



**United States
Environmental Protection Agency**

FISCAL YEAR 2021

**Justification of Appropriation
Estimates for the Committee
on Appropriations**

Tab 02: Goal and Objective Overviews

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**Environmental Protection Agency
FY 2021 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency
FY 2021 Annual Performance Plan and Congressional Justification**

GOAL, APPROPRIATION SUMMARY

Budget Authority
(Dollars in Thousands)

	<u>FY 2019 Actuals</u>	<u>Estimated FY 2020 Enacted</u>	<u>FY 2021 Pres Budget</u>
A Cleaner, Healthier Environment	\$6,618,509.1	\$6,851,819.0	\$4,846,285.0
Science & Technology	\$166,758.4	\$169,839.0	\$138,978.0
Environmental Programs & Management	\$1,447,438.4	\$1,550,252.0	\$1,121,508.0
Inland Oil Spill Programs	\$13,715.1	\$15,700.0	\$12,965.0
Hazardous Substance Superfund	\$883,255.8	\$828,324.0	\$717,974.0
Leaking Underground Storage Tanks	\$96,188.6	\$89,649.0	\$45,989.0
State and Tribal Assistance Grants	\$3,964,101.4	\$4,138,055.0	\$2,783,848.0
Hazardous Waste Electronic Manifest System Fund	\$14,485.5	\$0.0	\$0.0
Water Infrastructure Finance and Innovation Fund	\$32,565.9	\$60,000.0	\$25,023.0
More Effective Partnerships	\$318,487.7	\$323,893.0	\$243,870.0
Environmental Programs & Management	\$220,903.1	\$222,571.0	\$184,826.0
Inland Oil Spill Programs	\$82.8	\$139.0	\$0.0
Hazardous Substance Superfund	\$2,549.3	\$2,338.0	\$1,004.0
State and Tribal Assistance Grants	\$94,952.5	\$98,845.0	\$58,040.0
Greater Certainty, Compliance, and Effectiveness	\$1,862,694.6	\$1,881,689.0	\$1,726,973.0
Science & Technology	\$528,304.7	\$546,610.0	\$345,755.0
Environmental Programs & Management	\$928,130.7	\$890,533.0	\$929,890.0
Inspector General	\$39,929.8	\$41,489.0	\$39,825.0
Building and Facilities	\$27,276.9	\$33,598.0	\$39,553.0
Inland Oil Spill Programs	\$3,570.2	\$3,742.0	\$3,666.0
Hazardous Substance Superfund	\$323,878.3	\$354,093.0	\$359,633.0
Leaking Underground Storage Tanks	\$1,984.3	\$2,292.0	\$2,229.0
State and Tribal Assistance Grants	\$9,619.7	\$9,332.0	\$6,422.0
<i>Sub-Total</i>	<i>\$8,799,691.4</i>	<i>\$9,057,401.0</i>	<i>\$6,817,128.0</i>
Cancellation of Funds	\$0.0	\$0.0	-\$159,057.0
TOTAL, EPA	\$8,799,691.4	\$9,057,401.0	\$6,658,071.0

**Environmental Protection Agency
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GOAL, APPROPRIATION SUMMARY

Authorized Full-time Equivalents (FTE)

	<u>FY 2019 Actuals</u>	<u>Estimated FY 2020 Enacted</u>	<u>FY 2021 Pres Budget</u>
A Cleaner, Healthier Environment	6,684.1	6,805.2	6,091.2
Science & Technology	482.0	508.5	462.0
Environmental Programs & Management	4,531.2	4,666.4	3,886.0
Inland Oil Spill Programs	66.7	70.6	62.3
Hazardous Substance Superfund	1,352.0	1,337.2	1,342.2
Leaking Underground Storage Tanks	35.5	38.8	33.6
State and Tribal Assistance Grants	8.1	7.0	5.0
Hazardous Waste Electronic Manifest System Fund	6.9	11.0	15.0
Water Infrastructure Finance and Innovation Fund	22.1	28.4	12.0
Rereg. & Exped. Proc. Rev Fund	104.8	137.3	221.5
Deepwater Horizon Natural Resource Damage Assessment	3.4	0.0	0.0
Pesticide Registration Fund	68.9	0.0	0.0
TSCA Service Fee Fund	0.0	0.0	51.6
UIC Injection Well Permit BLM	2.5	0.0	0.0
More Effective Partnerships	1,045.7	1,049.6	855.5
Environmental Programs & Management	1,038.9	1,040.7	852.3
Inland Oil Spill Programs	0.4	0.8	0.0
Hazardous Substance Superfund	5.7	6.1	1.2
WCF-Reimbursable	0.7	2.0	2.0
Greater Certainty, Compliance, and Effectiveness	5,957.1	6,317.2	5,663.5
Science & Technology	1,410.9	1,475.2	1,039.0
Environmental Programs & Management	2,992.1	3,101.5	2,905.4
Inspector General	218.4	227.5	201.4
Inland Oil Spill Programs	12.6	13.4	13.4
Hazardous Substance Superfund	1,161.7	1,293.2	1,250.2
Leaking Underground Storage Tanks	5.6	7.8	7.1

