.			<= 3.5/100,000	<= 3.5/100,000	Incid/100,000

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Percent reduction in review time for registration of conventional pesticides.	5	9	10	10	Percent Reduction

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Reduced cost per pesticide occupational incident avoided.			2	6	Percent Cum. Reduction

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent reduction in concentrations of pesticides detected in general population.	Data Avail 2008	18	18.5	19	Percent Cum. Reduction

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percentage of agricultural acres treated with reduced-risk pesticides.				19	Percent Acre-Treatments

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent reduction in moderate to severe incidents for six acutely toxic agricultural pesticides with highest incident rate.		No Target Established	20	30	Percent Cum. Reduction

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$3,000.0 \ -9.2 FTE) This reduction reflects the completion of the non-food use Reregistration Eligibility Decisions (REDs) and transition to Registration Review in FY 2007. Through Registration Review, EPA is required to review each registered pesticide approximately every 15 years and this work can successfully be supported through increased Maintenance user fees.

- (+\$352.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$1,930.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs. This funding will support implementation of the Registration Review Program.
- (-\$495.0) This change redirects regional grant resources to Realize Value of Pesticide Availability to better align with the new Pesticides budget structure.
- (-2.0 FTE) The adjustment redirects regional grant management resources to Realize Value of Pesticide Availability to better align with the new Pesticides budget structure.

Statutory Authority:

PRIA 2; FIFRA; FFDCA; ESA; and FQPA.

Pesticides: Protect the Environment from Pesticide Risk

Program Area: Pesticides Licensing
 Goal: Healthy Communities and Ecosystems
 Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$0.0</i>	<i>\$41,750.0</i>	<i>\$41,214.0</i>	<i>\$41,215.0</i>	<i>\$1.0</i>
Science & Technology	\$0.0	\$2,115.0	\$2,087.0	\$2,216.0	\$129.0
Total Budget Authority / Obligations	\$0.0	\$43,865.0	\$43,301.0	\$43,431.0	\$130.0
Total Workyears	0.0	320.5	320.5	307.4	-13.1

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.”

Along with assessing the risks that pesticides pose to human health, EPA conducts ecological risk assessments to determine potential effects on plants, animals, and ecosystems. In addition to assessing and addressing potential risks to ecosystems and plants and animals that are not targets of the pesticide, the Agency has additional responsibilities under the Endangered Species Act (ESA).⁵⁸ Under FIFRA, EPA must determine that a pesticide is not likely to cause unreasonable adverse effects on the environment, taking into account the beneficial uses of a product. To ensure unreasonable risks are avoided, EPA may impose risk mitigation measures such as modifying use rates or application methods, restricting uses, or denying uses. In some regulatory decisions, 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.⁵⁹

Under ESA, EPA must ensure that pesticide regulatory decisions will not adversely modify critical habitat or jeopardize the continued existence of species listed by the U.S. Fish and Wildlife Service or National Marine Fisheries Service 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 biologically-attributed

⁵⁸ 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/esa.htm#Lnk07>.

⁵⁹ 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 www.epa.gov/opp0001/regulating/fifra/pdf.

habitat requirements and geographic range, this presents a great challenge. EPA works with the U.S. Fish and Wildlife Service and National Marine Fisheries Service to establish an efficient process for carrying out our ESA obligations.

As a result of a lawsuit filed against the Services, The United States District Court for the Western District of Washington overturned the most critical aspects of EPA's initial attempt at regulation, including EPA's authority to make certain determinations without further consultation with the Services. EPA has made assessing potential risks to endangered species a priority and will continue to work with the Services to find efficiencies. EPA also has instituted processes to consider endangered species issues routinely in EPA reviews.

FY 2009 Activities and Performance Plan:

Reduced concentrations of pesticides in water sources indicate 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 Program, EPA will monitor the impact of our regulatory decisions for four pesticides of concern—diazinon, chlorpyrifos, malathion, and azinphos-methyl—and consider whether any additional action is necessary.⁶⁰ In FY 2009 the Agency will continue to work with USGS to develop sampling plans and refine goals, and will ask USGS to add additional insecticides to sampling protocols and establish baselines for newer products that are replacing organophosphates, such as synthetic pyrethroids.

The water quality measure tracks reductions of concentrations for four organophosphate insecticides that most consistently exceeded EPA's levels of concerns for aquatic ecosystems during the last ten years of monitoring by the US Geological Survey (National-Water-Quality Assessment). EPA will meet goals for reducing the number of watersheds with exceedences for these pesticides through a combination of programmatic activities. Reregistration decisions and associated 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 EPA's goals, they are not sufficient in and of themselves. Without having alternative products to these pesticides available to the consumer, the means to reach the goal would be significantly hampered. Consequently, the success of the registration program in ensuring lower risk and the availability of efficacious alternative products plays a large role in meeting the environmental outcome of improved aquatic ecosystem protection. EPA also will continue to assist pesticide users in learning about new, safer products and methods of using existing products through various means, including workshops, demonstrations, grants, printed materials and the Internet.

⁶⁰Gilliom, 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. 171p. Available on the internet at: <http://pubs.usgs.gov/circ/2005/1291/>.

Another program focus in FY 2009 will be providing for the continued protection of threatened or endangered species from pesticide use, while minimizing regulatory burdens on pesticide users. EPA will use sound science and best available data to assess the potential risk of pesticide exposure to listed species and will continue efforts 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 continually be refined with new information to help ensure consistent consideration of endangered species.

The Agency is shifting resources within the program to support continued compliance with the requirements of the Endangered Species Act. In FY 2009, EPA will integrate 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 assessments during the registration review process by allowing risk assessors to analyze complex scenarios relative to endangered species.

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!* 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 Endangered Species Act. 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 endangered and threatened 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 2009, 63 of the pesticides beginning Registration Review are expected to require comprehensive environmental assessments, including determining endangered species impacts. This may result 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 Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Average cost and average time to produce or update an Endangered Species Bulletin.	No Target Established	10	19	28	Percent Cum. Reduction

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of urban watersheds that exceeds EPA aquatic life			25, 25, 30	20, 20, 25	Percent

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
	benchmarks for three key pesticides of concern.					

Some of the measures for this program are program outputs, which, when finalized, represent 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. 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 review prevents dangerous pesticides from entering the marketplace.

EPA goals for 2008 through 2010 will be refined when the USGS plan is finalized. With completion of the plan, USGS is currently developing final sampling plans for 2008 through 2017. Current draft plans call for yearly monitoring in four urban-dominated river/large stream watersheds and eight agricultural watersheds; bi-yearly sampling in twelve additional urban-dominated streams and three agricultural dominated watersheds; and sampling every four years in a second set of twelve urban-dominated stream watersheds and a second set of 25 agricultural watersheds. The sampling frequency for these 28 urban sites and 36 agricultural sites will range from approximately 15 to 35 site samples per year based on the watershed land-use class.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$2,000.0 \ -9.0 FTE) These funds have been diverted from Registration, Registration Review and RED Implementation actions to Endangered Species Act related work which is integral to supporting Registration Review. Diversion may impact annual and long-term strategic measures but can successfully be supported through increased user fees.
- (+\$2,000.0) This increase supports continued compliance with the requirements of the Endangered Species Act including the integration of state-of-the science models, knowledge bases and analytic processes for risk assessors to analyze complex risk scenarios relative to endangered species.
- (-\$550.0) This change redirects regional grant resources to the Realize Value of Pesticide Availability program to better align with the new Pesticides budget structure.
- (-4.1 FTE) The adjustment redirects regional resources to the Realize the Value of Pesticide Availability program from the Pesticide Human Health Risk program to better align with the new Pesticides budget structure.
- (-\$512.0) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with a reduction based on the recalculation of base workforce costs.

- (+\$1,063.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs. These funds will support additional analysis for integrating Endangered Species Act considerations in the registration process.

Statutory Authority:

PRIA 2; FIFRA; FFDCA; ESA; and FQPA.

Pesticides: Realize the Value of Pesticide Availability

Program Area: Pesticides Licensing

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$0.0</i>	<i>\$12,114.0</i>	<i>\$11,959.0</i>	<i>\$12,870.0</i>	<i>\$911.0</i>
Science & Technology	\$0.0	\$472.0	\$465.0	\$495.0	\$30.0
Total Budget Authority / Obligations	\$0.0	\$12,586.0	\$12,424.0	\$13,365.0	\$941.0
Total Workyears	0.0	90.4	90.4	93.7	3.3

Program Project Description:

Within the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the definition of “unreasonable adverse effects on the environments” 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...”

The Realize the Value of Pesticides Program focuses on ensuring that adequate pesticides are available both in emergency situations and through ongoing education and research in environmentally friendlier pest remediation methods. An example of actions that lead to these societal benefits are exemptions granted under FIFRA Section 18. In the event of an emergency, i.e., a severe pest infestation, FIFRA Section 18 provides EPA the authority to temporarily exempt certain pesticide uses from registration requirements. We must ensure that, under the very limiting provisions of the exemption, such emergency uses will not present an unreasonable risk to the environment. EPA’s timely review of emergency exemptions has avoided an estimated \$1.5 billion in crop losses per year. In such cases, EPA’s goal is to complete the more detailed and comprehensive unreasonable risk review conducted for pesticide registration within three years.

The statute clearly recognizes that there will be societal benefits beyond protection of human health and the environment from the pesticide registration process that it establishes. For example, an estimated \$900 million in termite damage is avoided each year through the availability of effective termiticides. While some effective termiticides have been removed from the market due to safety concerns, 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. Section 3 of FIFRA also authorizes EPA to register “me-too” products; that is, 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.

EPA's Pesticide Environmental Stewardship Program's efforts to increase adoption of Integrated Pest Management (IPM) in schools has led to a documented 50 percent reduction in pest control costs as well as a 90 percent reduction in both pesticide applications and pest problems in participating schools. This "Monroe Model" serves as an example of how to implement IPM in school districts across the country. The Monroe Model is based on a case in Monroe County, Indiana which achieved a 92 percent reduction in pesticide use, enabling them to also direct their cost savings to hire a district-wide coordinator to oversee pest management in the schools. As a result of this achievement, Monroe County was awarded the Governor's Award for Pollution Prevention. The Monroe County IPM Program has now evolved into the Monroe School IPM Model. By using this model, the emphasis is placed on minimizing the use of broad spectrum chemicals and on maximizing the use of sanitation, biological controls and selective methods of application.⁶¹

FY 2009 Activities and Performance Plan:

EPA's statutory and regulatory functions for pesticides include registration, reregistration, registration review, implementation, risk reduction, rulemaking and program management. During 2009, EPA will continue to 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 (PRIA 2) timeframes. Many of these actions will be for reduced-risk pesticides for which, once registered and utilized by pesticide users, will increase benefits to society. Working together with the affected user communities through programs such as the Pesticide Environmental Stewardship Program and the Strategic Agricultural Initiative, the Agency will find ways to accelerate the adoption of these lower-risk products.

Similarly, the Agency will continue its worksharing 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 has helped growers when they faced emergency situations that require the use of pesticides that are not registered for their crops. The economic benefits of the Section 18 program to growers are the avoidance of potential losses they could have incurred in the absence of pesticides exempted under FIFRA's emergency exemption provisions. The economic benefits of the Section 18 program to consumers could include savings in consumer expenditures associated with potential decreases in market prices for the affected crops.

EPA will continue to conduct pre-market evaluations of efficacy claims made for public health pesticides. In addition to reviewing the health and environmental safety from exposure to these products, because these products also make public health claims, it is critical that the Agency determine that, prior to registration, the products will work for their intended purposes. For some of these products, most notably hospital disinfectants through the Antimicrobial Testing Program, the Agency will conduct post-market surveillance to monitor the efficacy of these products.

⁶¹ <http://www.epa.gov/pesticides/ipm/>

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Billions of dollars in crop loss avoided by ensuring that effective pesticides are available to address pest infestations.			1.5 B	1.5 B	Loss avoided

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Millions of dollars in termite structural damage avoided annually by ensuring safe and effective pesticides are registered/re-registered and available for termite treatment.			900 M	900 M	Dollars

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Reduced cost per acres using reduced risk management practices compared to the grant and/or contract funds on environmental stewardship.			2 (\$2.57)	4 (\$2.52)	Reduced (Dollar/acre)

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$850.0 \ +3.3 FTE) This change redistributes regional resources from the Protect the Environment Program and Human Health Program to the Realize the Value Program to better align with the new Pesticides budget structure.
- (+\$764.0) This reflects an increase for payroll and cost of living for all FTE.
- (-\$703.0) This decrease is a realignment of resources and is not expected to delay emergency exemptions though it may affect activities associated with Registration, Registration Review, RED Implementation actions or Strategic Agriculture Initiative

grants. However, these activities can be successfully supported through increased user fees. This total is a net decrease, including the restoration of the 1.56% rescission.

Statutory Authority:

PRIA 2; FIFRA; FFDCA; ESA; and FQPA.

Science Policy and Biotechnology
 Program Area: Pesticides Licensing
 Goal: Healthy Communities and Ecosystems
 Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$1,202.9</i>	<i>\$1,780.0</i>	<i>\$1,752.0</i>	<i>\$1,675.0</i>	<i>(\$77.0)</i>
Total Budget Authority / Obligations	\$1,202.9	\$1,780.0	\$1,752.0	\$1,675.0	(\$77.0)
Total Workyears	6.3	6.3	6.3	6.3	0.0

Program Project Description:

The Agency will continue providing scientific and policy expertise, coordinating EPA interagency and international efforts as well as facilitating the sharing of information related to core science policy issues concerning pesticides and toxic chemicals. Biotechnology is illustrative of the work encompassed by this program. Many offices within EPA regularly deal with biotechnology issues, and the coordination among affected offices allows for coherent and consistent scientific policy from a broad Agency perspective. Independent science review is provided by the Scientific Advisory Panel (SAP), a scientific peer-review mechanism.

Internationally, EPA will continue participating in a variety of activities related to biotechnology and is fully committed to and engaged in international dialogues. The Biotechnology Team will continue to assist in formulating EPA and United States positions on biotechnology issues, including representation on United States delegations to international meetings when needed. Such international activity is coordinated with the Department of State.

FY 2009 Activities and Performance Plan:

The 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 for EPA's pesticide programs and pesticide-related issues. Scientific peer review is a critical component of EPA's use of the best available science.

EPA estimates that the SAP will be asked to complete approximately 14 reviews in FY 2009. The specific topics to be placed on the FIFRA 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. In FY 2009, topics may include issues related to biotechnology, chemical-specific risk assessments, and endocrine disruptors, among others.

EPA will continue to play a lead role in evaluating the scientific and technical issues associated with plant-incorporated protectants based on plant viral coat proteins. EPA will also, in

conjunction with an interagency workgroup, continue to maintain and further develop the U.S. Regulatory Agencies Unified Biotechnology website. The site 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 for use in the United States.⁶²

In addition, a number of international activities will continue to be supported by 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.

Performance Targets:

Currently there are no performance measures specific to this program project. Work under this program supports the *Chemicals and Pesticide Risks* objective, specifically, work done in EPA's Pesticide and Pollution Prevention and Toxics programs. Supported programs include the Registration of New Pesticides and Review/Reregistration of Existing Pesticides. Science Policy and Biotechnology activities such as the SAP assist in meeting targets for measures under those program projects including *Endocrine Disruptors*, *Register Safer Chemicals and Biopesticides*, and *Tolerance Reassessments*.

The work in the Science Policy program also supports efforts in the Toxic Substances: Chemical Risk Review and Reduction program. Science coordination efforts under Science Policy and Biotechnology assist in meeting targets for the *Number of chemicals or organisms introduced into commerce that pose unreasonable risks to workers, consumers, or the environment* through Scientific Advisory Panel meetings and letter reviews.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$32.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$28.0) This change reflects restoration of the 1.56% rescission to all program projects.
- (-\$137.0) Reduction attributable to administrative efficiencies. SAP meetings will be reduced by one.

Statutory Authority:

FIFRA; FFDCA; FQPA; TSCA.

⁶² <http://usbiotechreg.nbio.gov/>

Program Area: Resource Conservation and Recovery Act (RCRA)

RCRA: Waste Management

Program Area: Resource Conservation and Recovery Act (RCRA)

Goal: Land Preservation and Restoration

Objective(s): Preserve Land

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$65,599.8	\$69,158.0	\$66,297.0	\$67,111.0	\$814.0
Total Budget Authority / Obligations	\$65,599.8	\$69,158.0	\$66,297.0	\$67,111.0	\$814.0
Total Workyears	432.8	416.9	416.9	397.0	-19.9

Program Project Description:

The Waste Management program’s primary focus is to provide national policy directed by the Resource Conservation and Recovery Act (RCRA) to reduce the amount of waste generated and to improve the recovery and conservation of materials by focusing on a hierarchy of waste management options that advocate reduction, reuse, and recycling over treatment and disposal. This program also strives to prevent releases to the environment from both non-hazardous and hazardous waste management facilities, reduce emissions from hazardous waste combustion, and manage waste in more environmentally beneficial and cost-effective ways.

The Waste Management program continues to evolve to address the challenges of the 21st century, including new waste streams from new industrial processes and assessing technological advances and innovative methods of conducting business in the waste management arena. There is an increased focus on reuse and recycling, particularly the safe beneficial use of industrial byproducts as a preference to disposal. Moreover, the program is engaged in regulatory and other reform efforts to improve the efficiency of the program (e.g., e-manifest project) and to provide incentives for increased recycling. EPA actively participates in waste management and resource conservation efforts internationally.

Through the Resource Conservation Challenge (RCC), the program works with industry, states, and environmental groups to explore new ways to reduce materials and energy use by promoting product and process redesign and increased materials and energy recovery from materials otherwise requiring disposal. However, not all materials can be reduced, reused, or recycled and, therefore, some wastes must be safely treated and disposed. Thus, EPA and the states maintain the critical health and environmental protections provided by the base “cradle to grave” waste management system envisioned by RCRA.⁶³

⁶³ Refer to (<http://www.epa.gov/rcc/>).