	<u>FY 2019 Actuals</u>	<u>Estimated FY 2020 Enacted</u>	<u>FY 2021 Pres Budget</u>
Hazardous Waste Electronic Manifest System Fund	0.0	0.0	1.0
WCF-Reimbursable	155.6	198.6	234.0
Deepwater Horizon Natural Resource Damage Assessment	0.2	0.0	0.0
TSCA Service Fee Fund	0.0	0.0	12.0
TOTAL, EPA	13,686.9	14,172.0	12,610.2

**Environmental Protection Agency
FY 2021 Annual Performance Plan and Congressional Justification**

A Cleaner, Healthier Environment

A Cleaner, Healthier Environment: Deliver a cleaner, safer, and healthier environment for all Americans and future generations by carrying out the Agency’s core mission.

Strategic Objectives:

- Work with states and tribes to accurately measure air quality and ensure that more Americans are living and working in areas that meet high air quality standards.
- Ensure waters are clean through improved water infrastructure and, in partnership with states and tribes, sustainably manage programs to support drinking water, aquatic ecosystems, and recreational, economic, and subsistence activities.
- Provide better leadership and management to properly clean up contaminated sites to revitalize and return the land back to communities.
- Effectively implement the Toxic Substances Control Act, and the Federal Insecticide, Fungicide, and Rodenticide Act, to ensure new and existing chemicals and pesticides are reviewed for their potential risks to human health and the environment and actions are taken when necessary.

GOAL, OBJECTIVE SUMMARY

Budget Authority
Full-time Equivalents
(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
A Cleaner, Healthier Environment	\$6,618,509.1	\$6,851,819.0	\$4,846,285.0	-\$2,005,534.0
Improve Air Quality	\$796,211.0	\$813,400.0	\$437,265.0	-\$376,135.0
Provide for Clean and Safe Water	\$4,166,384.0	\$4,453,694.0	\$3,061,826.0	-\$1,391,868.0
Revitalize Land and Prevent Contamination	\$1,419,194.6	\$1,349,146.0	\$1,103,839.0	-\$245,307.0
Ensure Safety of Chemicals in the Marketplace	\$236,719.5	\$235,579.0	\$243,355.0	\$7,776.0
Total Authorized Workyears	6,684.1	6,805.2	6,091.2	-714.0

Goal 1: A Cleaner, Healthier Environment

Deliver a cleaner, safer, and healthier environment for all Americans and future generations by carrying out the Agency's core mission.

Introduction

Pollution comes in many forms with a myriad of impacts on human health and the environment. From the air we breathe, to the water we drink, to the land upon which we live, EPA serves a critical role in protecting all Americans from environmental and chemical hazards. Building upon 50 years of partnerships, the Agency will continue to work in tandem with our state, tribal, and local partners to remediate existing environmental contaminants and prevent new contaminants that may adversely impact human health and the environment.

In FY 2021, the Agency will focus on reducing air pollutants and toxics that can cause or exacerbate health issues by working more effectively with states and tribes to review their implementation plans for attaining air quality standards, re-designating areas to attainment of air quality standards, and streamlining air permitting. In FY 2019, EPA re-designated 12 areas to attainment for various National Ambient Air Quality Standards (NAAQS).

EPA will work with state and tribal partners to provide for clean and safe water by increasing investment in infrastructure for drinking water, wastewater, and stormwater systems. In FY 2019, EPA leveraged more than \$10.3 billion in non-federal dollars, increasing the funds available to improve, repair and modernize the nation's water infrastructure. The revolving nature of the Drinking Water and Clean Water SRFs and substantial contributions from our state partners have greatly expanded the scope of federal investment. EPA estimates for every federal dollar contributed to date, communities have received over three dollars of water infrastructure investments in return. EPA will continue to optimize and align its relevant programs to catalyze other resources, support beneficial infrastructure investments, and meet community interests for thriving economies and improved environmental and human health outcomes. In FY 2021, the Agency will continue to prioritize the implementation of the America's Water Infrastructure Act of 2018 (AWIA) and the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN) to improve drinking water and water quality, deepen infrastructure investments, enhance public health and quality of life, increase jobs, and bolster the economy.

In FY 2021, the Agency will take a broad approach to ensure drinking and surface water is free from environmental contaminants. EPA will work to reduce Per- and Polyfluoroalkyl substances (PFAS) risks to the public; implement an initiative to reduce ocean pollution with an emphasis on plastic; and provide resources dedicated to protecting surface water, including funding to reduce Harmful Algal Blooms (HABs). Additionally, EPA will provide technical assistance to small and rural communities which may have different needs than those in urban areas. As an example, EPA will use circuit riders to provide effective on-the-ground assistance to help smaller and rural public water systems and wastewater systems, including those in Indian Country, achieve and sustain environmental compliance.