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue to assist states in getting permits, permit renewals, or other approved controls in place at facilities that treat, store, or dispose of hazardous waste. EPA will focus efforts on helping states overcome barriers, particularly with regard to the types of facilities that are difficult to permit or where emissions are difficult to control, such as boilers and industrial furnaces (BIFs) and large, complex Federal facilities. As established in EPA's 2006-2011 Strategic Plan, EPA will prevent releases at 500 RCRA hazardous waste management facilities by implementing initial approved controls or updated controls by 2011. During FY 2009, EPA will meet its annual target of implementing initial approved controls or updated controls at 100 RCRA hazardous waste management facilities. The Waste Management program also will continue efforts to improve the implementation of the RCRA financial assurance program in order to ensure that owners and operators of hazardous waste facilities provide proof of their ability to pay for the clean up, closure, and post-closure care of their facilities.

The Agency will work to improve and modernize the hazardous waste tracking system by developing an "e-manifest" system during FY 2009. This system will allow electronic processing of hazardous waste transactions that will greatly enhance tracking capabilities while significantly reducing administrative burden and costs for governments and the regulated community. The e-manifest will build on the new standardized manifest form that took effect in September 2006, and the regulatory development and system user requirements work accomplished during FY 2007 and 2008. This system will ensure the continued safe management of hazardous waste.

Gasification of oil-bearing hazardous secondary materials from petroleum refining as feedstocks for clean fuels and basic chemicals will allow the capture of a significant amount of energy from waste materials that previously were treated and disposed of, thus turning a waste problem into an energy solution. In FY 2009, EPA plans to follow up on the issuance of the final rule to allow gasification, thereby expanding the reuse of petroleum residuals currently managed as waste. In addition, the Agency will continue to work on developing a rule that would conditionally exempt solvent-contaminated industrial wipes from full hazardous waste regulation under Subtitle C of the Resource Conservation and Recovery Act (RCRA). The Agency is committed to completing this rulemaking and is working to finalize the rule as quickly as possible, while ensuring that it is based on sound science and protective of human health and the environment.

The Agency will continue its regulatory reform efforts in FY 2009 to encourage safe recycling of hazardous secondary materials by providing streamlined regulatory requirements and minimizing regulatory burden where appropriate. Increased recycling of hazardous secondary materials is an important part of moving toward sustainable industrial production by returning recoverable commodities to the economy, minimizing wasteful disposal of these valuable materials, and minimizing additional raw materials production. Completion of revisions to the definition of solid waste, which will promote recycling of a wide range of spent solvents, spent acids and bases, and metal-containing waste is a major project in FY 2008. In FY 2009, EPA will work with states and other stakeholders to begin implementation of these revisions.

Another important area of reform in FY 2009 will be the continuation of efforts to make the hazardous waste program more cost-effective and easy-to-use for the more than 100 thousand

generators of hazardous waste. This effort encompasses many projects, for example, the completion of a final regulation specifying alternative requirements for college and university laboratories that generate hazardous waste as well as an effort to streamline the management of pharmaceutical wastes. In addition, EPA will prepare guidance materials on issues raised by the regulated community and, if determined necessary, propose regulatory changes to improve the program.

The Agency also will work to reduce risks from industrial non-hazardous materials. EPA will continue to work with interested parties to apply the voluntary “Guide for Industrial Waste Management” which provides facility managers, state and Tribal regulators and interested public with recommendations and tools to better address the management of land-disposed non-hazardous industrial waste. EPA will continue to track state implementation of the Research, Development, and Demonstration rule to determine whether additional rulemaking is warranted. The Agency will continue working on implementing its regulatory determination for coal ash and cement kiln dust, as well as work on partnership efforts for these two materials, and will continue to participate in oil and gas state reviews. In addition, EPA will continue to assist states in Beville determinations and other mining related activities.

During FY 2009, the Waste Management program will continue working with the Department of Agriculture, the Food and Drug Administration, and the Department of Homeland Security to prepare for possible terrorist or natural disaster events and threats to the food chain. EPA will work to expand information on technologies and tools for use in decontamination/disposal operations related to terrorist events and natural disasters or other disease outbreaks.

In FY 2009, the Agency will continue to issue Polychlorinated Biphenyl (PCB) disposal and cleanup approvals. EPA will work with the U.S. Navy to address the reefing of ships and will work with the Maritime Administration in order to safely dismantle its fleet of obsolete ships which contain equipment using PCBs and other materials. In addition, the Agency will work with the Department of Defense to oversee the disposal of PCBs in nerve agent rockets. In FY 2008, EPA is transferring the PCB cleanup and disposal activities from the Chemical Risk Management program to the RCRA Waste Management program. This transfer promotes efficiency and consolidated PCB activities into the RCRA program.

Providing grant funds, training, and technical assistance to tribes and Tribal organizations for the purpose of solving solid waste problems and reducing the risk of exposure to improperly disposed hazardous and solid waste also is a priority in FY 2009. Many of the 561 Federally-recognized tribes have no plan for managing solid and hazardous waste, resulting in large amounts of waste being open-burned or placed in open dumps. The 2011 GPRA goals are to increase the number of Tribal governments with an integrated waste management plan by 25 percent and to close, clean, or upgrade 200 open dumps. During FY 2009, EPA will increase the number of tribes covered by an integrated waste management plan by 16. In addition, EPA will increase the number of closed, cleaned up, or upgraded open dumps in Indian country or on other Tribal lands by 27. For FY 2009, the focus of the program will be on developing training and technical assistance tools for Tribal governments to develop sustainable waste management programs to meet these goals.

This program was included in the PART review of the RCRA Base, Permits and Grants Program for FY 2004 which received an overall rating of “adequate.” During the PART, EPA developed an efficiency measure and the baseline (for FY 2005) that was set in July 2006 is 2,143 facilities under control per \$674 million in costs, or 3.17 facilities per million dollars. Costs include estimates of the permitting costs of the regulated entities plus appropriated dollars for the program, based on a three year rolling average. The 2008 target is a three percent improvement from baseline, and the 2009 target is a four percent improvement from baseline or one percent per year.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Number of facilities with new or updated controls per million dollars of program cost.	3.36%	2	3.64	3.68	percent

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of hazardous waste facilities with new or updated controls.				100	facilities

During FY 2009, EPA will coordinate efforts with the states to meet permitting program goals for initial and updated controls to prevent releases. The Agency has determined that the reporting cycles for permitting and renewals will be consolidated at the end of FY 2008. These program objectives continue to contribute toward achieving the goals of EPA’s 2006-2011 Strategic Plan.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$131.0) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with a reduction based on the recalculation of base workforce costs requested by the program.
- (+\$945.0) This change reflects restoration of the 1.56% rescission in addition to small technical changes such as realignment of IT, travel or other support costs across programs. Funds will support policy development and outreach efforts for the Waste Management program.
- (+\$2,000.0) This change reflects a partial restoration of funding to RCRA e-manifest system which was reduced in FY 2008 as directed by Congress. EPA will continue to work with Congress to obtain the authority to collect user fees to offset the costs for the development and operation of this system.

- (-\$2,000.0) This change reflects a reduction to funding to expedite rulemaking as directed by Congress in FY 2008. The reduction in FY 2009 will not impede the progress of this work.
- (-19.9 FTE) This reduction reflects EPA's workforce management strategy that will help the Agency better align resources, skills, and Agency priorities. The program has matured, resulting in a reduced need for Federal FTE resources due to the delegated nature of the program and improvements in program management.

Statutory Authority:

SWDA, Section 8001, as amended; RCRA of 1976 as amended; Public Law 94-580, 42 U.S.C. 6901 et seq.; TSCA, Section 6, Public Law 94-496, 15 U.S.C. 2605; Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, Public Law 105-276, 112 Stat. 2461, 2499 (1988).

RCRA: Corrective Action

Program Area: Resource Conservation and Recovery Act (RCRA)

Goal: Land Preservation and Restoration

Objective(s): Restore Land

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$39,373.3	\$39,573.0	\$39,076.0	\$39,018.0	(\$58.0)
Total Budget Authority / Obligations	\$39,373.3	\$39,573.0	\$39,076.0	\$39,018.0	(\$58.0)
Total Workyears	236.8	252.7	252.7	246.9	-5.8

Program Project Description:

The Resource Conservation and Recovery Act (RCRA) authorizes EPA to implement a hazardous waste management program for the purpose of controlling the generation, transportation, treatment, storage and disposal of hazardous wastes. An important element of this program is the requirement that facilities managing hazardous waste clean up past releases. This program, which is largely implemented by authorized states, is known as the Corrective Action program. Although the states⁶⁴ are the primary implementers of the Corrective Action program, EPA Regional staff have the lead at a significant number of facilities undergoing corrective actions. Key program implementation activities include: development of technical and program implementation regulations, policies and guidance, and conducting corrective action activities including assessments, investigations, stabilization measures, remedy selection, remedy construction/implementation, and technical support and oversight for state-led activities.⁶⁵

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will continue to work toward the 2020 goal of constructing final remedies at 95 percent of all facilities. Implicit in that goal, first outlined in the EPA FY 2006 – FY 2011 Strategic Plan, EPA also will control human exposures to toxins at a minimum of 95 percent of facilities and control the migration of contaminated groundwater at a minimum of 95 percent of facilities by 2020. These long-term goals have been set against the 2020 Corrective Action Universe, a new baseline which EPA finalized in May 2007, which includes 3,746 facilities believed to require corrective action. Beginning in FY 2009, the annual targets for RCRA Corrective Action have also been revised to align with this newly assessed baseline.

The Agency will work in partnership with the states to coordinate cleanup program goals and direction. 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 EPA's

⁶⁴ This includes both those states authorized for corrective action and those not authorized for corrective action through work sharing agreements with their EPA Regional Offices.

⁶⁵ For more information please refer to <http://www.epa.gov/correctiveaction/>.

emphasis on land revitalization. The Agency will continue to present training that focuses on selecting and completing final remedies to Regional and state RCRA Corrective Action staff.

In FY 2009, the Agency will be working with its state partners to continue developing and implementing program improvements in order to meet the ambitious 2020 goal. EPA and the states will continue to develop and implement approaches for selecting and constructing final remedies at operating facilities that are protective as long as the facility remains active and will ensure that protective controls are in place if the use changes in the future.

EPA will ensure that polychlorinated biphenyls (PCB) waste and PCB remediation sites are cleaned up correctly. Specific activities include advising the regulated community on PCB remediation and reviewing and acting on disposal applications for PCB remediation waste.

The RCRA Corrective Action program was initially assessed under the PART review in 2003 and received an overall rating of “adequate.” The assessment found that the program puts decision-making authority close to the actual clean up activity while still ensuring oversight and consistency in protecting human health and the environment. As part of the program’s improvement plan, EPA developed an efficiency measure for the program, which is the number of final remedy components constructed at RCRA corrective action facilities per Federal, state and private sector costs. The intent of the measure is to show, over time, the percent increase of final remedy components constructed per the costs related to the cleanup and oversight of cleanup at RCRA facilities.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Percent increase of final remedy components constructed at RCRA corrective action facilities per federal, state, and private sector dollars per year.	6.20	3	3	3	percent

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of RCRA facilities with human exposures under control.				60	facilities

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of RCRA facilities with				60	facilities

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
	migration of contaminated groundwater under control.					

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of RCRA facilities with final remedies constructed.				100	facilities

For FY 2009 annual performance targets, EPA (and states) will complete construction at 100 of the highest priority RCRA facilities from the 2008 baseline. EPA (and states) will continue to track the human exposures and groundwater control environmental indicators. In FY 2009, EPA (and states) will meet the goal of controlling human exposures to toxins at 60 of the 2008 baseline RCRA facilities. EPA (and states) will also meet the FY 2009 goal of controlling the migration of contaminated groundwater at 60 of the 2008 baseline facilities.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$609.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$1,102.0) This change reflects reduced need for resources that reflects the program's increased efficiencies and success in addressing stabilization at 95 percent of the highest priority RCRA facilities. This reduction will not impede the program's strategy for proceeding with its remaining long range corrective action work.
- (+\$435.0) This change reflects the net effects of the restoration of the 1.56% rescission combined with technical changes such as realignment of IT, travel or other support costs across the program. These funds will support the Corrective Action program.
- (-5.8 FTE) This reduction reflects EPA's workforce management strategy that will help align available resources and skills to Agency priorities. The Corrective Action program is able to reduce FTE resources due to increased efficiencies resulting from the delegated nature of the program and improvements in program management. This reduction will not impede Agency efforts to maximize effectiveness and reach its goals.

Statutory Authority:

SWDA, Section 8001 as amended; RCRA of 1976 as amended; Public Law 94-580, 42 U.S.C. 6901 et seq.; TSCA, Section 6, Public Law 94-469, 15 U.S.C. 2605; Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, Public Law 105-276, 112 Stat. 2461, 2499 (1988).

RCRA: Waste Minimization & Recycling

Program Area: Resource Conservation and Recovery Act (RCRA)

Goal: Land Preservation and Restoration

Objective(s): Preserve Land

Goal: Compliance and Environmental Stewardship

Objective(s): Improve Environmental Performance through Pollution Prevention and Other Stewardship Practices

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$12,506.2</i>	<i>\$13,666.0</i>	<i>\$13,495.0</i>	<i>\$14,397.0</i>	<i>\$902.0</i>
Total Budget Authority / Obligations	\$12,506.2	\$13,666.0	\$13,495.0	\$14,397.0	\$902.0
Total Workyears	67.1	82.2	82.2	82.2	0.0

Program Project Description:

The Resource Conservation and Recovery Act (RCRA) directs EPA to promote a reduction in the amount of waste generated and to improve recovery and conservation of materials through reducing, reusing, and recycling. The Waste Minimization and Recycling program implemented through the Resource Conservation Challenge (RCC) emphasizes national policy development and leadership to reduce the generation and environmental impacts of materials from businesses, industries, and communities by fostering adoption of more efficient, sustainable, and protective policies, practices, materials, and technologies.

The program focuses its efforts on reduction, reuse, and recycling by building on partnerships with other Federal agencies; state, Tribal, and local governments; business and industry; and non-governmental organizations. These partnerships provide performance metrics, information sharing, recognition, and assistance to improve practices in both public and private sectors.⁶⁶

The program also implements waste minimization activities that diminish chemicals of most concern to human health and the environment. This approach involves relating chemicals to waste streams and seeks to reduce not only the volume of wastes, but also the toxicity of wastes. A goal of reducing chemicals in wastes also will lead to safer chemical substitutions and processes upstream, and eliminate occupational exposures to the chemicals of concern.

⁶⁶ Refer to <http://www.epa.gov/rcc>.

FY 2009 Activities and Performance Plan:

Municipal Solid Waste (MSW)

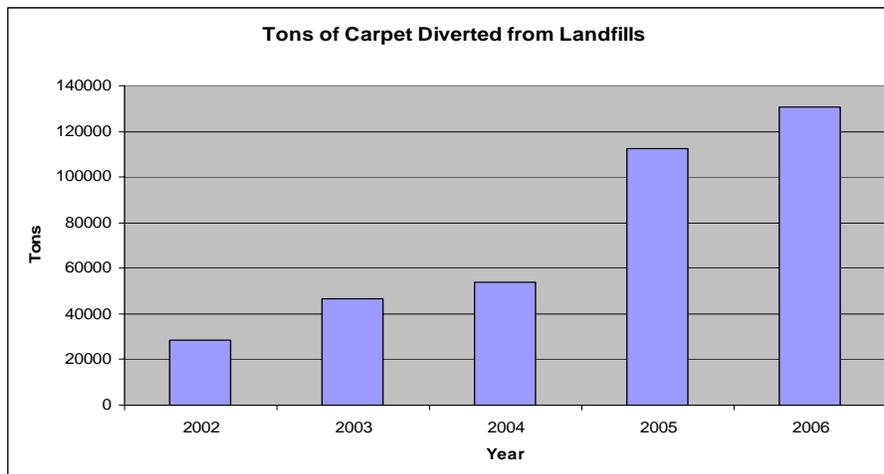
Under the RCC, EPA will increase its efforts to motivate and provide leadership to industry, Federal, state and local governments, public interest groups, and citizens to reduce, reuse, and recycle municipal wastes. In the FY 2006 - FY 2011 Strategic Plan, EPA signaled the transition toward new effective strategic targets that benchmark and quantify our environmental progress toward sustainable resource conservation

In FY 2009, EPA will lead enhanced efforts focused on three large-volume material categories from municipal/commercial sources, with the greatest opportunity for recycling: (1) paper; (2) organics; and (3) packaging and containers. These three materials represent 60 to 70 percent of the current municipal solid waste stream and are key areas on which the nation must focus resources to reach the 40 percent recycling challenge. The Agency also is emphasizing reductions of greenhouse gases (GHG) and increased energy savings. As a result of this increased emphasis, EPA will review its current priority materials and determine the greatest opportunities for decreased GHG emissions and increased energy savings.

EPA's WasteWise program is now in its 14th year and has more than 1,900 partners and endorsers. As part of a WasteWise campaign launched in 2008, EPA will provide enhanced tools to help communities reduce waste and increase recycling and will promote alliances between businesses and communities that can advance waste reduction and recycling. In FY 2009, EPA will enhance its efforts to promote Pay-as-You-Throw to local communities to increase the efficiency of their materials management. The local government toolkit will be included in the Pay-as-You-Throw promotion efforts, which will include presentations, training, increased outreach efforts, technical assistance, and support.

Through the GreenScapes program, EPA will provide cost-efficient and environmentally-friendly solutions for landscape design, construction, and maintenance at large and small developments such as golf courses, parks and industrial parks. The goal is to preserve natural resources and prevent waste and pollution by encouraging organizations and individuals to make environmentally sound decisions regarding their landscape practices and purchases. In FY 2009, GreenScapes plans to reach out to homeowners and target wholesalers and large retailers as well as Non-governmental Organizations (NGOs).

Beginning in 2002, EPA collaborated with the carpet and fiber manufacturers and signed the National Carpet Recycling Agreement (<http://www.carpetrecovery.org/mou.php>) along with the Carpet and Rug Institute, state governments, and NGOs. This agreement established a 10-year schedule to increase the amount of recycling and reuse of post-consumer carpet and reduce the amount of waste carpet going to landfills. To date, EPA's work with its partners has been very successful in reducing the volume of carpet which is landfilled.



Source: 2006 CARE Annual Report, <http://www.carpetrecovery.org/reading.php>.