The Agency will continue to focus on speeding the cleanup of Superfund and brownfields sites, concentrating efforts on a list of top priority sites to advance progress on Superfund areas of concern. In FY 2019, EPA made 48 Superfund sites and 910 brownfields sites ready for anticipated use. As of January 2020, brownfields grants awarded have led to over 88,900 acres of idle land made ready for productive use and over 156,500 jobs and \$29.5 billion leveraged.¹ In FY 2021, EPA will continue to provide technical assistance and coordinate with the private sector and all levels of government on a range of air, water, land, and chemical-related issues to help communities, with an increased focus in Opportunity Zones, to meet their environmental and economic goals. EPA also will dedicate funding to improve the U.S. recycling system and reduce food loss and waste.

The Agency's top priority for ensuring the safety of chemicals in the marketplace is the implementation of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, which modernized the Toxic Substances Control Act (TSCA) by creating new standards and processes for assessing chemical safety within specific deadlines. In FY 2019, EPA achieved key milestones for TSCA chemical risk evaluations and risk management actions.

With our partners, we will pay attention to vulnerable populations with an understanding that their needs may differ from those of the general population. Children and the elderly, for example, may be at significantly greater risk from elevated exposure or increased susceptibility to the harmful effects of environmental contaminants and pollutants. Some low-income and minority communities may face greater risks because of proximity to contaminated sites or sources of emissions. Additionally, traditional ways of life for tribal and indigenous populations such as subsistence hunting, fishing, and gathering also may increase the risk of exposure to contaminants. Together with our partners, we will continue making progress in protecting human health and the environment. In FY 2021, EPA will prioritize reducing childhood lead exposure and associated health impacts through the *Federal Action Plan to Reduce Childhood Lead Exposure*. EPA is addressing lead on multiple fronts, including important regulatory actions and targeting resources to the most vulnerable communities. The plan details specific actions to target lead-based paint, lead in drinking water, and lead-contaminated soil, among other sources. These efforts will be supported through the Lead Exposure Reduction Initiative.

A new Healthy Schools Grant Program is requested to address potential gaps in school environmental health information by supporting states, federally recognized Indian tribes, public and faith-based schools and childcare centers, local educational agencies as defined in 20 U.S.C. 7801(30), and non-profit organizations, in the identification and mitigation of potential environmental health issues. This \$50 million grant program would ensure availability of dedicated resources to identify and address risks to children where they learn and grow.

These efforts will be supported by strong compliance assurance and enforcement in collaboration with our state and tribal partners, up-to-date training for partners and co-regulators, and the use of the best available science and research to address current and future environmental hazards and to improve the foundation for decision-making. The Agency will continue its collaborative efforts with federal agencies, states, tribes, local governments, communities, and other partners and stakeholders to address existing pollution and prevent or reduce future problems. EPA will directly

¹ EPA's ACRES database.

implement federal environmental laws where eligible tribes or states have not taken program responsibility. Furthermore, the Agency will work in tandem with states, tribes, and local partners to effectively communicate with the public regarding environmental risk and threats. The American public have a right to understand how environmental threats can impact their health and to understand what steps the Agency is taking to address those threats.

FY 2020-2021 Agency Priority Goals

The Budget highlights EPA's six FY 2020-2021 Agency Priority Goals (APGs) that advance EPA priorities and the *FY 2018-2022 EPA Strategic Plan*.² All six APGs support work under Goal 1: *A Cleaner, Healthier Environment*. Three of the six APGs directly support Goal 1, *Objective 1.1: Improve Air Quality*, *Objective 1.2: Provide for Clean and Safe Water*, and *Objective 1.3: Revitalize Land and Prevent Contamination* and are included in the narratives for these objectives. Additionally, two cross-cutting APGs support work under Goal 1:

- ***Cross-Cutting: Reduce childhood lead exposures and associated health impacts.*** By September 30, 2021, EPA will: establish drinking water lead testing programs for schools in all states and the District of Columbia; reduce the number of lead nonattainment areas to 10 from a baseline of 13; complete 48 cleanup actions at sites where lead is a contaminant of concern; and increase the recertification rate of lead-based paint renovation, repair and painting firms to 28 percent from a baseline of 23 percent.
- ***Cross-Cutting: Reduce per - and polyfluoroalkyl substances (PFAS) risks to the public.*** By September 30, 2021, EPA will meet several of the designated Priority Action milestones in the EPA PFAS Action Plan to establish a framework to understand and address PFAS.

Please note that the APG for accelerating permitting-related decisions, which directly supports *Goal 3, Objective 3.4: Streamline and Modernize* involves work under Goal 1 and is agencywide in scope.

FY 2021 Activities

Objective 1: Improve Air Quality. Work with states and tribes to accurately measure air quality and ensure that more Americans are living and working in areas that meet high air quality standards.

Objective 1.1, Improve Air Quality, directly supports the following long-term performance goal in the *FY 2018-2022 EPA Strategic Plan*:

- By September 30, 2022, reduce the number of nonattainment areas to 101.³

Objective 1.1, Improve Air Quality, directly supports the following FY 2020-2021 Agency Priority Goal (APG):

² For EPA's APG Action Plans and Quarterly Updates, see <https://www.performance.gov/EPA/>.

³ The baseline is 166 nonattainment areas as of 10/1/2017.

- **Improve air quality by reducing the number of areas not meeting air quality standards.** By September 30, 2021, EPA, in close collaboration with states, will reduce the number of nonattainment areas to 121 from a baseline of 147.

Key priorities for the Agency in FY 2021 continue to be re-designating areas to attainment of National Ambient Air Quality Standards (NAAQS); improving the efficiency of the State Implementation Plan review process; and streamlining the air permitting process. This strategic objective is supported by core air program work highlighted below as well as the progress made in the FY 2018-2019 APG and progress towards the FY 2020-2021 APG to reduce nonattainment areas. As of October 2019, the number of nonattainment areas decreased to 143, from a baseline universe of 166 (as of October 2017).

EPA works in partnership with states to reduce the number of nonattainment areas for the six common pollutants in the United States – particulate matter up to 2.5 and 10 microns (PM_{2.5} and PM₁₀), sulfur dioxide (SO₂), nitrogen oxides (NO_x), ozone, carbon monoxide (CO) and lead (Pb). Between 1970 and 2018, the combined emissions of these six criteria pollutants dropped by 74 percent.⁴ This progress occurred while the U.S. economy, as measured by Gross Domestic Product, grew by 275 percent,⁵ all while Americans drove more, and population and energy use increased. However, in 2018, approximately 137 million people nationwide continued to live in counties with pollution levels that did not meet standards for at least one criteria pollutant.⁶ This is about 40 percent of the U.S. population (based on 2010 census data). EPA works in cooperation with states, tribes, and local governments to design and implement air quality standards and programs. EPA relies on partnerships with other federal agencies, academia, researchers, industry, other organizations, and the public to achieve improvements in air quality and reduce public health risks.

For FY 2021, EPA requests \$437.3 million and 1,270.8 FTE to improve air quality. Highlights include:

Criteria Pollutant and Air Toxics Standards Development and Implementation

EPA's criteria air pollutant program is critical to continued progress in reducing public health risks and improving air quality. Listening to and working with state and tribal partners to set and implement standards is key to achieving progress. The criteria pollutant program sets NAAQS, which are then implemented by state, local, and tribal air agencies which have primary responsibility under the Clean Air Act (CAA) for developing clean air plans. For FY 2021, EPA requests \$117.8 million for the Federal Support for Air Quality Management program to advance this important work.

In FY 2021, EPA will continue to prioritize key activities in support of attainment of the NAAQS. The Agency will fulfill its CAA responsibilities by collaborating with and providing technical assistance to states and tribes to develop implementation plans for attaining the NAAQS and visibility improvement requirements; reviewing state and tribal implementation plans; acting on

⁴ The Clean Air Act (CAA) requires EPA to set National Ambient Air Quality Standards (NAAQS) for six common air pollutants including carbon monoxide, lead, ground-level ozone, nitrogen dioxide, particulate matter, and sulfur dioxide.

⁵ https://www.epa.gov/sites/production/files/2019-07/2018_baby_graphic_1970-2018.png.

⁶ <https://gispub.epa.gov/air/trendsreport/2019/#home>.

state implementation plan (SIP) and tribal implementation plan (TIP) submittals consistent with statutory obligations; developing regulations and associated guidance to implement standards; and, addressing transported air pollution. EPA will continue to focus on ways to improve the efficiency and effectiveness of the SIP/TIP process, including the Agency's internal standards for reviewing SIPs and TIPs, with a goal of maximizing timely processing of state/tribal-requested implementation plan actions to help increase progress toward re-designating areas to attainment. In FY 2019, EPA reviewed and acted upon over 360 submitted SIPs.

EPA will continue to develop and implement national emission standards for stationary and mobile sources and work with state, tribal and local air agencies to address air toxics problems in communities. The CAA requires the development of National Emission Standards for Hazardous Air Pollutants (NESHAP) for major sources and area sources; the assessment and determination of whether more health-protective standards are necessary to address remaining risks after implementation of NESHAP; and the periodic review and revision of NESHAP to reflect developments in practices, processes, and control technologies. In addition, EPA must periodically review and, where appropriate, revise both the list of air toxics subject to regulation and the list of source categories for which standards must be developed.

Grants for State, Local and Tribal Air Quality Management

For FY 2021, EPA requests \$160.9 million to provide federal support for grants to state and local air quality management agencies and to tribes, where applicable, to manage and implement air quality control programs. States, working with EPA, are responsible for SIPs, which provide a blueprint for the programs and activities that states carry out to attain and maintain the NAAQS and comply with visibility obligations. States operate and maintain their existing monitoring networks to collect data used to develop and maintain clean air plans, support research, and inform the public. Some grant funding also will be used to provide training to states and tribes.