Industrial Non-Hazardous Waste

Under the RCC, EPA will continue to pursue collaborative efforts to increase the safe reuse and recycling of industrial byproducts, with resultant benefits of decreased disposal, reduced greenhouse gas emissions and energy savings. By working with manufacturers, utilities, government agencies, and transportation and building construction companies, the RCC Industrial Materials Recycling effort is focusing on three large industrial non-hazardous waste streams: (1) coal combustion products; (2) construction and demolition debris; and (3) foundry sand.

In FY 2009, the program will continue to expand its voluntary Coal Combustion Partnership Program (C2P2) to include industrial material recycling. EPA will use C2P2 as a model to foster the safe, beneficial use of other industrial non-hazardous waste streams, such as foundry sands and construction and demolition debris. Recognizing that Clean Air Act regulations will result in increased generation of flue gas desulfurization (FGD) materials, which can be used as a fertilizer in agriculture, C2P2 will increase efforts to enhance markets for these materials.

EPA also will continue working with Federal, state, and private sector outreach programs to promote environmentally safe and sound reuse and recycling of construction and demolition (C&D) debris, which is a larger waste stream than MSW. During EPA's peer review of the baseline data used to establish the C&D material long-term 2011 goal and annual targets, stakeholders provided comments and clarification on the data sources used to estimate the amount of C&D materials being recycled. After addressing these comments and including these data, EPA recalculated the recycling rate and found that 65 percent of C&D materials were already being recycled. Currently, EPA is working with stakeholders to develop a new long-term goal and annual targets founded on improved data. In establishing the new goal, the Agency will examine the accuracy, frequency, and availability of data sources. In FY 2009, EPA will implement activities to make progress in achieving this goal: for example, partnering with industry to develop and disseminate information materials, conduct workshops to raise awareness, and obtain commitments from construction project developers and builders.

Priority Chemicals Reduction

In FY 2009, through the National Partnership for Environmental Priorities (NPEP), the Agency will continue to reduce priority chemicals which are persistent, bioaccumulative, and highly toxic. The NPEP program has established a goal to reduce program priority chemicals by 4 million pounds by FY 2011, with an annual FY 2009 target of 1 million pounds reduced. As of August 2007, the NPEP program has obtained industry commitments for over 6.5 million pounds of priority chemical reductions through 2007-2011, including 2.3 million already achieved. These reductions will be achieved primarily through source reduction made possible by safer chemical substitutes. Currently, EPA continues to build on the successes achieved by nearly 140 existing partners and promote the growth of the NPEP through expanded outreach activities, workshops, and enhanced Regional involvement. In addition to enrolling new partners, EPA will seek new commitments from existing partners, with an emphasis on enrolling corporations on a national basis.

EPA initiated a *Mercury Roundup* in FY 2006 to promote the voluntary early retirement of devices containing mercury. A formal challenge and request was issued to major industrial facilities, urging mercury elimination. Partners commit to the following activities:

- Inventory mercury sources in their facilities and evaluate non-mercury alternatives.
- Establish purchasing policies and educate staff.
- Collect existing mercury for recycling.

By August 2007, EPA identified approximately 16 mercury challenge partners. The Agency has achieved a reduction of 350 pounds of mercury from those partners and has commitments to reduce more than 2.5 thousand pounds in addition to that total. In FY 2009, EPA expects to seek to enroll new partners and expand commitments from existing partners.

Schools Chemical Cleanout Campaign and Prevention Program (SC3)

Since its implementation SC3 has funded 20 pilots that have demonstrated innovative practices and has worked toward building a national network of industry, teachers' associations, and government partners to raise national awareness and make chemical clean-out and prevention techniques widely available to schools. In FY 2009, EPA will continue its work toward ensuring that K-12 schools in the United States are free from chemical hazards associated with poor chemical management in schools by providing targeted grants to promote innovation in chemical management in schools, and by expanding the network of industry partners who have volunteered to assist schools in safely removing chemicals and helping schools develop effective measures to prevent chemical management problems before they can occur.

E-Waste

In FY 2009, EPA will continue to address the nation's growing electronics waste stream through partnerships with private and public entities including Plug-In To eCycling, the Federal Electronics Challenge (FEC), and Electronic Product Environmental Assessment Tool (EPEAT).

Through Plug-In, EPA has established partnerships with 23 major electronic businesses and more than 95 million pounds of consumer electronics have been collected and reused or recycled safely. Building on current Plug-In to eCycling activities EPA will investigate ways to motivate consumers to optimize use of the existing recycling infrastructure while recycling their end-of-life electronic equipment. The Plug-In program also will explore new ways to promote responsible electronic recycling across the business community.

The FEC was established to advance the Federal government’s goals and practices for electronics stewardship and has grown beyond the pilot stage. As of 2006, FEC had officially enrolled 133 Challenge partners -- agencies or facilities -- representing 16 Federal departments/agencies which represent more than 80 percent of Federal agency purchasing power for IT equipment. By the end of FY 2008, the goal is to have at least 700 thousand Federal employees covered under the FEC. A key component of the FEC program is improving the manner in which Federal agencies manage their used electronic equipment.

EPEAT was developed in response to growing demand by institutional purchasers for an easy-to-use evaluation tool enabling them to compare electronic products based on environmental performance, in addition to cost and performance considerations. As of June 2007, approximately 532 products manufactured by 19 manufacturers were EPEAT-registered and listed on the EPEAT Product Registry Web page. The end-of-life treatment of electronic equipment is a key component of the EPEAT program. In FY 2009, EPA plans to identify key elements in designing electronic components to allow improved end-of-life management (i.e., reuse/recycling). This work will be included in new EPEAT standards for electronic equipment. EPA also expects to refine and build tools which identify the environmental benefits of reuse and recycling of electronic equipment.

EPA’s Recycling, Waste Minimization and Waste Management Program underwent a PART assessment in FY 2004 and received an overall rating of “adequate”.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percentage of coal combustion ash that is used instead of disposed.	Data Unavailable	1.8	1.8	1.8	percent

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of closed, cleaned up, or upgraded open dumps in Indian Country or on other tribal lands.	107	30	30	27	open dumps

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of tribes covered by an integrated solid waste management plan.	28	27	26	16	tribes

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Daily per capita generation of municipal solid waste.	Data Unavailable	4.5	4.5	4.5	lbs. MSW

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of pounds (in millions) of priority chemicals reduced, as measured by National Partnership for Environmental Priorities members.	1.30	0.5	1	1	pounds

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Number of pounds of priority chemicals reduced from the environment per federal government costs.	Data Unavailable	1.5	0.6	0.6	percent

In the FY 2006 – FY 2011 Strategic Plan, EPA established a new measure to increase coal combustion ash use to 50 percent by 2011, from 32 percent in 2001, with an annual target of increasing the percentage of coal ash used by 1.8 percent during FY 2009. The most recent data from the 2005 annual survey show coal combustion ash beneficial use remains at 40 percent. The Agency will implement its new relationship with USDA as a major sponsor of C2P2 in order to provide outreach and assistance to increase the use of FGD material in agricultural applications.

EPA continues to work on documenting the significant environmental benefits (i.e., reductions in GHG and energy saving) from reducing, reusing, and recycling materials that were once disposed as wastes. The effort will include a focus at the regional and local level to prevent GHGs and save energy through materials management to increase environmental benefits. At current resource levels, the RCC program and its partners are showing tremendous benefits; for

example, in the area of municipal solid waste, we have seen: 12 MMTCE of GHG reductions (equal to preventing the pollution from 9 million cars) and 349 trillion BTUs saved (equal to 2.8 billion gallons of gasoline).

In FY 2009, EPA will focus on increasing greenhouse emissions reductions and energy savings, through efficient materials management from small businesses at the local level. In 2005, members of three RCC programs (WasteWise, C2P2, and Carpets) reported GHG reductions of 11 million metric tons of carbon equivalent (MMTCE) (equal to preventing the pollution from 8.4 million cars) and savings of almost 337 trillion British thermal units (BTU) of energy (equal to 8.5 percent of annual US residential energy use).

EPA has developed an efficiency measure that will show, over time, the total reduction of priority chemicals contained in industrial waste streams per Federal and private sector cost. In FY 2006, EPA identified and confirmed the quality of data sources produced in the private sector to use with this efficiency measure in FY 2007 and FY 2008. The FY 2006 baseline for the efficiency measure, “number of pounds of priority list chemicals removed from or reduced in waste streams per cost to perform such actions (costs are Federal RCRA program extramural dollars and FTE),” is 1.1 million lbs / \$2,689 million or 40.9 lbs reduced per \$100 spent. Targets are set to improve 1.5 percent each year from the baseline.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$549.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$353.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

SWDA, Section 8001 as amended; RCRA of 1976, as amended; Public Law 94-580, 42 U.S.C. 6901 et seq. Veterans Administration (VA) and Housing and Urban Development (HUD) and Independent Agencies Appropriations Act; Public Law 105-276; 112 Stat. 2461, 2499 (1988); Pollution Prevention Act of 1990 (42 U.S.C. 13101).

Program Area: Toxics Risk Review and Prevention

Endocrine Disruptors

Program Area: Toxics Risk Review and Prevention

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$9,855.8	\$5,890.0	\$8,663.0	\$5,847.0	(\$2,816.0)
Total Budget Authority / Obligations	\$9,855.8	\$5,890.0	\$8,663.0	\$5,847.0	(\$2,816.0)
Total Workyears	16.3	11.0	11.0	11.0	0.0

Program Project Description:

The Endocrine Disruptor Screening Program (EDSP) establishes policies and procedures for implementing the endocrine effects screening authorities of the Food Quality Protection Act (FQPA) and Safe Drinking Water Act (SDWA). The program develops and validates approximately 19 candidate scientific test methods from which a battery of tests will be selected and used for the routine, ongoing evaluation of pesticides and other chemicals to determine their potential for adverse health or environmental effects by interfering with normal endocrine system function. For more information, please visit <http://www.epa.gov/scipoly/oscpendo/>.

FY 2009 Activities and Performance Plan:

In FY 2009, the EDSP will maintain the schedule of completing validation assays that will be used to either screen chemicals to identify those that can interact with the endocrine system (Tier I) or to confirm these findings and provide information that can be used in risk assessment (Tier II). EPA will continue collaboration with our international partners through the Organization for Economic Cooperation and Development (OECD), conserving EPA resources and promoting adoption of internationally harmonized test methods for identifying endocrine disrupting chemicals. EPA is either the lead country or a participant in the following ongoing OECD projects involving Tier 1 screening assays that are candidates for validation by EPA's EDSP:

- The H295R cell-based assay used to detect chemicals that interfere with the steroid hormone synthesis pathway. EPA is providing two laboratories for this effort out of a total of seven laboratories.
- The recombinant estrogen receptor assay. EPA is providing three out of a total of six laboratories.
- The interlaboratory trials for the frog screening assay were conducted in cooperation with laboratories across Europe. This has resulted in resource savings for the U.S.

- EPA also is working with OECD on the design of Tier 2 assays including a more efficient and effective assay to replace the routine use of the mammalian two-generation assay, and multigeneration tests in fish, birds, frogs, and invertebrates.

The Endocrine Disruptor Program underwent PART evaluation in calendar year 2004 and received a rating of “Adequate.” The assessment found that the program is free of major design flaws, has a clear purpose, and is reasonably well-managed.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Cumulative number of assays that have been validated.	3/20	8/20	13/20	14/19	Assays

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Contract cost reduction per study for assay validation efforts in the Endocrine Disruptors Screening Program	63	1	1	1	Percent

This program’s output performance measure represents the progress toward completing the validation of endocrine test methods that will be used to screen chemicals for their potential to affect the endocrine system, as required by FQPA.

We anticipate that the FY 2007 actual will be below the target because the program experienced scientific and technical problems that could not have been predicted on several assays (e.g., estrogen receptor binding, androgen receptor binding and fish screen), as well as unanticipated delays in international decisions on assays being validated in coordination with the Organization for Economic Cooperation and Development (e.g., estrogen and androgen binding assays). Several of the assays that were expected to be completed by the end of this fiscal year, however, are either in peer review (the final stage of the validation process), or are scheduled to begin peer review early in FY 2008.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$56.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$38.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

- (-\$2,910.0) This decrease returns the program to historic levels for the Endocrine Disruptor program. The change will not impact long-term scheduled work for completing validation of screening and testing assays. The screening and testing of assays was delayed due to inherent scientific uncertainties associated with assay development and validation processes.

Statutory Authority:

RCRA; CERCLA; SARA; OPA; SDWA; CAA; CWA; TSCA; FIFRA; FQPA; EPCRA; ODA; PPA.

Toxic Substances: Chemical Risk Review and Reduction

Program Area: Toxics Risk Review and Prevention

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$44,701.7	\$45,046.0	\$45,672.0	\$46,477.0	\$805.0
Total Budget Authority / Obligations	\$44,701.7	\$45,046.0	\$45,672.0	\$46,477.0	\$805.0
Total Workyears	237.2	241.1	241.1	241.1	0.0

Program Project Description:

This program spans the full range of EPA activities associated with screening, assessing and reducing risks of new and existing chemicals. Key program efforts include the following:

- Screening of high production volume chemicals under the High Production Volume (HPV) Challenge program and the Organization for Economic Cooperation and Development (OECD) Screening Information Data Set (SIDS) Program, critical elements of new U.S. commitments under the Security and Prosperity Partnership for North America to assess and initiate needed action on the over 9 thousand existing chemicals produced in quantities above 25 thousand pounds per year in the U.S.;
- The Voluntary Children’s Chemical Evaluation Program (VCCEP);
- Reviewing and reducing risks of other industrial/commercial chemicals of concern under the Toxic Substances Control Act (TSCA), including the New Chemicals Program (which focuses on reviewing and, as necessary, managing the health and environmental risks of chemicals being introduced into the United States marketplace), assessment of nanoscale materials associated with new and existing chemicals, the 2010/15 Perfluorooctanoic Acid (PFOA) Stewardship Program (launched in January 2006), and the development of Acute Exposure Guideline Levels (AEGLs).

These programs reduce and prevent unreasonable risks to human health and the environment from new and existing chemicals and increase the efficiency of risk review and reduction efforts.

FY 2009 Activities and Performance Plan:

High Production Volume (HPV) Challenge Program and the Security and Prosperity Partnership (SPP)

In FY 2009, EPA will continue work initiated in FY 2007 to evaluate the screening level chemical hazard data obtained through the landmark U.S. HPV Challenge Program and companion Organization for Economic Cooperation and Development (OECD) Screening Information Data Set (SIDS) Program, combined with the expanded exposure information

reported under the 2006 TSCA Inventory Update Reporting (IUR), leading to development of risk-based prioritization decisions for HPV chemicals (defined as one million pounds or more per year produced or imported). Similar work was initiated in FY 2008 and will continue in 2009 to develop prioritization documents on Moderate Production Volume (MPV) chemicals (25,000 to one million pounds per year). This work is included in the August 2007 SPP agreement between the U.S., Canada and Mexico, under which the U.S. committed to assess and initiate action on over 9,000 HPV and MPV chemicals by 2012. The documents identify needed actions on chemicals presenting potential risks.

Actions initiated by EPA could involve voluntary information collection, chemical testing or risk reduction efforts and regulatory actions such as Significant New Use Rules (SNURs), Section 4 Test Rules, or other rules to prevent unreasonable risks. EPA will more than double its production of HPV risk-based decisions in FY 2009. Industry will contribute to the 3,000 HPV chemical components of the SPP commitments through the industry-led Extended High Production Volume Challenge Program (EHPV), which focuses on approximately 500 chemicals that achieved HPV status after the HPV Challenge Program had commenced.

EPA will allocate \$10.8 million to this work area in FY 2009. For more information on the HPV Challenge Program and the SPP commitments, please visit <http://www.epa.gov/hpv/index.htm>.

Voluntary Children's Chemical Evaluation Program (VCCEP)

In FY 2009, EPA expects that all voluntary testing and assessments for the 20 chemicals in the VCCEP Pilot Program will be completed, with most of the assessments having been completed before the end of FY 2008. During FY 2008 and FY 2009, EPA will use the information gathered from an evaluation of the initial pilot of VCCEP and work with stakeholders to adjust and enhance VCCEP's post-pilot operations in FY 2009 and beyond. EPA expects that a significant portion of the operational costs of VCCEP peer consultations will be shifted from EPA to companies sponsoring chemicals in the program beginning in FY 2009.

EPA will devote \$544 thousand to this work area in FY 2009. For more information, visit <http://www.epa.gov/oppt/vccep/index.htm>.

Other Chemicals of Concern Under TSCA

Remaining resources in this program are devoted to reviewing and reducing risks of other chemicals of concern under TSCA, including review of new chemicals before they enter commerce. In FY 2009, EPA will continue its successful record of preventing the entry of chemicals that pose unreasonable risks to human health or the environment into the U.S. market. Each year, the Premanufacture Notice (PMN) Review component of EPA's New Chemicals Program reviews and manages the potential risks from approximately 1,500 new chemicals, 40 products of biotechnology, and new chemical nanoscale materials prior to their entry into the marketplace. To measure performance under this program, EPA adopted in FY 2006 (with a FY 2004 baseline) a long-term measure establishing a "zero tolerance" performance standard for the number of new chemicals or microorganisms introduced into commerce that pose an unreasonable risk to workers, consumers, or the environment. The Agency has achieved the 100

percent goal in all four years that the measure has been tracked (FY 2004 to FY 2007). For more information visit www.epa.gov/opptintr/newchems.

Nanoscale Materials

In FY 2009, EPA will continue to implement its voluntary Nanoscale Materials Stewardship Program for new and existing chemical nanoscale materials that are subject to TSCA requirements. EPA will focus on analyzing the data it has received through the program to understand which nanoscale materials are produced, in what quantities, and what other risk-related data are available. EPA will use this information to understand whether certain nanoscale materials may present risks to human health and the environment and warrant further assessment, testing or other action. In FY 2009, EPA will also prepare for the evaluation step of the program. EPA will issue an interim report that will describe the types of data received and how the data are being used. EPA will then develop a more detailed evaluation in the year 2010 regarding how the stewardship program addressed the objectives identified for the program.

Existing Chemicals Program

The Agency's Existing Chemicals program screens, assesses, and manages the human health and environmental risks of chemicals already in commerce. An important example is its work on perfluorooctanoic acid (PFOA). PFOA is an essential processing aid in the manufacture of fluoropolymers, substances with special properties that have thousands of important manufacturing and industrial applications, and fluorinated telomers, which may be a breakdown product of other related chemicals. EPA will continue to evaluate and implement PFOA risk management actions, as indicated based on the results of ongoing risk assessment and testing under Enforceable Consent Agreements (ECAs) and Memoranda of Understanding (MOUs) with industry. The final report of the ECA regarding incineration testing of telomer composites is due in July 2008, and the fluoropolymer ECA report is due in October of 2009. The 3M Company MOU peer consultations process, which will help evaluate the environmental monitoring information developed under this MOU, is underway and likely to continue into FY 2009. The DuPont Corporation MOU peer consultation process has also begun, but the review itself will occur primarily in FY 2009.

In FY 2009, EPA will continue its own direct telomer biodegradation research testing, as well as the testing of fluoropolymer and fluorotelomer consumer articles to determine whether they contain PFOA and are capable of releasing PFOA as they age in use. Also, the Agency launched a global PFOA Stewardship Program in January 2006 for U.S. fluoropolymer and telomer manufacturers. Eight major manufacturers of these chemicals have agreed to participate. Participating companies have committed to reduce PFOA emissions and product content by 95 percent no later than 2010, and to work toward eliminating PFOA emissions and product content no later than 2015. EPA received the first progress reports from companies participating in the PFOA Stewardship Program in October, 2007. Significant progress towards these goals is expected in FY 2009. The Agency will receive annual updates through 2015. For more information, visit www.epa.gov/oppt/pfoa.

An aspect of the Existing Chemicals program's work that has direct impact on the nation's homeland security is the development of values for Acute Exposure Guideline Levels (AEGLs). Emergency planners and first responders use AEGLs to prepare for and deal with chemical emergencies by determining safe exposure levels. Following September 11, 2001, a series of investments in the Homeland Security: Preparedness, Response, and Recovery chemical program augmented resources to support accelerated development of Proposed AEGL values. Beginning in FY 2009 the program will shift emphasis towards elevating Proposed values to Interim and ultimately Final status via peer review by the National Academies of Science. Accordingly, in FY 2009 the program plans to develop Proposed AEGL values for 18 additional chemicals, compared with 33 in FY 2007 and 23 in FY 2006, but will remain on target to meet its long-term goal of developing Proposed AEGL values for 287 chemicals by 2011. In addition, Final values will be completed for at least six additional chemicals in FY 2009.

EPA will allocate \$34.5 million to reviewing and reducing risks of these other chemicals of concern under TSCA in FY 2009. For more information visit www.epa.gov/oppt/aegl.

The Chemical Risk Review and Reduction Program was evaluated through PART in 2007, resulting in a Moderately Effective rating and the third highest points rating of all EPA programs assessed to date. The program is implementing PART Program Improvement Follow-Up Actions to enhance and develop additional outcome measures to add to its already robust portfolio of sound and effective measures, including a biomonitoring measure drawing on data collected by CDC's National Health and Nutrition Examination Survey (NHANES).

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Annual number of chemicals with proposed values for Acute Exposure Guidelines Levels (AEGL)	33	24	24	18	Chemicals

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Reduction in the current year production-adjusted risk-based score of releases and transfers of toxic chemicals from manufacturing facilities.	Data Avail 2008	4	3.5	3.2	Percent RSEI Rel Risk

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Percent reduction from baseline year in average cost of Toxic Substance Control Act 8(e) processing and searches.			7	5	Percent Reduction

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Reduction in cost of managing PreManufacture Notice (PMN) submissions through the Focus meeting as a percentage of baseline year cost				61	Percent Reduction

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Ouput	Cumulative number of High Production Volume (HPV) chemicals with Screening Level Hazard Characterization Reports completed.			1260	1585	HPV Chemicals

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Percent reduction from baseline year in total EPA cost per chemical for which proposed AEGL value sets are developed.	12.6	2	4	6	Percent Cost Savings

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Cumulative number of High Production Volume (HPV) chemicals with Risk Based Decisions Completed.	No Target Established	No Target Established	150	490	HPV Chemicals

The cumulative and annual number of chemicals with proposed values for AEGLs supports the Homeland Security program area. This program has consistently exceeded its performance targets reflecting significantly greater than expected progress in developing Proposed AEGL values due in part to unanticipated opportunities to develop values for categories of similar chemicals. The AEGL Program has exceeded its annual performance target of 24 Proposed AEGL values by completing 33 chemicals in FY 2007. Cumulative results demonstrate a total of 218 proposed AEGLs completed and demonstrate significant progress towards completing 287 chemicals by 2011. In FY 2009, the program is shifting its emphasis to interim and final status AEGLs, which explains the reduction in the target for developing proposed values from 2008 to 2009.

The cumulative and annual reductions in the production-adjusted risk-based score of releases and transfers of toxic chemicals from manufacturing facilities measures track EPA's progress in reducing risks from chemicals under TSCA. These measures are based on the Risk Screening Environmental Indicator (RSEI) model, which calculates a risk index based on releases of Toxics Release Inventory (TRI) chemicals. The Agency's long-term strategic target is to achieve a 50 percent cumulative reduction of RSEI chronic human health risk index by 2011. Data received through FY 2005 indicate a 29.3 percent reduction in the RSEI score. The decline curve for RSEI decreases is expected to become less steep over time. Accordingly, annual targets are more ambitious in FY 2006 (4.5 percent) than they are in 2011 (2.5 percent). TRI data are subject to a two-year data lag, which means this measure has a corresponding delay in reporting on results. FY 2006 performance results will be available for the FY 2008 Performance and Accountability Report.

A subset of the overall RSEI measure examines the cumulative and annual reductions in the production-adjusted risk-based score of releases and transfers of High Production Volume (HPV) chemicals. These measures look at the RSEI score for a subset of 200 HPV chemicals that are reported through the TRI. A long-term target of 45 percent cumulative reduction is set for 2011. The data from TRI are also subject to a two-year data lag, which means this measure has the same delay in reporting on results as the RSEI measure above. FY 2006 performance results will be available for the FY 2008 Performance and Accountability Report.

A supporting annual measure for the HPV program tracks the cumulative number of High Production Volume (HPV) chemicals with Screening Level Hazard Characterization reports completed. This measure tracks Hazard Characterization reports for both U.S. and internationally assessed chemicals. The program has set an ambitious target to complete

Screening Level Hazard Characterization reports for 2,750 HPV chemicals by 2012. In FY 2007, reports were completed for 301 HPV chemicals, exceeding the FY 2007 target of 259 and bringing cumulative progress to 931 chemicals.

The AEGL program shares resources with the “Homeland Security: Preparedness, Prevention and Response” and “Toxic Substances: Chemical Risk Review and Reduction” programs.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$1,172.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$1,225.0) This reduces congressionally-directed funding in the FY 2008 omnibus for HPV and VCCEP. The reduction will not impact long-term targets.
- (+\$858.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs. Funding will support HPV and VCCEP programs as well as other priority toxic chemical reviews.

Statutory Authority:

TSCA.

Pollution Prevention Program

Program Area: Toxics Risk Review and Prevention

Goal: Compliance and Environmental Stewardship

Objective(s): Improve Environmental Performance through Pollution Prevention and Other Stewardship Practices

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$17,548.6</i>	<i>\$19,935.0</i>	<i>\$16,362.0</i>	<i>\$18,398.0</i>	<i>\$2,036.0</i>
Total Budget Authority / Obligations	\$17,548.6	\$19,935.0	\$16,362.0	\$18,398.0	\$2,036.0
Total Workyears	87.2	88.6	88.6	86.6	-2.0

Program Project Description:

The Pollution Prevention (P2) program is one of EPA’s primary tools for encouraging environmental stewardship by the Federal government, industry, communities, and individuals, both domestically and globally. The program employs a combination of collaborative efforts, innovative programs, and technical assistance and education to support stakeholder efforts to minimize and prevent adverse environmental impacts by preventing the generation of pollution at the source. For more information, please visit <http://www.epa.gov/p2/>.

FY 2009 Activities and Performance Plan:

Environmentally Preferable Purchasing (EPP) Program

The goal of this program is for the Federal government to serve as a model to others for environmental stewardship through incorporating environmental considerations into routine purchasing decisions. In FY 2009, EPA will continue to provide leadership to implement EPP efforts in partnership with other Federal agencies, notably to continue to implement, add new federal partners, and measure the benefits of the Federal Electronics Challenge and to promote the use of the Electronic Product Environmental Assessment Tool (EPEAT), a procurement tool designed to help institutional purchasers compare and select desktop computers, laptops, monitors, and other equipment based on environmental attributes. FY 2009 work on EPEAT will involve the development, through a consensus-based stakeholder process, of new standards for additional electronic products, likely including televisions, imaging equipment, mobile devices and/or servers. The program also will implement a partnership with the General Services Administration (GSA) to continue to “green” government meetings.

EPA will allocate \$4.4 million to this work area in FY 2009. See <http://www.epa.gov/oppt/epp/pubs/about/about.htm> for more information.

Green Suppliers Network

Through this program, EPA partners with large manufacturers to help small and medium-sized suppliers identify opportunities to “lean and clean” their operations. These activities help suppliers save money and reduce their environmental impacts. The Green Suppliers Network will continue to partner with the National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership (MEP) program and state pollution prevention programs to deploy the program across the nation’s largest manufacturing supply chains. In FY 2009 the program will work to train states and MEP centers delivering the Green Suppliers Network reviews on the latest “lean and clean” tools to ensure that reviews are consistent and making use of the most advanced techniques. The Green Suppliers Network will also in FY 2009 continue to strengthen its measurement efforts by implementing a results algorithm to support reporting rigorous and defensible program results.

As part of the program’s continuing focus on emerging issues and chemicals of national concern, the program will work with the automobile industry, under its Suppliers’ Partnership for the Environment organization, to develop a framework through which EPA risk screening tools can be used by suppliers to make more informed decisions regarding chemical use and substitutions. The program will also work with the Department of Energy to coordinate the “lean and clean” activities of the Green Suppliers Network with the energy efficiency technical assistance of DOE’s Industrial Assessment Centers.

EPA will allocate \$3.3 million to this work area in FY 2009. For more information, visit <http://www.greensuppliers.gov/gsn/home.gsn>.

Green Chemistry

This program emphasizes the development of new chemistries that cost less, eliminate or reduce hazardous chemical usage and waste, and eliminate the need for potentially dangerous processes and end-of-pipe controls. In FY 2009 the Green Chemistry program will continue to administer the Presidential Green Chemistry Challenge and associated award ceremony and will focus on the development of environmentally preferable substitutes for chemicals of national concern.

EPA will allocate \$2.4 million to this work area in FY 2009. For more information, visit <http://www.epa.gov/opptintr/greenchemistry/>.

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 preventing pollution through development and assessment of safer alternatives. DfE convenes partners, including industry representatives 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 participation and driving change, DfE offers unique technical tools, methodologies, and expertise. EPA's DfE program has reached more than

200,000 business facilities and approximately two million workers, reducing the use of chemicals of concern by approximately 205 million pounds per year.

In FY 2009, DfE will continue collaborating with industry and non-governmental organizations in two focus areas to reduce risk from chemicals. First, DfE's Formulator Program encourages partners to reformulate products to be environmentally safer, cost competitive, and effective. By providing chemical and toxicological information and suggesting safer substitutes, the Formulator Program reduced an estimated 57 million pounds of chemicals of concern in 2006, up from 40 million pounds in 2005. DfE is now working with the consumer cleaning products sector. Large chemical volumes are used in this sector, with the potential for substantial population and environmental exposures that can be reduced through reformulation.

Second, DfE will continue to conduct Alternatives Analysis to Inform Substitution to safer chemicals. In FY 2009 DfE will leverage partnerships with the electronics, wire and cable, polyurethane foam, chemical product formulation, furniture, and photovoltaic industries to help move these industries toward the manufacture, processing and use of safer chemicals, reducing the likelihood of unintended environmental and human health effects and associated liabilities. DfE partnerships will help these industries move away from substances that are considered health and environmental hazards, including lead, chromium, diisocyanates, and certain flame retardants, and to ensure the transition to alternative chemical substances that are safer for human health and the environment.

EPA expects these new partnerships to produce measurable results in FY 2009, such as the replacement of approximately 18.7 million pounds of flame retardants (a fully-realized result of the DfE partnership with the furniture industry to find safer flame retardants for furniture foam) and as much as 158 million pounds of lead per year with safer lead-free solder alternatives.

In FY 2009, the related Green Engineering Program will continue partnerships with industries, states and other interested parties to apply green engineering approaches on specific industrial projects and continue to identify and leverage resources with other interested organizations. For example, the Green Engineering Program is collaborating with the FDA, academia, and industry on regional workshops to advance the incorporation of green engineering approaches and tools in pharmaceutical processes with an aim towards reducing their environmental impact. The program also partners with the Center for Sustainable Engineering, which was established via NSF funding, to further disseminate green engineering educational materials that were developed through the Green Engineering Program. EPA will allocate \$3.2 million to this work area in FY 2009.

Partnership for Sustainable Healthcare (PSH)

This voluntary program, formerly known as the Hospitals for a Healthy Environment (H2E) Program with more than 1,250 Hospital Partners, became an independent non-profit organization in 2006, the first to do so in the history of EPA voluntary programs, significantly reducing EPA's costs for administering the program. Under the PSH Program, EPA will continue to coordinate agency work that improves the environmental performance of the healthcare sector by providing technical expertise and facilitating cooperative working relationships with other programs such

as Energy Star, Green Suppliers Network and EPEAT while the independent PSH organization continues to provide outreach, education, and recognition programs. In its current capacity, PSH is participating in EPA rule making workgroups in the area of pharmaceutical waste management. In addition, because significant amounts of the mercury found in air deposition in the U.S. originate in other countries, EPA is directing a series of pilot healthcare mercury reduction programs on an international scale, including programs in China, Argentina, Taiwan, India and Central America.

EPA will allocate \$160 thousand to this work area in FY 2009. For more information, visit <http://www.epa.gov/oppt/pollutionprevention/pubs/h2e.htm>.

P2 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. In addition to the P2 Grants to States and Tribes and the P2Rx programs described under the companion Categorical Grants: Pollution Prevention program project, resources under this program are made available to a wide variety of applicants through Source Reduction Assistance (SRA) grants issued annually through EPA’s Regional Offices. Thirty four SRA Grants were awarded in FY 2007, with similar numbers of awards anticipated in FY 2008 and FY 2009, supporting P2 solutions resulting in energy and water conservation, reduction of green house gases, and a wide variety of reduction in the use of hazardous materials and generation of other pollutants. Projects include Healthy Schools initiatives, toxics use reduction training, home and business light bulb replacement, mining operation improvement, state agency staff training, safer health care delivery, groundwater protection, and greening meetings, conferences, and buildings. EPA will allocate \$5.0 million of EPM resources to this work area in FY 2009, augmented by \$4.9 million of P2 Categorical Grant resources.

EPA's Pollution Prevention Program underwent PART review in 2006 and received a “moderately effective” rating and the third highest point rating awarded to EPA programs through that date, confirming that the program produces important environmental results in a well-managed and efficient manner. The PART improvement plan recommended that EPA evaluate and implement Science Advisory Board Report recommendations for improving performance measures to better demonstrate Pollution Prevention results, work to reduce barriers confronted by industry and others in attempting to implement source reduction, fully implement Grant Track and the P2 State Reporting System, and develop additional efficiency measures, all of which will be brought to completion prior to and during FY 2009.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Business, institutional and government costs reduced by P2 program participants.			45.9 M	67.8 M	Dollars Saved

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Pounds of hazardous materials reduced by P2 program participants.			429 M	494 M	Pounds

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Percent change from baseline in reductions of Design for the Environment (DfE) chemicals of concern per federal dollars invested in the DfE program.			3	4	Percentage

The Pollution Prevention Program has two PART-approved performance measures and two GPRA measures that are directly linked to its own interventions. These measures target and document a broad range of the program's environmental benefits and integrate performance results contributions from all components of the program. The program has demonstrated substantial progress in achieving its established targets for its annual and long term goals.

The P2 Program has made significant progress towards meeting long-term goals for 2011 outlined within PART and the Agency's Strategic plan.

- The P2 program has set a long term target to reduce 4.5 billion pounds of hazardous materials. Data currently available indicate 2 billion pounds of hazardous materials have been reduced since FY 2000.
- Significant progress has also been made in meeting the long term target to save \$792 million in business, government, and institutional costs as the P2 program has saved \$178 million since 2002.
- The P2 Program has achieved more than half of its long term target to reduce, conserve or offset 31.5 trillion BTUs by reducing 8 trillion BTUs since 2002.
- The P2 Program also has made progress in meeting the long term target to reduce 19 billion gallons of water use by reducing 9.4 billion gallons of water since 2000.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-2.0 FTE) This reduction reflects a transition of pollution prevention programs to the private sector.

- (+\$1,814.0) This increase will restore funding for grants and projects necessary to pursue 2011 Agency strategic targets for reductions of 4.5 billion pounds of hazardous materials use, 31.5 trillion BTUs of energy use, 220 million gallons of water use, and \$792 million in business, government and institutional costs.
- (+\$26.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.
- (+\$196.0) This reflects an increase for payroll and cost of living for all FTE.

Statutory Authority:

PPA and TSCA.

Toxic Substances: Chemical Risk Management

Program Area: Toxics Risk Review and Prevention

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$8,249.6	\$5,654.0	\$5,585.0	\$6,027.0	\$442.0
Total Budget Authority / Obligations	\$8,249.6	\$5,654.0	\$5,585.0	\$6,027.0	\$442.0
Total Workyears	51.5	33.4	33.4	33.4	0.0

Program Project Description:

EPA has established national programs to promote reductions in use and to ensure safe removal, disposal and containment of certain prevalent, high-risk chemicals. Some of these chemicals were introduced into the environment before their risks were known. These chemicals include polychlorinated biphenyls (PCBs), mercury, and asbestos/fibers. The Chemical Risk Management program focuses on providing assistance to Federal agencies and others with responsibility for ensuring proper use of PCBs, reducing or eliminating the use of devices containing mercury, and implementing statutory requirements to address asbestos risks in schools.