Federal Vehicle and Fuels Standards and Certification Program

EPA develops, implements, and ensures compliance with national emission standards to reduce mobile source-related air pollution from light-duty cars and trucks, heavy-duty trucks and buses, nonroad engines and vehicles, and their fuels. The Program also evaluates new emission control technology and provides information to state, tribal, and local air quality agencies on a variety of transportation programs.

In FY 2021, EPA requests \$80.9 million for the Federal Vehicle and Fuels Standards and Certification Program, which will prioritize certification decisions to ensure that manufacturers are able to enter their engines and vehicles into commerce. In FY 2019, EPA issued over 4,700 certificates of conformity which demonstrate that engines, vehicles, equipment, components, or systems conform to applicable emission requirements and may be entered in commerce. The Agency will continue to perform its compliance oversight functions on priority matters, where there is evidence to suggest noncompliance. EPA will continue to conduct testing activities for pre-certification confirmatory testing for emissions and fuel economy for passenger cars.

On November 13, 2018, EPA announced the Cleaner Trucks Initiative, a new rulemaking effort to address NO_x emissions from heavy-duty trucks. In FY 2021, as a part of this rulemaking effort, EPA will evaluate the technologies which can ensure real-world compliance with emissions standards and also will seek opportunities to modernize and streamline the regulatory framework for the heavy-duty highway sector.

Atmospheric Protection Program

In FY 2021, EPA will continue to implement the Atmospheric Protection Program, which requires mandatory greenhouse gas emissions reporting from large industrial source categories in the U.S., covering a total of 41 sectors and approximately 8,000 reporting entities. The data is used to support federal and state-level policy development, and to share with industry stakeholders, state and local governments, the research community, and the public. In FY 2021, EPA also will work to complete the annual *Inventory of U.S. Greenhouse Gas Emissions and Sinks*, a U.S. treaty obligation. In FY 2021, EPA requests \$14.5 million for the Atmospheric Protection Program.

ENERGY STAR Program Fee Proposal

In FY 2021, EPA proposes to implement user fees for entities that participate in the ENERGY STAR program. By administering the ENERGY STAR Program through the collection of user fees, EPA would continue to provide a trusted resource for consumers and businesses who want to purchase products that are energy-efficient, save money and help protect the environment. Entities participating in the program would pay a fee that would offset the costs for managing and administering the program. The fee collections would provide funding to replace, to the extent allowable, an upfront appropriation of \$46 million that covers FY 2021 expenses to develop, operate, and maintain the ENERGY STAR Program.

Radiation

The Agency measures and monitors ambient radiation through RadNet, a fixed ambient environmental radiation monitoring network that provides near real-time radiation monitoring coverage near each of the 100 most populous U.S. cities as well as expanded geographic coverage for a total of 140 monitoring sites. EPA also assesses radioactive contamination in the environment and provides field support to mitigate radioactive releases and exposures.

The Agency also will support federal radiological emergency response operations under the National Response Framework (NRF) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). In FY 2021, EPA's Radiological Emergency Response Team (RERT) will maintain essential readiness to support federal radiological emergency response and recovery operations under the NRF and NCP. EPA participates in interagency training and exercises to maintain the RERT's ability to fulfill EPA's responsibilities. In FY 2021, the Budget includes \$12.2 million for the Radiation: Protection and Radiation: Response Preparedness Program Projects.

Objective 2: Provide for Clean and Safe Water. Ensure waters are clean through improved water infrastructure and, in partnership with states and tribes, sustainably manage programs to support drinking water, aquatic ecosystems, and recreational, economic, and subsistence activities.

Objective 1.2, Provide for Clean and Safe Water directly supports the following long-term performance goals in the *FY 2018-2022 EPA Strategic Plan*:

- By September 30, 2022, reduce the number of community water systems out of compliance with health-based standards to 2,700.⁷
- By September 30, 2022, increase by \$40 billion the non-federal dollars leveraged by EPA water infrastructure finance programs (Clean Water State Revolving Fund [CWSRF], Drinking Water State Revolving Fund [DWSRF] and Water Infrastructure Finance and Innovation Act [WIFIA]).⁸
- By September 30, 2022, reduce the number of square miles of watershed with surface water not meeting standards by 37,000 square miles.⁹

Objective 1.2, Provide for Clean and Safe Water directly supports the following FY 2020–2021 Agency Priority Goal (APG):

- **Empower communities to leverage EPA water infrastructure investments.** By September 30, 2021, EPA will increase by \$16 billion the non-federal dollars leveraged by the EPA water infrastructure finance programs (Clean Water State Revolving Fund [CWSRF], Drinking Water State Revolving Fund [DWSRF], and the Water Infrastructure Finance and Innovation Act [WIFIA] Program).