FY 2009 Activities and Performance Plan:

Polychlorinated Biphenyls (PCBs)

In FY 2009, EPA will provide assistance on issues related to PCB use, distribution in commerce, manufacture, processing, and import and/or export for use or management other than disposal. These issues also include excluded manufacturing processes, storage for reuse, and the uncontrolled burning of materials containing PCBs. EPA also will consider any possible regulatory changes to address manufacturing processes that inadvertently generate PCBs as well as review existing use authorizations as needed. Some uses of PCB's are relatively old and could benefit from being revisited. Assessments will determine whether some existing uses need to be phased out.

EPA will provide technical assistance to facilitate the development of legislation for the U.S. ratification of the Stockholm Convention, which was signed by the United States on May 23, 2001 and which entered into force without U.S. ratification on May 17, 2004. The passage of legislation to implement the Stockholm Persistent Organic Pollutants (POPs) Treaty is a priority for EPA. Upon ratification, EPA will, among other requirements, take action to meet Convention obligations on PCBs in electrical equipment by 2025.

Mercury

In FY 2009, EPA will continue to promote the reduction of mercury use in products, both domestically and internationally. The program maintains its work with the states and relevant stakeholders to create strategies for addressing the use of mercury in products such as measuring devices (e.g., thermostats and thermometers, switches and relays) and lighting. The program will implement as appropriate regulatory and educational programs to achieve the Agency's goal of addressing mercury exposure from use and disposal of mercury-containing products. The program will work through the states or through existing federal programs, including voluntary efforts with the private sector, to phase out the use of mercury in products where viable alternatives exist.

The program continues to update and expand its mercury use and products database. This database identifies potential products containing mercury and product alternatives and will help identify opportunities for risk reduction efforts including collaborative efforts to reduce the use of mercury.

In FY 2009, EPA will continue to implement its activities under the United Nations Environment Program (UNEP) Mercury Partnerships. Under these global mercury partnerships, the Agency is helping to promote the use of non-mercury products, develop mercury products inventory assessments and databases, and implement mercury-free programs in hospitals, schools and other sectors around the world. The program will continue to track mercury reductions from the UNEP mercury partnerships and build from successful pilots and lessons learned from these projects.

Asbestos/Fibers

The Agency will continue its outreach and technical assistance under the asbestos program for schools, in coordination with other Federal agencies, states, and organizations such as the National Parent-Teachers Association, and the National Education Association. EPA also will continue to provide oversight and regulatory interpretation to delegated state and local asbestos demolition and renovation programs, respond to tips and complaints regarding the Asbestos-in-Schools Rule, respond to public requests for assistance, and help asbestos training providers comply with the Model Accreditation Plan requirements. For more information, visit www.epa.gov/oppt.

Performance Targets:

Work under this program supports EPA's objective to prevent and reduce chemical risks to humans, communities, and ecosystems. Currently, there are no performance measures specific to this program.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$186.0) This reflects an increase for payroll and cost of living for existing FTE.

- (+\$256.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support across programs.

Statutory Authority:

TSCA; ASHAA; AHERA; AIA.

Toxic Substances: Lead Risk Reduction Program

Program Area: Toxics Risk Review and Prevention

Goal: Healthy Communities and Ecosystems

Objective(s): Chemical and Pesticide Risks

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$12,589.8</i>	<i>\$13,546.0</i>	<i>\$13,335.0</i>	<i>\$13,652.0</i>	<i>\$317.0</i>
Total Budget Authority / Obligations	\$12,589.8	\$13,546.0	\$13,335.0	\$13,652.0	\$317.0
Total Workyears	76.5	87.0	87.0	87.0	0.0

Program Project Description:

EPA's Lead Risk Reduction program alleviates the threat to human health, particularly to young children, posed by exposure to lead-based paint and other sources of lead in the environment. The Agency is working to maintain a national infrastructure of trained and certified lead remediation professionals; establish hazard control methods and standards to ensure that homeowners and others have access to safe, reliable and effective methods to reduce lead exposure; maintain a national infrastructure of lead remediation professionals trained and certified to implement those standards; and provide information to housing occupants so they can make informed decisions about lead hazards in their homes. See <http://www.epa.gov/opptintr/lead/index.html> for more information.

FY 2009 Activities and Performance Plan:

In FY 2009 EPA will implement a final regulation and a comprehensive program to address lead hazards created by renovation, repair and painting activities in homes with lead-based paint. To implement the Renovation, Repair and Painting (RRP) Rule, EPA will accredit training providers in all non-authorized states, tribes and territories; review state applications for authorization to administer training and certification programs; provide oversight and guidance to all authorized programs; and continue to disseminate model training courses for lead-safe work practices. Additionally, a significant outreach program will be implemented to support the RRP regulation including:

- Comprehensive education efforts aimed at all regulated parties including states, tribes, and territories
- Informing the regulated community about the improved test kits developed by the program in FY 2007 and 2008; and
- Providing assistance for complying with the RRP rule requirements.

The Agency will continue to provide education and outreach to the public on the hazards of lead-contaminated paint, dust, and soil, with particular emphasis on low-income communities in support of the program's goal to reduce disparities in blood lead levels between low-income children and other children. The program also will implement existing lead hazard reduction regulations and provide technical and policy assistance to states, tribes, and other Federal agencies. EPA will continue these efforts as work progresses on virtually eliminating childhood lead poisoning by 2010.

In addition, EPA will continue to provide support to the National Lead Information Center (NLIC) to disseminate information to the public primarily in electronic form. The Agency also will support HUD's lead hazard control program by ensuring that all contractors who identify or abate lead and lead hazards as part of HUD's Lead-Based Paint Grant Program are properly trained and certified.

The Lead program underwent its first PART assessment in FY 2005, receiving a "moderately effective" rating and the third highest points rating of all EPA programs assessed through that date. Through the PART, EPA introduced a new long-term and annual results measure (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), and a new efficiency measure (annual percentage of lead-based paint certification and refund applications that require less than 20 days of EPA effort to process).

Through the PART Improvement Plan process, EPA improved the consistency of grantee and regional accountability and the linkage between program funding and program goals with an emphasis on program grant and contractor funding. In FY 2009, the Agency will implement recently completed PART follow-up actions to improve measures used in the State Grant Reporting Template and further improve results reporting from program partners. For more information, visit <http://www.epa.gov/opptintr/lead/index.html>.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Annual percentage of lead-based paint certification and refund applications that require less than 20 days of EPA effort to process.	92	90	91	92	Percent Certif/Refund

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of cases of children (aged 1-5 years) with elevated blood lead levels (>10ug/dl).	No Target Established	No Target Established	90,000	No Target Established	Children

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	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.	No Target Established	No Target Established	29	No Target Established	Percent

The Lead Program’s annual efficiency measure tracks improvements in certification application time for lead-based paint professionals and 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 and efficiency. In FY 2007, this measure was revised to measure EPA processing time only, which resulted in a reduction in the number of days to process applications, from 40 days to 20 days. Since 2004, the percent of applicants processed under 20 days has increased from 77 to 92 percent. The FY 2008 and 2009 targets sustain this high level of achievement.

The program’s long-standing annual performance measure tracks the number of children aged 1 to 5 years with elevated blood lead levels (> or = 10 ug/dL). 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. Data are collected on a calendar year basis and released to the public in two-year data sets. In May 2005, NHANES released 1999-2002 data which estimated 310,000 cases of children with elevated blood lead levels, demonstrating a continued downward trend towards reaching EPA’s long-term target of zero cases by 2010. In 2006 EPA’s goal was to lower the amount to 216,000 cases, and in 2008 the goal is to lower to 90,000 cases. The Fourth National Report on Human Exposure to Environmental Chemicals is expected in the summer of 2008, at which time 2004 actual data will be available. CDC historical data are showing a slower rate of progress over time, reflecting increased challenges associated with reaching remaining vulnerable populations.

The program’s second annual performance measure is also based on NHANES data and examines the disparities of blood lead levels in low-income children compared to non low-income children. The program uses this performance measure to track progress toward eliminating childhood lead poisoning in harder to reach vulnerable populations. EPA's long-term goal, reflected in the 2006-2011 Strategic Plan, is to close the gap between the geometric means of blood lead levels among children of low income families versus children of non-low-income families, from a baseline percentage difference of 37 percent (1991-1994), to a difference of 28 percent by the year 2010. In May 2005, NHANES released data which estimated the disparity of blood lead levels between low-income and non-low income children at 32 percent. Actual data for 2006 is expected in 2009, at which time it will be clearer if EPA reached its goal of lowering the disparity to 29 percent.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$405.0) This reflects an increase for payroll and cost of living for existing FTE.
- (-\$88.0) This change is the net of the restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs, and savings from efficiencies.

Statutory Authority:

TSCA.

Program Area: Underground Storage Tanks (LUST / UST)

LUST / UST

Program Area: Underground Storage Tanks (LUST / UST)

Goal: Land Preservation and Restoration

Objective(s): Preserve Land; Restore Land

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$9,836.7	\$11,719.0	\$11,572.0	\$12,256.0	\$684.0
Leaking Underground Storage Tanks	\$14,996.1	\$10,558.0	\$11,968.0	\$10,548.0	(\$1,420.0)
Total Budget Authority / Obligations	\$24,832.8	\$22,277.0	\$23,540.0	\$22,804.0	(\$736.0)
Total Workyears	112.7	131.3	131.3	132.0	0.7

Program Project Description:

EPA works with states, tribes and Intertribal Consortia to prevent, detect, and clean up leaks into the environment from Federally-regulated underground storage tanks (USTs) containing petroleum and hazardous substances. Achieving significant improvements in release prevention and detection requires a sustained emphasis by both EPA and its partners. Potential adverse effects from the use of contaminants of concern such as benzene, or methyl-tertiary-butyl-ether (MTBE) in gasoline further underscores EPA's and the states' emphasis on promoting compliance with all UST requirements, including the requirements described in the Energy Policy Act (EPAct)⁶⁷ of 2005. EPA provides technical information, forums for information exchanges and training opportunities to states, tribes and Intertribal Consortia to encourage program development and/or implementation of the UST program.⁶⁸

The states are the primary enforcers of the UST program requirements. EPA has adopted a decentralized approach to UST program implementation by building and supporting strong state and local UST programs. Although EPA is responsible for implementing the UST program in Indian country, the Agency is working with tribes to strengthen their own UST programs. EPA will use EPM funds to carry out EPA's responsibilities under Title XV, Subtitle B of the EPAct.

FY 2009 Activities and Performance Plan:

The EPAct contains numerous provisions that significantly affect Federal and state UST programs. The EPAct requires that EPA and states strengthen tank release prevention programs, through such activities as: mandatory inspections every three years for all underground storage tanks, operator training, prohibition of delivery for non-complying facilities and secondary containment or financial responsibility for tank manufacturers and installers⁶⁹. In FY 2009, EPA will continue to focus attention on the need to bring all UST systems into compliance and keep

⁶⁷ http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_public_laws&docid=f:publ058.109.pdf Energy Policy Act of 2005; Title XV - Ethanol And Motor Fuels, Subtitle B - Underground Storage Tank Compliance, on pages 500-513.

⁶⁸ Refer to <http://www.epa.gov/OUST/20comply.htm> and <http://www.epa.gov/OUST/20tnkprf.htm>.

⁶⁹ For more information on these and other activities please refer to http://www.epa.gov/OUST/fedlaws/final_fr.htm.

them in compliance with the release detection and release prevention requirements. These activities include assisting states in conducting inspections and assisting other Federal agencies to improve their compliance at UST facilities.

In FY 2009, EPA will continue promoting cross-media opportunities to support core development and implementation of state and Tribal UST programs; strengthening partnerships among stakeholders; and providing technical assistance, compliance assistance, and training to promote and enforce UST facilities' compliance. To help states and tribes implement the UST prevention program, EPA will continue to provide assistance to states developing new requirements to implement the EPCRA requirements, and will provide training opportunities and assistance tools to better prepare UST inspectors and better inform UST owners. The training modules⁷⁰ provide UST inspectors with core and advanced knowledge on how to inspect an UST system. EPA will also continue to monitor and address the impact of releases from USTs.

EPA has the primary responsibility for implementation of the UST Program in Indian country and to maintain information on USTs located in Indian country. EPA also will implement the UST Tribal strategy⁷¹ developed in FY 2006, including developing regulatory requirements for secondary containment, delivery prohibition, and operator training in Indian country.

The Agency and states also will continue to use innovative compliance approaches, along with outreach and education tools, to bring more tanks into compliance and to prevent releases, saving over \$100 thousand in cleanup costs for each release prevented. For example, the emergence of alternative fuels containing ethanol poses several challenges for the UST program, requiring information, education, and innovative policy solutions.

The UST (prevention) program received an overall PART rating of “moderately effective” in 2006. As a component of the program’s improvement plan, EPA worked with its state partners to develop an efficiency measure of the annual confirmed releases per the annual underground storage tanks leak prevention costs.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Increase the rate of significant operational compliance by 1% over the previous year's target.	63	67	68	69	percent

⁷⁰ UST-LUST Virtual Classroom, <http://www.epa.gov/swerust1/virtual.htm>.

⁷¹ Refer to Strategy for an EPA/Tribal Partnership to Implement Section 1529 of the EPCRA of 2005, August 2006, EPA-510-F-06-005, http://www.epa.gov/OUST/fedlaws/final_ts.htm.

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	No more than 10,000 confirmed releases per year.	7,570	<10,000	<10,000	<10,000	UST releases

Work under this program supports EPA’s objectives under Goal 3. The program has set a challenging and ambitious goal of increasing significant operational compliance (SOC) by 1 percent per year from the 2004 baseline of 64 percent. The program did not meet the GPRA goal for the SOC rate in FY 2007 because some states inspected previously uninspected facilities in response to the EPAct. States found that many previously uninspected facilities did not comply with requirements. This likely contributed to the lower compliance rate.

The program also measures confirmed releases reported each year, with a goal of fewer than 10,000 releases each year. Between FYs 1999 and 2007, confirmed UST releases averaged 9,052. In FY 2007, there were 7,570 confirmed UST releases.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$427.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$257.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across the program.
- (+0.7 FTE) This change reflects EPA’s workforce management strategy that will help the Agency better align resources, skills and Agency priorities.

Statutory Authority:

SWDA of 1976, as amended by the Superfund Reauthorization Amendments of 1986 (Subtitle I), Section 8001(a) and (b) as amended by the Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616); and the EPAct, Title XV - Ethanol And Motor Fuels, Subtitle B - Underground Storage Tank Compliance, Sections 1521 - 1533, P.L. 109-58, 42 U.S.C. 15801; RCRA of 1976.

Program Area: Water: Ecosystems

Great Lakes Legacy Act

Program Area: Water: Ecosystems

Goal: Healthy Communities and Ecosystems

Objective(s): Restore and Protect Critical Ecosystems

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$24,296.7</i>	<i>\$35,000.0</i>	<i>\$34,454.0</i>	<i>\$35,000.0</i>	<i>\$546.0</i>
Total Budget Authority / Obligations	\$24,296.7	\$35,000.0	\$34,454.0	\$35,000.0	\$546.0
Total Workyears	0.0	0.0	0.0	0.0	0.0

Program Project Description:

The Great Lakes Legacy Act Program cleans up contaminated sediments in the U.S. or bi-national Great Lakes Areas of Concern (AOCs). An AOC is a geographic area that fails to meet the objectives of the Great Lakes Water Quality Agreement where such failure has caused or is likely to cause impairment of beneficial use or of the area's ability to support aquatic life. The Great Lakes Legacy Act targets resources to clean up contaminated sediments, a significant source of Great Lakes toxic pollutants that can impact human health via the bio-accumulation of toxic substances through the food chain. Contaminated sediments are the cause of or significantly contribute to as many as 11 of the 14 impairments to beneficial uses (including restrictions on fish consumption due to high contaminant levels in fish tissue) in AOCs.⁷² A quantitative estimate of the impact on fish tissue contamination is not available, however sediment remediation activities will contribute to the reduction of Polychlorinated Biphenyls (PCBs) and other contaminants by removing significant quantities of contaminants (or by capping to reduce the biological availability of contaminants).

FY 2009 Activities and Performance Plan:

The total contaminated sediment remediation need in the Great Lakes as of 1997 is estimated to have been about 46 million cubic yards.⁷³ Reporting in 2009 is expected to show that EPA and its partners will have remediated a cumulative total of 5.5 million cubic yards of contaminated sediments from calendar year 1997, when tracking began, through calendar year 2008.

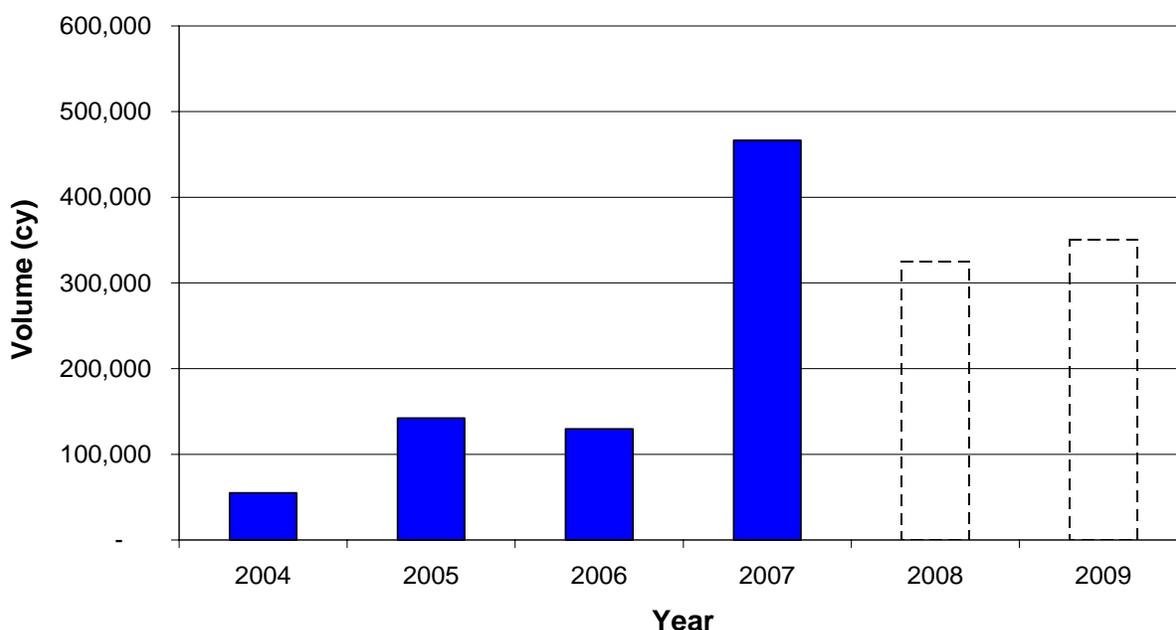
⁷² International Joint Commission – Sediment Priority Action Committee, Great Lakes Water Quality Board. 1997. *OVERCOMING OBSTACLES TO SEDIMENT REMEDIATION in the Great Lakes Basin.*
<http://www.ijc.org/php/publications/html/sedrem.html>.

⁷³ USEPA-Great Lakes National Program Office. December 2006. *Unpublished Report in Great Lakes National Program Office Sediment Files.*

Remediation from Legacy Act projects will contribute to this growing total. In FY 2009, EPA expects to support two to four Legacy Act projects for remediation. These projects are expected to clean up some three hundred fifty thousand cubic yards of contaminated sediments over the project lifetimes. Project lifetimes are expected to be from six months to several years. The Great Lakes Legacy Act rule outlines how projects are prioritized to remediate contaminated sediments in the Great Lakes AOCs.

(See www.epa.gov/glla for more information.)

**Volume of Sediment Remediated
via the Great Lakes Legacy Act Program
(as of 09/30/07)**



Source: USEPA – Great Lakes National Program Office, December 2007.⁷⁴

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Cubic yards of contaminated sediment remediated (cumulative) in the Great Lakes.	4.5	4.5	5.5	5.5	Million Cubic Yards

⁷⁴*Volume of Sediment Remediated in the Great Lakes Legacy Act Program, December 2007.* Available from Great Lakes National Program Office Sediment Files. Projections are based on a cost-based formula for 2008 and 2009. Some of the remediation expected to occur in 2006 was delayed, resulting in lower-than-expected results for 2006 and higher-than-expected remediation for 2007.

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Cost per cubic yard of contaminated sediments remediated.				200	Dollars/ Cubic Yard

Sediment remediation in the U.S. portion of the Great Lakes in recent years has varied from 134,000 cubic yards in 1997 to 975,000 cubic yards in 2003, with year-to-year variances of 3,000 cubic yards to 800,000 cubic yards.⁷⁵ The amount of remediation in a given year has been largely dependent on the possibility of enforcement actions in various EPA programs. With the Great Lakes Legacy Act, EPA now has a program in place that can make steadier progress toward addressing the remaining contaminated sediments in Great Lakes AOCs.

The EPA Great Lakes Program received an “adequate” PART rating in 2007.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$546.0) This change reflects restoration of the 1.56% rescission to all program projects.

Statutory Authority:

2002 Great Lakes and Lake Champlain Act (Great Lakes Legacy Act); CWA; Coastal Wetlands Planning, Protection, and Restoration Act of 1990; Estuaries and Clean Waters Act of 2000; North American Wetlands Conservation Act; WRDA; 1990 Great Lakes Critical Programs Act; 1909 The Boundary Waters Treaty; 1978 GLWQA; 1987 GLWQA; 1987 Montreal Protocol on Ozone Depleting Substances; 1996 Habitat Agenda; 1997 Canada-U.S. Great Lakes Bi-national Toxics Strategy; U.S.-Canada Agreements.

⁷⁵ USEPA-Great Lakes National Program Office. *Sediment Remediation*. Available at: <http://www.epa.gov/glnpo/glindicators/sediments/remediateb.html>.

National Estuary Program / Coastal Waterways

Program Area: Water: Ecosystems

Goal: Healthy Communities and Ecosystems

Objective(s): Restore and Protect Critical Ecosystems

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$21,474.8	\$17,203.0	\$26,779.0	\$17,239.0	(\$9,540.0)
Total Budget Authority / Obligations	\$21,474.8	\$17,203.0	\$26,779.0	\$17,239.0	(\$9,540.0)
Total Workyears	50.1	53.1	53.1	48.1	-5.0

Program Project Description:

The goal of this program is to restore the physical, chemical, and biological integrity of the nation's estuaries and coastal watersheds by protecting and enhancing water quality and living resources. Major areas of effort include:

- Supporting the 28 National Estuary Programs' (NEPs): (1) continued implementation of Comprehensive Conservation and Management Plans (CCMPs) and (2) implementation of Clean Water Act (CWA) core programs in their estuarine ecosystems;
- Coastal monitoring and assessment, including the continued issuance of National Coastal Condition Reports; and
- Supporting non-NEP coastal watershed efforts to address major threats to the health of estuary/coastal waters and coastal watersheds, including such activities as targeting hypoxia in the Gulf of Mexico, assisting communities and/or organizations to find financing for coastal protection and restoration, smart growth and green infrastructure, and adaptation to climate change by estuaries.

(See <http://www.epa.gov/owow/estuaries/> for more information.)

FY 2009 Activities and Performance Plan:

The resources in FY 2009 will support EPA's goal of protecting our national estuaries of significance and other estuarine/coastal watersheds, and protecting and restoring additional acres of habitat in NEP study areas. This work will be undertaken in partnership with states, tribes, coastal communities and others. Estuarine and coastal waters are among the most environmentally and economically valuable resources in the nation.

The National Estuary Program

In FY 2009, EPA will continue support of the National Estuary Program, including \$7,432,000 in CWA Section 320 grants for the 28 NEPs (\$265,400 per NEP) to continue to support this flagship watershed protection program to help address continuing and emerging threats to the nation's estuarine resources.¹ This includes continued support of CCMP implementation as well as implementation by NEPs of CWA core programs. Specifically, EPA's activities include:

- Supporting continuing efforts of all 28 NEP estuaries to maintain their leadership in promoting environmental sustainability through implementation of their CCMPs, which target protection and restoration of estuarine resources, including conducting fiscal and programmatic oversight and performance evaluation of CCMP implementation.
- Supporting efforts to achieve the EPA habitat restoration and protection goal of 250,000 additional acres by 2012.

One growing concern in U.S. coastal watersheds is the effects of climate change, such as sea level rise, changes in precipitation, increases in intensity of and damage from storms, and changes in commercial and ecologically significant species. EPA will begin work with our NEP partners and other coastal watersheds to identify, develop, and communicate about programs that already reduce the effects of climate change or could be modified to better address those effects; *e.g.*, promote appropriate "climate-ready estuaries" by engaging coastal communities in planning, development, and implementation of activities to reduce energy use and adapt to climate change.

This program was included in OMB's PART assessment, Ocean, Coastal, and Estuary Protection, completed in 2005, and was rated "adequate." The National Estuary Program/Coastal Watersheds and the Marine Pollution Control programs were combined and reviewed under this PART review. As a result of the PART evaluation, the program has improved its NEP data reporting and tracking system. The program began testing the system in FY 2006 and moved to full-scale implementation in FY 2007. The program has developed more ambitious targets for its annual and long-term measures regarding the number of acres protected and restored. In addition, we have improved our NEP implementation review program, now known as the Performance Evaluation Review process, to make it more objective and consistent. The comprehensive triennial reviews of each NEP evaluate the progress an NEP has made in reaching environmental and programmatic goals; enhancements will make the reviews more useful in future funding decisions as well as in future PART evaluations.

Acreage-related opportunities for habitat restoration and protection are expected to diminish over time due to the fixed boundaries of NEPs. Also, population growth and increased pressure on coastal resources present significant challenges to improvements in estuarine habitat quality.

¹ The means and strategies outlined here for achieving the Increase Wetlands sub-objective must be viewed in tandem with the means and strategies outlined under the Improve Ocean and Coastal Waters sub-objective. The Improve Ocean and Coastal Waters sub-objective contains strategic measures for EPA's vessel discharge, dredged material management, ocean disposal, and other ocean and coastal programs, which are integral to the Agency's efforts to facilitating the ecosystem scale protection and restoration of natural areas.

The PART improvement plan calls for EPA to set ambitious long-term and annual acreage targets for the NEPs and their partners, and EPA has responded to that challenge.

Coastal Monitoring and Assessment

EPA, working with Federal, state, and local partners, will continue to track the health of coastal waters and progress in meeting NEP/Coastal Watershed strategic targets by issuing future editions of a National Coastal Condition Report (NCCR), supporting efforts to monitor and assess U.S. coastal waters, and developing additional indicators of coastal ecosystem health. The NCCR is the only statistically-significant measure of coastal water quality on nationwide and regional scales, and includes indices covering coastal water quality, sediment quality, benthic condition, coastal habitat, and fish tissue contamination. The PART improvement plan calls for a long-term improvement in the national score for aquatic ecosystem health of coastal waters. This is expected to result in an overall improvement in the quality of the coastal environment based on indicators such as increased dissolved oxygen, reduction in nitrogen and phosphorus, greater water clarity, reduction in sediment contaminants, healthier benthic communities, increased acres of habitat, and reduced contamination in targeted fish and shellfish species.

Information on coastal ecological condition generated by the NCCR can be used by resource managers to efficiently and effectively target water quality actions and manage those actions to maximize benefits. The NCCR 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 2009, EPA will continue other coastal watershed work, including:

- *Gulf Hypoxia*: EPA's role in implementing the *Action Plan for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico* (Plan) will not only require overall leadership in coordinating activities among Federal and state agencies, but also places EPA in the lead role for several specific actions in the plan. One key action involves Federal strategies that provide a framework for state nutrient strategies. EPA's role in this action will include identification of key strategies and coordination of existing EPA efforts. These strategies may include TMDL, nutrient criteria, and standards development, as well as point source, wetlands, and air deposition activities that are aligned with the need to reduce the size of the Gulf Dead Zone. EPA staff leads the Gulf Hypoxia Task Force Communications Sub-Committee and in FY 2009 will continue to develop Annual Operating Plans and Annual Reports that track progress and increase awareness about Gulf of Mexico hypoxia-related progress and barriers along with other stakeholder outreach and education efforts. Other critical activities requiring ongoing EPA leadership and coordination include: providing support for the sub-basin teams, coordination of Mississippi River-Atchafalaya River Basin monitoring activities, and enhanced research and modeling to identify the highest opportunity watersheds for nutrient reductions.

- *Financing Coastal Protection and Restoration:* Successful coastal management requires secure finances. The year-to-year unpredictability of grant funding, increased pressures on coastal natural resources from growing populations, and the need to develop sustainable solutions to coastal environmental challenges require development of new funding strategies for coastal watersheds. New strategies include a blend of public and private funding sources. Development of long-term finance plans and effective partnerships, and promoting community support are also key to successful funding of coastal watershed protection and restoration efforts. EPA will provide coastal resource managers with practical financing strategies, training, and tools to build the capacity of coastal watershed organizations nationwide to secure sustainable funding. EPA will provide information about accessing the Agency’s watershed funding portal and using its web-based resources, including a prioritization tool, step-by-step finance planning module, and funding databases.
- *Smart Growth:* EPA will continue to assist local land-use decision-makers by providing information necessary to plan for growth, minimize the adverse impacts of development, and promote innovative green infrastructure practices that enhance protection of coastal communities’ water quality and living resources. The Agency also will address the cumulative environmental impacts of growth in coastal watersheds through application of smart growth techniques.
- *Climate-Ready Estuaries:* Partnering with EPA’s Air and Radiation program, Climate Change Division, the program will build the capacity of NEPs and other coastal watershed entities to lead coastal communities’ adaptation to the impacts of climate change. EPA will modify the successful National Park Service model, “Climate-Friendly Parks,” by working with the NEPs to develop and implement “Climate-Ready Estuaries” models. The primary focus will be on adaptation of coasts to climate change, as well as actions to reduce greenhouse gas emissions. The national program will designate NEPs and other coastal communities as “climate ready,” allowing coastal leaders to implement climate adaptation strategies within their communities and market their needs and actions to public and private interests.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Program dollars per acre of habitat protected or restored.	482	505	500	500	Dollars

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Acres protected or restored in NEP study areas.	102,463	50,000	50,000	75,000	Acres

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-5.0 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities. These reductions will not impede Agency efforts to maximize efficiency and effectiveness in carrying out its programs.
- (-\$371.0) This decrease is the net effect of increases for payroll and cost of living for existing FTE, combined with a reduction based on the recalculation of base workforce costs.
- (-\$80.0) This decision consolidates Agency program evaluation efforts.
- (-\$9,089.0) This total is the net of the 1.56% rescission and a reduction of congressionally directed increases in the FY 2008 Omnibus for CWA Section 320 grants.

Statutory Authority:

1990 Great Lakes Critical Programs Act; 2002 Great Lakes and Lake Champlain Act; CWA; Estuaries and Clean Waters Act of 2000; Protection, and Restoration Act of 1990; North American Wetlands Conservation Act; Water Resources Development Act (WRDA); 1909 The Boundary Waters Treaty; 1978 Great Lakes Water Quality Agreement (GLWQA); 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: Healthy Communities and Ecosystems

Objective(s): Restore and Protect Critical Ecosystems

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$19,641.9</i>	<i>\$21,518.0</i>	<i>\$21,248.0</i>	<i>\$22,223.0</i>	<i>\$975.0</i>
Total Budget Authority / Obligations	\$19,641.9	\$21,518.0	\$21,248.0	\$22,223.0	\$975.0
Total Workyears	144.4	147.0	147.0	147.0	0.0

Program Project Description:

Wetlands improve water quality; recharge water supplies; reduce flood risks; provide fish and wildlife habitat; offer sites for research and education; and support valuable fishing and shellfish industries. EPA's Wetlands Protection Program relies on partnerships with other programs within EPA; 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, EPA ensures a sound and consistent approach to wetlands protection.

Major activities of the Wetlands Protection Program include administration of EPA's role in the Clean Water Act (CWA) Section 404 Wetlands Regulatory Program; development and dissemination of rules, guidance, informational materials, and scientific tools to improve management and public understanding of wetland programs and legal requirements; and managing financial assistance to states and tribes to support development of strong wetland protection programs. EPA works with other Federal agencies to implement the provisions of Section 404 of the CWA to protect wetlands, free-flowing streams, and shallow waters. EPA also works in partnership with non-governmental organizations and state, Tribal, and local agencies to conserve and restore wetlands and associated river corridors through watershed planning approaches, voluntary and incentive-based programs, improved scientific methods, information and education, and building the capacity of state and local programs.

(See <http://www.epa.gov/owow/wetlands/> for more information.)

FY 2009 Activities and Performance Plan:

The Administration has demonstrated its commitment to a regulatory program aimed at no net loss of wetlands and voluntary programs to increase wetland acreage. Approaches include public, private, regulatory, and non-regulatory initiatives and partnerships to restore, improve, and protect the nation's wetlands. In his 2004 Earth Day address, the President announced a renewed effort to move beyond a policy of no net loss to achieve an overall increase in the nation's wetland resources over the next five years. To achieve this goal, the Administration will

work through six Federal agencies to restore, improve, and protect at least three million acres of wetlands by 2009.

In FY 2009, EPA will work with its state and Tribal partners to develop and implement broad-based and integrated monitoring and assessment programs that improve data for decision-making on wetlands within watersheds, address significant stressors, and report on condition as well as geo-locating wetlands on the landscape. EPA will work to achieve national gains in wetland acreage by implementing an innovative partner-based wetland and stream corridor restoration program. The Agency, working with the Army Corps of Engineers and other partners, will implement the joint Corps-EPA Compensatory Mitigation Rule (slated to be finalized in FY 2008) and build our capacity to measure wetland condition, in addition to measuring wetland acreage. EPA's support will help avoid or minimize wetland losses, and provide for full compensation for unavoidable losses of wetland functions, through wetlands restoration and enhancement using a watershed approach and tools such as mitigation banking. EPA will continue to focus on wetland and stream corridor restoration to regain lost aquatic resources, and strengthening state and Tribal wetland programs to protect vulnerable wetland resources. EPA will continue to administer Wetland Program Development Grants, with a continued focus in FY 2009 on state/Tribal wetlands environmental outcomes.

Two key activities in 2009 will be implementing the 2006 decision of the Supreme Court in the *Rapanos* and *Carabell* cases, and working with our Federal agency partners to accelerate the completion of the digital Wetlands Data Layer in the National Spatial Data Inventory (NSDI), or national map.

The decision in *Rapanos* resulted in an increased demand on EPA and the Corps of Engineers for case-by-case decisions on whether specific streams and wetlands are within the scope of jurisdiction under the CWA. These thousands of case by case decisions will create an increase in the amount of training needed for EPA and Corps field staff. These case by case determinations will also increase the frequency of interagency analysis and coordination, including site visits. The June 2007 interagency guidance established the agencies' interpretation of the *Rapanos* decision and articulated how the decision would be implemented; making it clear that many new site-specific jurisdictional determinations would now be required.

The Wetlands Data Layer is one of 34 layers of digital data that comprise the NSDI. The U.S. Fish and Wildlife Service (FWS) has responsibility for maintaining the Wetlands Data Layer and EPA works closely with the Service's National Wetlands Inventory to help ensure the map is updated and maintained. In 2009, EPA will continue to work closely with the FWS and seven other partner agencies (including the Corps of Engineers and Federal Highways Administration) to accelerate the completion of the Wetlands Data Layer. This is essential for local, state, Tribal, regional and national agencies so they can better manage and conserve wetlands in the face of challenges imposed by climate change, including sea level rise and related issues of flooding and drought. The Wetlands Data Layer is the primary source of coastal wetlands data for EPA's sea level rise model. The sea level rise model, also known as SLAMM (Sea Level Affecting Marshes Model), is the primary model used to predict sea level rise and is used by a number of Federal agencies. SLAMM simulates the dominant processes involved in wetland conversions and shoreline modifications during long-term sea level rise. Increasing the accuracy and

completeness of the Wetlands Data Layer is important to the overall effectiveness of SLAMM and directly affects the accuracy of Federal sea level rise projections.

Two recent reports document progress in reducing wetland loss and increasing wetland restoration in the U.S. The 2006 National Wetlands Inventory Status and Trends Report, which reports the quantity and type of wetlands in the conterminous United States, shows that overall gains in wetland acres exceeded overall losses from 1998 through 2004 at a rate of 32,000 acres per year. This gain is primarily attributable to an increase in unvegetated freshwater ponds, which may have varying functional value. Additionally, wetland data provided in a report titled *Conserving America's Wetlands 2007: Three years of Progress Implementing the President's Goal* (Council on Environmental Quality, April 2007), indicates that 2,769,000 acres of wetlands have been restored, protected or improved since April 2004.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Working with partners, achieve a net increase of acres of wetlands per year with additional focus on biological and functional measures and assessment of wetland conditions. (cumulative)	Data Lag	100,000	100,000	100,000	Acres/year

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	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	Data Lag	No Net Loss	No Net Loss	No Net Loss	Acres

This program has not been reviewed under the PART process.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+\$708.0) This reflects an increase for payroll and cost of living for existing FTE.