Providing support to ensure safe drinking water in communities, increasing investment in water infrastructure projects, and protecting surface water are priorities for EPA. The Nation’s water resources are the lifeblood of our communities, supporting our economy and way of life. Across the country, we depend upon reliable sources of clean and safe water. Just a few decades ago, many of the Nation’s rivers, lakes, and estuaries were grossly polluted, wastewater received little or no treatment, and drinking water systems provided very limited treatment to water coming through the tap. As of September 2019, over 93 percent of the population served by community water systems received drinking water that meets all applicable health-based drinking water standards, and formerly impaired waters continue to be restored and now support recreational and public health uses that contribute to healthy economies.

⁷ Baseline is 3,508 community water systems out of compliance with health-based standards as of FY 2017. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

⁸ Baseline is \$32 billion in non-federal dollars leveraged from the CWSRF and DWSRF between FY 2013 and FY 2017 (i.e., loans made from recycled loan repayments, bond proceeds, state match, and interest earnings). The baseline does not include WIFIA leveraged dollars because no loans were closed prior to FY 2018. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

⁹ Baseline is 587,536 square miles of impaired waters as of August 30, 2019. (Footnote updated from *FY 2018-2022 Strategic Plan* published February 12, 2018.)

A top priority for EPA is modernizing the outdated and aging water infrastructure on which the American public depends. The America's Water Infrastructure Act of 2018 (AWIA) was recently enacted to help address numerous drinking water and wastewater issues in large municipalities and small rural communities. In addition, the WIFIA program will help accelerate investment in our Nation's water infrastructure by providing long-term, low-cost supplemental loans for regionally and nationally significant projects. In FY 2021, EPA will focus resources on modernizing outdated and aging drinking water, wastewater, and stormwater infrastructure; creating incentives for new water technologies and innovation; and funding the core requirements of the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA). The Agency will look to provide states and tribes with flexibility to best address their priorities.

EPA will continue to provide loans and grants to states and tribes to improve water infrastructure. Given that investment in infrastructure is necessary for economic growth and environmental protection and that EPA investments are a catalyst for both, EPA's efforts will support private and public investment in economic revitalization and improved environmental outcomes across the country. This requires that EPA strengthen infrastructure in communities through its programs (e.g., the DWSRF, CWSRF, and WIFIA) to better align EPA investments with each other and with other investments in pursuit of economic revitalization and improved environmental outcomes. At the same time, EPA will ensure it is serving disadvantaged communities, leveraging private investment to grow the economy, and protecting human health and the environment.

In FY 2021, EPA requests \$3.06 billion and 1,663.4 FTE to support this strategic objective, which also is supported by other core water program work. Highlights include:

Water Infrastructure Investment

EPA has made significant progress in advancing water quality since enactment of the Clean Water Act (CWA), Safe Drinking Water Act (SDWA), and Marine Protection, Research, and Sanctuaries Act over 40 years ago. However, serious water quality and water infrastructure challenges remain. Many communities need to improve and maintain drinking water and wastewater infrastructure as well as to develop the capacity to comply with new and existing standards. Tens of thousands of homes, primarily in tribal and disadvantaged communities and the territories, lack access to basic sanitation and drinking water. EPA will continue to support progress in these communities in FY 2021.

To help drive progress, the Agency has set the FY 2020-2021 APG that by September 30, 2021, EPA will increase by \$16 billion the non-federal dollars leveraged by EPA water infrastructure finance programs (CWSRF, DWSRF, and WIFIA). During FY 2018 and FY 2019, EPA increased the non-federal dollars leveraged by EPA water infrastructure finance programs by \$20 billion, exceeding our two-year FY 2018 – 2019 APG target of \$16 billion. In addition to meeting the APG, EPA met all the contributing indicators: Engagements with the Water Infrastructure Community; Tools, Training, and Resources Provided to the Water Infrastructure Community; and SRF State Reviews completed. The success of this metric is due to the collaborative efforts of EPA, states, and local communities.

EPA's water infrastructure programs also benefit from a close relationship with states, municipal, and tribal governments, as well as industry and other public groups. In addition to EPA's long-standing partnerships through the SRFs, the WIFIA credit program is working with both public and private eligible borrowers to fund vital infrastructure projects. WIFIA is an innovative and flexible financing mechanism and, as demonstrated by the first three rounds of applications and selected projects, the program encourages a wide variety of finance approaches.¹⁰ As of October 2019, EPA has issued 14 WIFIA loans totaling over \$3.5 billion in credit assistance to help finance over \$8 billion for water infrastructure projects and create over 15,000 jobs. WIFIA loans are wide-ranging and have been issued to finance a myriad of projects from a new community drinking water plant in Tennessee, to expanding a groundwater replenishment system in California, to the development of a long-term water supply in Oregon communities that will be built to the highest seismic safety standards for earthquake resiliency. The WIFIA program has an active pipeline of pending applications for projects that, when approved, may result in billions of dollars in water infrastructure investment and thousands of jobs. In FY 2021, WIFIA is expected to leverage significant funding for infrastructure. The \$25.0 million requested could provide up to \$2 billion in direct credit assistance, which, when combined with other funding sources, could spur over \$4 billion in total infrastructure investment.¹¹