- (+\$267.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

1990 Great Lakes Critical Programs Act; Great Lakes and Lake Champlain Act; CWA; 2002 Coastal Wetlands Planning, Protection, and Restoration Act of 1990; Estuaries and Clean Waters Act of 2000; North American Wetlands Conservation Act; WRDA; 1909 The Boundary Waters Treaty; 1978 GLWQA; 1987 GLWQA; 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: Clean and Safe Water

Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	\$2,821.4	\$2,830.0	\$2,789.0	\$2,795.0	\$6.0
Total Budget Authority / Obligations	\$2,821.4	\$2,830.0	\$2,789.0	\$2,795.0	\$6.0
Total Workyears	7.9	7.7	7.7	7.7	0.0

Program Project Description:

This program supports the Agency's efforts to protect people from contaminated recreational waters and 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 or other pollutants.

Beaches Program

The Beaches Program protects human health by reducing exposure to contaminated recreational waters. Agency activities include: 1) issuing guidance to improve 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 warning beach users of health risks or closure of beaches; 3) promulgating Federal water quality standards where a state or tribe fails to adopt appropriate standards to protect coastal and Great Lakes recreational waters; and 4) providing publicly accessible Internet-based information about local beach conditions and closures.

(See <http://www.epa.gov/waterscience/> for more information.)

Fish & Shellfish Programs

The Fish and Shellfish Programs provide 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/shellfish with excessive levels of contaminants. 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, and disseminating information to the public and health professionals that enable informed 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 EPA and the Food and Drug Administration (FDA) have issued a joint advisory concerning eating fish and shellfish. Mercury contamination of fish and shellfish occurs locally, as well as in ocean-caught fish, and at higher levels causes adverse health effects, especially in children and infants.

FY 2009 Activities and Performance Plan:

In FY 2009, EPA will:

Beaches Program:

- Work with states and tribes to implement the latest, scientifically defensible pathogen criteria for freshwaters.
- Continue to work with coastal and Great Lakes states, territories, and tribes to adopt water quality standards that are as protective of human health as EPA's most current water quality criteria for pathogens.

Fish/Shellfish Programs:

- Continue to work with FDA and public health agencies to develop and distribute outreach materials related to the joint guidance issued by EPA and FDA for mercury in fish and shellfish and assess the public's understanding of the guidance.
- Continue to work with FDA to investigate the extent and risks of contaminants in fish, including the potential need for advisories for other pollutants, and to distribute outreach materials.
- Continue to provide technical support to states in the operation of their monitoring programs and on acceptable levels of contaminant concentrations, and in states' development and management of fish advisories.
- Continue to release the summary of information on locally issued fish advisories and safe-eating guidelines. This information is provided to EPA annually by states and tribes.
- Continue to reduce total blood mercury concentrations through ongoing work with FDA on joint guidance issued to the public, and by encouraging and supporting the states' implementation of their fish advisory programs through such measures as the National Forum on Contaminants in Fish and publishing the National Listing of Fish Advisories.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percentage of women of childbearing age having mercury levels in blood above the level of concern.			5.5	5.2	Percent of Women

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of state-monitored shellfish-growing acres impacted by anthropogenic sources that are approved or conditionally approved for use.			65-85	65-85	Percent of Areas

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	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.			2	2	Number of Outbreaks

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of days of beach season that coastal and Great Lakes beaches monitored by State beach safety programs are open and safe for swimming.	95.2	92.6	92.6	93	Percent of Days/Season

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-\$80.0) This reflects a consolidation of Agency program evaluation efforts.
- (+\$30.0) This reflects an increase for payroll and cost of living for existing FTE.
- (+\$56.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

CWA; BEACH Act of 2000.

Drinking Water Programs

Program Area: Water: Human Health Protection

Goal: Clean and Safe Water

Objective(s): Protect Human Health

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$100,323.2</i>	<i>\$96,967.0</i>	<i>\$96,722.0</i>	<i>\$99,476.0</i>	<i>\$2,754.0</i>
Science & Technology	\$3,256.6	\$3,416.0	\$3,375.0	\$3,559.0	\$184.0
Total Budget Authority / Obligations	\$103,579.8	\$100,383.0	\$100,097.0	\$103,035.0	\$2,938.0
Total Workyears	564.7	584.1	584.1	583.4	-0.7

Program Project Description:

EPA's Drinking Water program is based on the multiple-barrier approach to protecting public health from unsafe drinking water. Under this approach, EPA protects public health through: source water assessment and protection programs; promulgation of new or revised, scientifically sound and risk-based National Primary Drinking Water Regulations (NPDWRs); training, technical assistance, and financial assistance programs to enhance public water systems' capacity to comply with existing and new regulations; and the national implementation of NPDWRs by state and tribal drinking water programs through regulatory, non-regulatory, and voluntary programs and policies to ensure safe drinking water.

(See <http://www.epa.gov/safewater/> for more information.)

FY 2009 Activities and Performance Plan:

Safe drinking water and clean surface waters are critical to protecting human health. More than 280 million Americans rely on the safety of tap water provided by public water systems that are subject to national drinking water standards.⁷⁶ In FY 2009, EPA will continue to protect sources of drinking water from contamination; develop new and revise existing drinking water standards; support states, tribes, and water systems in implementing standards; and promote sustainable management of drinking water infrastructure. As a result of these efforts, the Agency will ensure that 90 percent of the population served by community water systems will receive drinking water that meets all applicable health-based standards.

Drinking Water Implementation

In FY 2009, the Agency will continue implementing requirements for the newly promulgated Cryptosporidium (Long Term 2 Enhanced Surface Water Treatment Rule or "LT2"),

⁷⁶ U.S. Environmental Protection Agency Safe Drinking Water Information System (SDWIS/FED), <http://www.epa.gov/safewater/data/getdata.html>.

Disinfection (Stage 2 Disinfectants and Disinfection Byproducts Rule or “Stage 2”), and Ground Water rules. EPA will work with states as they begin to apply for primacy for the LT2, Stage 2, and Ground Water rules in FY 2009. EPA also will assist states in implementing public health requirements for high-priority drinking water contaminants, including those covered under the Arsenic Rule and revised Lead and Copper Rule. By FY 2009, all water systems should be in compliance or on schedules to install treatment or develop alternative solutions to reduce their arsenic levels below the new standard. EPA will assist small water systems in choosing cost effective treatment technologies by maintaining and enhancing its Arsenic Virtual Trade Show website, through continuing its Arsenic Treatment Demonstration Program, and by coordinating with technical assistance providers. EPA also will continue collaborating with our state partners and other Federal agencies to assist these small water systems in finalizing and funding their arsenic reduction efforts.

In order to facilitate compliance with these new rules, as well as existing rules, EPA will:

- Carry out the drinking water program where EPA has primacy (*e.g.*, Wyoming, the District of Columbia, and tribal lands), and where states have not yet adopted new regulations.
- Continue to provide guidance, training (including webcasts), and technical assistance to states, tribes, laboratories and utilities on the implementation of drinking water regulations, especially the Ground Water Rule and revised Lead and Copper Rule. EPA will promote operation and maintenance best practices to small systems in support of long term compliance success with existing regulations.
- Support states with technical reviews of public water system submissions required for the Stage 2 rule in 2009. EPA will work directly with approximately 30,000 systems by reviewing monitoring submissions and conducting training in states that are not conducting early implementation of the LT2/Stage 2 rules (over 59,000 systems will need to comply with the rules during FY 2009).
- Support states in their efforts to provide technical, managerial, and financial assistance to small systems to improve their capacity to consistently meet regulatory requirements through the use of cost-effective treatment technologies, proper disposal of treatment residuals, and compliance with contaminant requirements, including monitoring under the arsenic and radionuclides rules and rules controlling microbial pathogens and disinfection byproducts.
- Improve the quality of data in the Safe Drinking Water Information System (SDWIS) by continuing to work with states to improve data completeness, accuracy, timeliness, and consistency through: training on data entry, error correction, and regulatory reporting; conducting data verifications and analyses; and implementing quality assurance and quality control procedures. Also, the Agency will support a database for the Underground Injection Control (UIC) program. Specifically, EPA will deploy and implement the UIC database through orientation and training of users and leveraging opportunities to reach users through their national association.

- Continue on-going oversight programs for categorical grants (Public Water System Supervision (PWSS), Drinking Water State Revolving Fund (DWSRF), and UIC).

Drinking Water Standards

In FY 2009, the Agency will continue to collect and evaluate information on potential drinking water contaminants and their health risks as included on the third Contaminant Candidate List (CCL3). Potential contaminants may include pharmaceuticals and personal care products. The Agency will use this information to make risk management decisions based upon sound science to address public health threats posed by these contaminants. The Agency will also continue to evaluate and address drinking water risks through activities to implement the Safe Drinking Water Act (SDWA) including:

- Reviewing and evaluating comments and information submitted in response to publications of the draft third Contaminant Candidate List (CCL3) identifying drinking water contaminants which may require regulation.
- Collecting, compiling and analyzing data on the frequency and level of occurrence of 25 unregulated contaminants in public water systems through implementation of the second Unregulated Contaminant Monitoring Rule.
- Developing analytical methods that can be utilized by laboratories across the U.S. to test for the presence of new and emerging contaminants in drinking water.
- Collaborating with the Centers for Disease Control and Prevention to determine public health protection effects of risk management strategies for drinking water contamination, including waterborne disease.
- Evaluating new information on health effects, occurrence, and other information for regulated contaminants to determine what if any revisions are appropriate under the National Primary Drinking Water Rule Review completed every six years.
- Developing proposed revisions to the Total Coliform Rule and considering data and research needs for water distribution systems, based on recommendations from the Total Coliform Rule/Distribution Systems Federal Advisory Committee to maintain or provide for greater public health protection.
- Implementing the appropriate actions to address the long term issues identified in the national review of the revised Lead and Copper Rule. Long term issues that could be addressed include the effectiveness of partial lead service line replacement and effectiveness of lead and copper sampling requirements.

Sustainable Infrastructure

EPA's sustainable infrastructure initiative, an Agency priority, is based on four pillars – better management, full-cost pricing, water efficiency and the watershed approach. EPA's DWSRF provides states with funds for low-interest loans to assist utilities with financing drinking water infrastructure needs. In FY 2009, EPA will work with states to encourage targeting this affordable, flexible financial assistance to support utility compliance with safe drinking water standards and also will work with utilities to promote full-cost pricing as a critical means to meet infrastructure needs and ensure compliance. The Agency continues to implement a multi-faceted DWSRF management strategy to ensure effective oversight of these funds and optimization of program outcomes.

In 2005, EPA released the third Drinking Water Needs Survey to Congress, based on data collected from utilities in 2003. In 2009, the Agency plans to release the next report, based on data collected from utilities in 2007. The survey documents 20-year capital investment needs of public water systems that are eligible to receive DWSRF monies – approximately 54,000 community water systems and 21,400 not-for-profit non-community water systems. 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). As directed by the SDWA, EPA uses the results of the survey to allocate DWSRF funds to the states and tribes.

EPA will further contribute to the sustainable infrastructure initiative through partnership-building activities, including the Agency's capacity development and operator certification work with states, and efforts with leaders in the drinking water utility industry to promote asset management and the use of watershed-based approaches to manage water resources. The Agency also will engage states and other stakeholders to facilitate the voluntary adoption of best practices by drinking water utilities.

Source Water Protection

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 leadership initiative because source water protection can reduce the need for expensive drinking water treatment, along with related increased energy use and costs, which, in turn, can reduce the cost of infrastructure.

In FY 2009, the Agency will:

- Continue to work across EPA and with other Federal agencies to increase awareness of source water protection for better management of significant sources of contamination 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 broad-based efforts directed at

encouraging actions at the state and local level to address sources of contamination identified in source water assessments.

- Continue to support source water protection efforts by providing training, technical assistance, and technology transfer capabilities to states and localities, and facilitating the adoption of Geographic Information System (GIS) databases to support local decision-making.
- Direct national Underground Injection Control (UIC) program efforts to protect underground sources of drinking water by establishing priorities, developing guidance, measuring program results, and administering the UIC Grants.
- Expand energy permitting work to keep pace with the nation's burgeoning energy exploration and development; by FY 2009, U.S. energy production is expected to grow by almost 10% from FY 2005 levels. This includes an increase of 5.0 FTE for energy permitting.
- Manage the regulation of potential new waste streams that will use underground injection, including residual waste from desalination and other drinking water treatment processes.
- Work in concert with the EPA Office of Air and Radiation, the Department of Energy, and other Federal Agencies as necessary to ensure that wells injecting carbon dioxide do not endanger underground sources of drinking water.
- Carry out responsibilities in permitting current and future geologic sequestration (GS) of carbon dioxide projects. FY 2009 funding for carbon sequestration work is \$2.6 million. Activities planned for FY 2009 include:
 - Continue development of national rules for the geologic sequestration (GS) of carbon dioxide recovered from emissions of power plants and other facilities.
 - Analyze data collected through Department of Energy pilot projects and industry efforts to demonstrate and commercialize geologic sequestration of carbon dioxide technology;
 - Engage states and stakeholders through meetings, workshops and other avenues, as appropriate;
 - Provide technical assistance to states in permitting initial GS projects; and
 - Work with the Office of Research and Development to understand key issues and knowledge gaps. There are many complex technical questions that must be answered in order to develop an appropriate regulatory framework that is fully protective of human health and the environment, and ensures that underground sources of drinking water are not placed at risk.

The Drinking Water Protection Program completed a PART review in 2006 and achieved an "adequate" rating. The measures and targets below were modified through the PART process in FY 2008. The PART's improvement plan requires that EPA continue to work towards

developing a long-term outcome performance measure to assess the public health impacts of improvements in drinking water compliance, continue to improve the overall quality of the data in EPA's drinking water compliance reporting system, and revise the current drinking water small system affordability methodology to address negative distributional impacts.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of community water systems that have undergone a sanitary survey within the past three years (five years for outstanding performance.)	92	95	95	95	Percent CWS

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of person months during which community water systems provide drinking water that meets all applicable health-based standards.	96.8	N/A	95	95	Percent CWS

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of population served by CWSs that will receive drinking water that meets all applicable health-based drinking water standards through approaches incl. effective treatment & source water protection.	91.5	94	90	90	Percent Population

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of the population in Indian country served by	87	87	87	87	Percent Population

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
	community water systems that receive drinking water that meets all applicable health-based drinking water standards					

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of community water systems that meet all applicable health-based standards through approaches that include effective treatment and source water protection.	89	89	89.5	90	Percent Systems

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+5.0 FTE / -5.0 FTE / +\$1,600.0) This reflects a redirection of program FTE to energy-related permitting work in support of the Agency's priority on clean and affordable energy. Additional funds will support carbon sequestration rule development work and increased energy permitting.
- (-0.7 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills, and Agency priorities. This reduction will not impede Agency efforts to maximize deficiency and effectiveness in carrying out its programs.
- (+\$2,629.0) This reflects an increase for payroll and cost of living for all FTE.
- (-\$1,843.0) This decrease reflects completion of some EPA efforts, such as early implementation of LT2/Stage 2, major SDWIS training activities, and efforts on analytic method development.
- (+\$368.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

SDWA; CWA.

Program Area: Water Quality Protection

Marine Pollution

Program Area: Water Quality Protection

Goal: Clean and Safe Water

Objective(s): Protect Water Quality

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$12,890.5</i>	<i>\$12,851.0</i>	<i>\$12,674.0</i>	<i>\$13,185.0</i>	<i>\$511.0</i>
Total Budget Authority / Obligations	\$12,890.5	\$12,851.0	\$12,674.0	\$13,185.0	\$511.0
Total Workyears	43.7	43.7	43.7	44.1	0.4

Program Project Description:

The goals of the marine pollution programs 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 sources of pollution, such as marine debris and invasive species.

Major areas of effort include:

- Developing and implementing regulations and technical guidance to control pollutants from vessels, 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.
- Operating the Ocean Survey Vessel (OSV) Bold to monitor coastal and ocean waters, including supporting ocean disposal site management and conducting baseline and trends assessments (*e.g.*, Gulf of Mexico hypoxic zone, climate change indicators, ocean dumping sites, and coral reefs).
- Supporting international marine pollution control with other Federal agencies through negotiations of international standards that address aquatic invasive species, harmful antifoulants, bilge water, and marine debris.
- Working with a wide variety of stakeholders to develop, provide, and implement watershed management tools, strategies and plans for coastal ecosystems in order to restore and maintain the health of coastal aquatic communities on a priority basis, including dredged material management plans for coastal ports.

(See <http://www.epa.gov/owow/oceans/regulatory/index.html> for more information.)

FY 2009 Activities and Performance Plan:

Coastal and ocean waters are environmentally and economically valuable to the nation. To protect and improve water quality on a watershed basis, EPA will work with states, tribes, interstate agencies, and others on improving the quality of our valuable ocean resources. The health of ocean and coastal waters and progress in meeting the strategic targets will be tracked through periodic issuance of National Coastal Condition reports, a cooperative project with other Federal agencies. Key FY 2009 actions include:

Reducing Vessel Discharges

- Continue to work with the Department of Defense to finalize discharge standards for Armed Forces vessels (*i.e.*, complete development for the first phase of the project and continue development of standards for remaining discharges).
- Continue to participate in the review of clean-up plans for individual Navy and Maritime Administration vessel-to-reef projects.
- Continue assessing program success in reducing sewage discharges from vessels and enhance controls of pollutant discharges from vessels.
- Continue to coordinate with the U.S. Coast Guard (USCG) on ballast water discharge standards.
- Participate on the Marine Environment Protection Committee (MEPC) of MARPOL (The Protocol of 1978 Relating to the International Convention for the Prevention of Pollution From Ships, 1973) to develop international standards and guidance within the MARPOL Convention.