EPA is focused on implementing the mandates included in the AWIA legislation, which strengthens the federal government's ability to invest in water infrastructure in communities in every state. AWIA strengthens many existing programs within EPA, while creating new programs to tackle significant public health concerns and environmental needs. Composed within AWIA are five program projects including; Drinking Fountain Lead Testing, Drinking Water Infrastructure Resilience, Sewer Overflow Control grants, Technical Assistance for Treatment Works, and Water Infrastructure and Workforce Investment. These programs are vital to protect public health, grow the American economy and ensure that rural and urban communities from coast to coast can access clean and safe water. AWIA will be critical to advance Agency priorities by increasing water infrastructure investment and improving drinking water and water quality across the country. In FY 2021, EPA requests \$82 million in grant funding to support AWIA across the five program projects. Of the AWIA grant funding, \$10 million will be used to fund the Lead Exposure Reduction Initiative through the Drinking Fountain Lead Testing program. In addition to the AWIA grant funding, EPA requests \$20 million for Reducing Lead in Drinking Water and \$15 million for Lead Testing in Schools, which were authorized under Water Infrastructure Improvements for the Nation Act, to support the Lead Exposure Reduction Initiative.

Categorical Grants to States and Tribes

Protecting the Nation's water from pollution and contaminants relies on cooperation between EPA, states, and tribes. States and tribes, with EPA support as needed, are best positioned to understand and implement localized solutions to protect their waters. EPA will work with states, territories, tribes, and local communities to better safeguard human health; maintain, restore, and improve water quality; and make America's water systems sustainable and secure, supporting new technology and innovation wherever possible.

¹⁰ <https://www.epa.gov/wifia/wifia-letters-interest>.

¹¹ This approximation is based on notional calculations. Subsidy cost is determined on a loan-by-loan basis.

In FY 2021, EPA requests funding for ongoing categorical grants that support state and tribal implementation of the CWA and SDWA: Public Water System Supervision, Pollution Control (CWA Section 106), Underground Injection Control (UIC), Wetlands Program Development Grants, and a new grant program to reduce harmful algal blooms (HABs). These targeted funds will assist states in reducing the causes and impacts of HABs, further details are described in the clean water section below. Across all categorical grants, EPA will work with states and tribes to target the funds to core requirements while providing flexibility to best address their priorities. Funding for all the categorical grants to states and tribes to support core water programs is \$253.3 million.

Geographic Programs

The EPA geographic programs support efforts to protect and restore various communities and ecosystems impacted by environmental problems. Through a coordinated interagency process led by the EPA, the implementation of the Great Lakes Restoration Initiative (GLRI) is helping to restore the Great Lakes ecosystem. The request of \$320 million and 68.5 FTE supports restoration efforts that provide environmental and public health benefits to the region's 30 million Americans and restores the economic health of the region. In addition, \$3.2 million and 1.2 FTE are requested to coordinate restoration activities in South Florida, including ongoing restoration efforts in the Everglades and the Florida Keys where water quality and habitat are directly affected by land-based sources of pollution. Due in part to South Florida funding, in 2019, greater than 90 percent of Florida Keys homes and business are on advanced wastewater treatment systems and more than 30,000 septic tanks have been eliminated. Finally, \$7.3 million is provided to support critical activities in water quality monitoring in the Chesapeake Bay.

Safe Drinking Water

For FY 2021, EPA requests \$101.8 million to support Drinking Water programs. EPA will work to reduce lead risks through an updated Lead and Copper Rule and by developing regulations to implement the Water Infrastructure Improvement for the Nation Act (WIIN) and the Reduction of Lead in Drinking Water Act. EPA also will continue to work with states and tribes to protect underground sources of drinking water from injection of fluids through the UIC program. In addition, EPA will continue work with states to develop the next generation Safe Drinking Water Information System (SDWIS) tools used by the majority of state drinking water programs. The tools will provide many benefits including: improvements in program efficiency and data quality, greater public access to drinking water data, facilitation of electronic reporting, reductions in reporting burdens on laboratories and water utilities, reductions in data management burden for states, and ultimately reductions in public health risk.

EPA's Drinking Water program also supports the FY 2020-2021 Lead APG and the implementation of the *Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts*. The Action Plan will help federal agencies work strategically and collaboratively to reduce exposure to lead and improve children's health. As part of the new Lead APG, EPA will establish drinking water lead testing programs in schools, provide training and technical assistance, and leverage partnerships that support the use of the Training, Testing, and Taking Action toolkits.