Managing the Marine Protection, Research, and Sanctuaries Act (MPRSA) / Ocean Dumping Program (including Dredged Material)

- Monitor active dredged material ocean dump sites to ensure achievement of environmentally acceptable conditions, as reflected in Site Management Plans.
- As co-chair of the National Dredging Team, in conjunction with the Army Corps of Engineers and EPA Regional Offices, continue working to create a tracking system for beneficial use of dredged materials (as an alternative to dumping in ocean or coastal waters).
- Work with other interested 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 iron fertilization of the ocean, including any required permitting under MPRSA.

- Continue working to ensure that U.S. policy and procedures regarding ocean dumping are consistent with the London Convention of 1972 and its 1996 Protocol. Continue managing the ocean dumping vessels database which is used for determining compliance with a general permit under MPRSA for ocean dumping of vessels in the United States.

Monitoring and Assessment

- During 2009, the *OSV Bold* is expected to continue supporting the following types of activities: collection of environmental data from several offshore areas for use in their designation of dredged material disposal sites (such as in Long Island Sound); periodic environmental monitoring of 10 to 20 of the 64 active ocean disposal sites; the monitoring of 5 to 10 offshore waste disposal sites or wastewater outfalls; and monitoring of significantly impacted or important coastal waters such as the Gulf of Mexico hypoxic zone and Florida coral reefs.
- The Agency will use the *OSV Bold* to stay abreast of climate change science by working with the Regional Offices and other EPA program offices to identify and develop basic climate change indicators through the *OSV Bold's* monitoring activities.

Reducing Marine Debris

- Work with other members of the Interagency Marine Debris Coordinating Committee (IMDCC) to implement an action plan for assessing and reducing marine debris in response to the forthcoming IMDCC Report to Congress.

Contributing to the Health of Coral Reefs

- Continue participation on the U.S. Coral Reef Task Force in order to address new issues and problems arising with coral reefs and to expand efforts to reduce stresses on reefs from rising water temperatures and vessel discharges.

Ocean Action Plan

- The Administration developed the “U.S. Ocean Action Plan” to identify immediate, short-term actions that will provide direction for ocean policy and outline additional long-term actions for the future. EPA will continue to be an active participant in the Ocean Action Plan, using this interagency process to make progress in addressing various issues, including climate change, regional collaborations, and vessel discharges.

This program was included in OMB’s PART assessment, Ocean, Coastal, and Estuary Protection, completed in 2005, and was rated “adequate.” As a follow-up action to the PART review, and to improve the performance of the Marine Pollution Program, a new strategic plan measure was developed for the ocean dumping program for FY 2008. On an annual basis, EPA Regional Offices will determine whether dredged material ocean dump sites are achieving environmentally acceptable conditions, as defined by each individual Site Management Plan.

Should a site not achieve acceptable conditions, corrective actions will be taken by the appropriate parties.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Percent of active dredged material ocean dumping sites that will have achieved environmentally acceptable conditions (as reflected in each site's management plan).			95	95	Percent Sites

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (+0.4 FTE) This change reflects EPA’s workforce management strategy that will help the Agency better align resources, skills and Agency priorities.
- (+\$222.0) This reflects an increase for payroll and cost of living for all FTE.
- (+\$289.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

Certain Alaskan Cruise Ship Operations Act (PL 106-554); Clean Vessel Act; CWA; CZARA of 1990; FIFRA; MPPRCA of 1987; MPRSA; National Defense Authorization Act for Fiscal Year 2004, Section 3516; NEPA, Section 102; NISA of 1996; NAFTA; Ocean Dumping Ban Act of 1988; OAPCA; PPA; RCRA; SDWA; Shore Protection Act of 1988; TSCA; WRDA; Wet Weather Water Quality Act of 2000.

Surface Water Protection

Program Area: Water Quality Protection

Goal: Clean and Safe Water

Objective(s): Protect Water Quality; Enhance Science and Research

(Dollars in Thousands)

	FY 2007 Actuals	FY 2008 Pres Bud	FY 2008 Enacted	FY 2009 Pres Bud	FY 2009 Pres Bud v. FY 2008 Enacted
<i>Environmental Program & Management</i>	<i>\$191,797.2</i>	<i>\$196,092.0</i>	<i>\$193,546.0</i>	<i>\$198,706.0</i>	<i>\$5,160.0</i>
Total Budget Authority / Obligations	\$191,797.2	\$196,092.0	\$193,546.0	\$198,706.0	\$5,160.0
Total Workyears	1,085.6	1,101.1	1,101.1	1,092.4	-8.7

Program Project Description:

The EPA Surface Water Protection Program, under the Clean Water Act (CWA), directly supports efforts to protect, improve and restore the quality of rivers, lakes, and streams. EPA works with states to make continued progress toward the clean water goals identified in EPA’s Strategic Plan by implementing core clean water programs, including innovations that apply programs on a watershed basis, and accelerating efforts to improve water quality on a watershed basis.

FY 2009 Activities and Performance Plan:

In 2009, EPA will focus its work with states, interstate agencies, tribes and others in key areas of the national water program, including: water quality standards and technology (\$45 million), National Pollutant Discharge Elimination System (NPDES) (\$41 million), water monitoring (\$23 million, including \$5 million for the monitoring initiative), Total Maximum Daily Loads (TMDLs) (\$28 million), watershed and nonpoint source management (\$26 million), sustainable infrastructure management (\$16 million), water infrastructure grants management (\$14 million), and CWA Section 106 program management (\$7 million).

Water quality criteria and standards provide the scientific and regulatory foundation for water quality protection programs under the CWA. They are used to define which waters are clean and which waters are impaired, and thereby serve as benchmarks for decisions about allowable pollutant loadings into waterways. (See <http://www.epa.gov/waterscience/> for more information.)

In FY 2009, 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 and pathogens in ambient water. EPA will work with state and Tribal partners to help them develop standards that are “approvable” under the CWA, including providing advance guidance and technical assistance where appropriate before the standards are formally submitted to EPA. EPA expects that 83 percent of state submissions will be approvable in FY 2009.

In FY 2009, EPA will continue the monitoring initiative that began in 2005. EPA will provide technical support to states, tribes, and other partners participating in national and state statistically valid surveys. A report on baseline conditions in lakes will be issued in 2009. EPA also will be analyzing samples for a statistically-valid survey of baseline conditions in rivers and a second survey of wadeable streams to determine trends in stream conditions. A report on trends in streams and baseline condition of rivers will be issued in 2011. EPA will support states, tribes and other partners in the design and collection of data for a fourth survey of coastal water conditions. EPA will support states and tribes in implementing their comprehensive monitoring strategies, including development of efficient scientifically valid tools to assist in monitoring and assessing their waters, and in implementing statistically-valid surveys of water condition at the state-scale. These efforts will help provide the data and information needed for sound management of the nation's waters.

In FY 2009, EPA will continue working with states, interstate agencies, and tribes to foster a "watershed approach" as the guiding principle of clean water programs. In watersheds where water quality standards are not attained, states will be developing TMDLs, which are critical tools for meeting water restoration goals. Watershed plans and TMDLs will focus control and restoration efforts on pollutants from point sources and runoff from nonpoint sources. States and EPA have made significant progress in the development and approval of TMDLs (cumulatively almost 27,000 total TMDLs completed through FY 2007 by states and EPA) and expect to develop over 3,000 TMDLs in FY 2009.

Protection of water quality on a watershed basis requires a careful assessment of the nature and sources of pollution; their location and setting within the watershed; their relative influence on water quality; and their amenability to preventive or control methods. In FY 2009, 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 enable impaired waters to be restored through the national nonpoint source program (Section 319). Nonpoint source management is the key to addressing most of the remaining water quality problems.

In FY 2009, EPA will provide program leadership and technical support by:

- Creating, supporting, and promoting technical tools that states need to accurately assess water quality problems and analyze and implement solutions.
- Implementing a new web-based tool to support watershed planning.
- Continue to enhance accountability for results through the use of a newly-released nonpoint source program tracking system which will continue to track all pollutant load reductions achieved by each project. The system also will allow EPA to better track waters fully restored by Section 319-funded projects by relating Section 319 project information to other data management systems.
- Focusing on the development and dissemination of new tools to promote Low Impact Development (LID), thereby preventing new nonpoint sources of pollution. LID 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. (See <http://www.epa.gov/owow/nps/lid/lidlit.html> for more information.)

- Continuing coordination with the U.S. Department of Agriculture to ensure that Federal resources, including grants under Section 319 and Farm Bill funds, are managed in a coordinated way to maximize water quality improvement in impaired waters and protection in all others. Also, EPA will continue to work with the U.S. Forest Service to address water quality impairments by maintaining and restoring National Forest System watersheds.

In FY 2009, 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. This program provides a management framework for the protection of the nation's waters through the control of billions of pounds of pollutants. In 2009, EPA will place an increased focus on energy related permitting. The work involves NPDES permit actions related to conventional oil and gas, coalbed methane, coal mining, ethanol, power plants, refineries, uranium, natural gas liquids, liquefied natural gas terminals, pipelines, and oil shale/tar sands. EPA will also focus on several other key strategic objectives for the NPDES and effluent guideline programs:

- Use the results of the "*Permitting for Environmental Results Strategy*" and regional program assessments and permit quality reviews to ensure the health of the NPDES program; continue to address workload concerns in permit issuance; focus limited 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 use of electronic and other streamlining tools. (See <http://cfpub.epa.gov/npdes/per.cfm> for more information.)
- Advance program innovations, such as implementing watershed permitting and trading, and the Green Infrastructure Strategy to reduce wet weather flows. Common green infrastructure approaches currently in use include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, vegetated median strips, reforestation, and protection and enhancement of riparian buffers and floodplains. EPA and other leading Green Infrastructure state, city, and private organizations recently signed an agreement to promote green infrastructure as a means to protect and improve water quality. EPA is implementing the Green Infrastructure Strategy in concert with the signatories and other interested organizations. EPA will implement a number of actions to address technical issues associated with and cost effectiveness of Green Infrastructure; continuously update the webpage on Green Infrastructure information, practice, tools, and case studies; issue a Municipal Handbook – a how to guide for local governments to implement Green Infrastructure approaches to stormwater management; double the number of model municipal separate storm sewer system (MS4) permits developed with "volunteer" states; complete the first round of Green Infrastructure Recognition Awards;

complete 5 demonstration projects for “green infrastructure” at big box centers through voluntary collaborations with the “large format retailers;” and complete development of a best practice guide for Green Infrastructure at Federal facilities in cooperation with other Federal agencies.

- Implement strategies to improve management of pretreatment programs. Strategies include implementation of pretreatment program results-based measures based on a pilot study evaluating 9 draft results-based measures, a draft Measures Implementation Handbook and widescale testing in 2008, to determine the viability of the measures and refine their description, source, and reporting factors; implementation of the strategy, “Oversight of SIUs Discharging to POTWs Without Approved Pretreatment Programs,” issued on May 18, 2007; and pretreatment training provided for regions and states, including onsite and web-based and self-directed courses.
- Issue the annual plan that describes the CWA-mandated review of industrial categories to determine if new or revised effluent guidelines are warranted.
- Continue to develop effluent regulations for discharges from airport deicing facilities, construction and development activities, and drinking water treatment facilities.
- Develop revised rules for detection and quantitation of pollutants per the recommendations of a Federal Advisory Committee (FACA). Detection and quantitation procedures are used by regulatory authorities, dischargers, and labs to determine whether a pollutant is present and to measure the amount of the pollutant. The FACA committee’s charge is to improve how detection and quantitation limits are calculated and used in CWA programs, such as how the procedures will be used for compliance or enforcement. The procedures are included in the Code of Federal Regulations so any change as a result of the Committee’s recommendations will need to go through rulemaking. EPA could then use the revised procedures to set discharge limits, for permits, for enforcement, or for lab qualifications. In FY 2009, we will be working on the rulemaking to codify the new procedures.

New Concentrated Animal Feeding Operation (CAFO) rules were developed in 2003 and were finalized in 2008 in response to a 2nd Circuit Court ruling. EPA will work with states and tribes to implement the final rule to assure that, by February 27, 2009, all CAFOs that discharge are covered by an NPDES permit and that CAFOs have the tools and information needed to prevent discharges. In addition, EPA will monitor the number of facilities covered by stormwater and CAFO permits. EPA will work with NPDES authorities to ensure that 90 percent of all permits and 95 percent of priority permits are current.

EPA will continue to implement a Sustainable Infrastructure Strategy focused around four key principles or “pillars” – better management, water efficiency, full-cost pricing, and the watershed approach. The Agency continues to work with its partners to facilitate the voluntary adoption of best management practices in wastewater asset management, innovations, and efficiency. The long-term goal of these partnerships is focused on improving water quality and supporting sustainable wastewater utilities that are able to maximize the value of clean water infrastructure

support by improving system performance at the lowest possible cost. We will continue to implement activities as part of our partnership with six national water and wastewater associations to promote effective utility management centered on a series of *Attributes of Effectively Managed Utilities and Keys to Management Success*, based on the agreement signed in May 2007. As part of this initiative, we will work with the associations to develop a basic implementation guide for utilities and a set of targeted utility performance measures linked to the *Attributes* and promote their use with utilities.

Water use efforts include the water-efficiency market enhancement program, WaterSense, which 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 demands and flows, allowing for deferred or downsized capital projects. The Agency has issued voluntary specifications for four water-efficient service categories (certification programs for irrigation system auditors, designers, and installation and maintenance professionals) and two product categories (residential High-Efficiency Toilets or (HETs) and bathroom faucets). Products that are successfully tested by an independent laboratory to meet WaterSense specifications may bear the WaterSense label.

In less than two years, WaterSense has already become a national symbol for water efficiency among utilities, plumbing manufacturers, and consumers. Awareness of the WaterSense label is growing every day. More than 80 different models of high-efficiency toilets have earned the label, and WaterSense labeled faucets should be available in CY 2008. In addition to manufacturers, EPA will continue to work with utilities, retailers, distributors, and the media to educate consumers on the benefits of switching to water-efficient products.

EPA realizes that water-efficient products are just the start of a new wave of water conservation. We will continue to work with utilities to incorporate WaterSense promotion as part of their broader conservation efforts, which include behavioral changes as well. We will continue to ask our retail and distribution partners to stock WaterSense labeled products and make it easy for their customers to find water-saving options. We will employ articles, promotional material templates, and other cost-effective marketing tactics to educate consumers about the availability of WaterSense labeled products. By promoting this easily recognizable, consistent national brand, EPA hopes WaterSense will make water-efficient products the clear and preferred choice among consumers.

In FY 2009, the Agency will develop specifications based upon research done and decisions made in FY 2008 on the viability of specification development for additional product and service categories including showerheads, irrigation control technology, medical devices (*e.g.*, steam sterilizers), landscape management, and drip irrigation. EPA also will focus on developing, implementing, and promoting its new home program which provides benchmark criteria for water-efficient new homes and spurs water-efficiency in construction of new homes.

The Clean Water State Revolving Funds (CWSRFs) provide low interest loans to help finance wastewater treatment facilities and other water quality projects. Policy and oversight of the fund is supported by this program. In managing the CWSRF, EPA continues to work with states to meet several key objectives:

- Funding projects designed as part of an integrated watershed approach;
- Linking projects to environmental results through the use of water quality and public health data;
- Maintaining the excellent fiduciary condition of the funds; and
- Continuing to support states efforts in developing integrated priority lists to address nonpoint source pollution, and estuary protection and wastewater projects.

In FY 2009, EPA will submit the Clean Watersheds Needs Survey (CWNS) Report to Congress to OMB for review. The CWNS reports on needs for publicly-owned wastewater collection and treatment facilities, facilities for control of sanitary sewer overflows (SSOs), combined sewer overflows (CSOs), and other activities. The information is used to produce the Report to Congress and to support permitting, pollutant loadings scenarios, and other watershed-based management activities.

The Agency also will provide oversight and support for over 2,200 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 U.S-Mexico Border program and the Alaska Native Village program.

Performance Targets:

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percent of high priority EPA and state NPDES permits that are reissued on schedule.	104	95	95	95	Percent Permits

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Efficiency	Loading (pounds) of pollutants removed per program dollar expended.	331	285	332	368	Lbs

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percentage of waters assessed using statistically valid surveys.	54	54	65	65	Percent Waters

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Number of TMDLs that are established or approved by EPA on a schedule consistent with national policy (cumulative).	26,844	25,274	33,828	36,941	TMDLs

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Output	Percentage of submissions of new or revised water quality standards from States and Territories that are approved by EPA.	85.6	85	87	83	Percent Submissions

Measure Type	Measure	FY 2007 Actual	FY 2007 Target	FY 2008 Target	FY 2009 Target	Units
Outcome	Number of waterbody segments identified by States in 2002 as not attaining standards, where water quality standards are now fully attained (cumulative).	1,409	1,166	1,550	1,660	Number of Segments

The Surface Water Protection program underwent a PART evaluation in 2005, and was rated “moderately effective.” This program is working on follow up actions to: (1) assess 100% of river, lakes, and streams; (2) develop water quality reports on statistically-valid surveys of wadeable streams; and (3) conduct permit quality reviews.

In August of 2007, EPA adopted a clarification to the TMDL counting methodology to more directly reflect the pollutants addressed in TMDLs. As a result of this counting methodology change, the cumulative fiscal year Surface Water Protection Actuals have been revised, resulting in a cumulative net reduction of 1,577 TMDLs. Actuals and targets for fiscal year 2007 and earlier were also adjusted consistent with this revised methodology.

Note: Because a TMDL is a plan for attaining water quality standards, the terms “approved” and “established” refer to the completion of the TMDL itself and not necessarily its implementation.

FY 2009 Change from FY 2008 Enacted Budget (Dollars in Thousands):

- (-11.7 FTE) This change reflects EPA's workforce management strategy that will help the Agency better align resources, skills and Agency priorities. The program has matured, resulting in a reduced need for Federal FTE resources due to the delegated nature of various program components and improvements in program management.
- (+3.0 FTE / +\$800.0) This change reflects additional FTE and funds for NPDES Energy Permitting in support of the Agency's priority on clean and affordable energy.
- (+\$4,412.0) This reflects an increase for payroll and cost of living for all FTE.
- (-\$190.0) This decision reflects consolidation of EPA's program evaluation efforts.
- (+\$138.0) This change reflects restoration of the 1.56% rescission to all program projects in addition to small technical changes such as realignment of IT, travel or other support costs across programs.

Statutory Authority:

CWA.