EPA's Drinking Water program also supports the FY 2020–2021 PFAS APG and the implementation of elements of EPA's PFAS Action plan related to policy development and regulatory efforts to address PFAS, such as perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS) and Gen-X chemicals, in drinking water systems. EPA is moving forward with the drinking water standard setting process outlined in the Safe Drinking Water Act for PFOA and PFOS. EPA will work across the Agency—and the Federal Government—to develop a PFAS risk communication toolbox that includes materials that states, tribes, and local partners can use to effectively communicate with the public. In FY 2021, EPA requests \$3.3 million with 2.8 FTE to support this work.

Clean Water

In FY 2021, EPA requests \$201.8 million for the Surface Water Protection Program, \$22.6 million for the Wetlands Program, and \$4.7 million for the Marine Pollution Program. The FY 2021 request supports the following core Surface Water Protection program components: water quality criteria, standards and technology-based effluent guidelines; National Pollutant Discharge Elimination System (NPDES); water monitoring; Total Maximum Daily Loads; watershed management; water reuse; water infrastructure and grants management; core wetlands programs and CWA Section 106 program management. Work under these programs supports EPA's long-term performance goal to reduce the number of square miles of watersheds with surface waters not meeting standards. As of September 2019, over 12,700 square miles of waters not attaining water quality standards, as reported in December 2018, are now achieving standards. EPA will continue to implement and support the core water quality programs that control point source discharges through permitting and pre-treatment programs. The NPDES program under the Clean Water Act will continue to work with states to structure the permit program, support its implementation and better pursue protection of water quality on a watershed basis. The FY 2021 request also includes \$819 thousand with 0.7 FTE to implement the PFAS Action Plan.

HABs, which can be caused by nutrient pollution, remain a widespread water quality challenge across the country despite decades of effort to achieve reductions. In FY 2021, EPA requests \$15.0 million to establish a new competitive grant program to fund prevention and response efforts for HABs that pose significant health or economic risks. The request also includes \$2.9 million with 2.5 FTE to support the advancement of a more comprehensive approach to addressing harmful algal blooms, enhancing market mechanisms, and coordinating surveillance pilots, including through Interagency Agreements with other federal partners to better predict HABs. Work under these programs supports EPA's metric to reduce the number of square miles of watersheds with surface waters not meeting standards due to nutrients.

The Agency will continue to ensure waters are clean through partnerships with states and tribes. EPA will provide support to states and municipalities in coastal regions and on major river systems. The FY 2021 requests \$4.7 million with 3.0 FTE to expand trash capture and prevention programs tied to water quality and waste management goals to reduce ocean pollution and plastics. The resources would focus on high impact activities, such as expanding trash prevention, clean-up, and monitoring programs. In addition, EPA will continue to emphasize efforts on small and rural community water systems. As part of a larger proposal, \$50 thousand is provided to the Agency's

water programs to support circuit rider technical assistance to Indian tribes and rural water systems to help achieve compliance with drinking water and wastewater regulations.

Congress passed several pieces of legislation at the end of 2018, including the Integrated Planning Bill and the Vessel Incidental Discharge Act (VIDA), which assign new programming and oversight responsibilities to EPA. In FY 2021, EPA will continue work to implement the mandates included in the new legislation.

Homeland Security

In FY 2021, EPA will coordinate and support protection of the Nation's critical water infrastructure from terrorist threats and all-hazard events. Under the homeland security mission, EPA will annually train over 2,500 water utilities, state officials, and federal emergency responders on resiliency to natural or manmade incidents that could endanger water and wastewater services. EPA will continue to develop the most efficient mechanisms for detecting and addressing harmful substances in the water distribution system. In addition, EPA will fulfill its obligations under Executive Order (EO) 13636 – *Improving Critical Infrastructure Cybersecurity* – which designates EPA as the lead federal agency responsible for cybersecurity in the water sector. In FY 2021, EPA will conduct nationwide, in-person training sessions in cybersecurity threats and countermeasures for approximately 200 water and wastewater utilities.

Objective 3: Revitalize Land and Prevent Contamination. Provide better leadership and management to properly clean up contaminated sites to revitalize and return the land back to communities.

Objective 1.3, Revitalize Land and Prevent Contamination directly supports the following long-term performance goals in the *FY 2018-2022 EPA Strategic Plan*:

- By September 30, 2022, make 255 additional Superfund sites ready for anticipated use (RAU) site-wide.¹²
- By September 30, 2022, make 3,420 additional brownfields sites RAU.¹³
- By September 30, 2022, make 536 additional Resource Conservation and Recovery Act (RCRA) corrective action facilities RAU.¹⁴
- By September 30, 2022, complete 56,000 additional leaking underground storage tank (LUST) cleanups that meet risk-based standards for human exposure and groundwater migration.¹⁵

¹² By the end of FY 2017, 836 Superfund sites had been made RAU site-wide.

¹³ From FY 2006 through the end of FY 2017, 5,993 brownfield properties/sites had been made RAU. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

¹⁴ From FY 1987 through FY 2017, 1,232 of the universe of 3,779 high priority RCRA corrective action facilities had been made RAU site-wide. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

¹⁵ By the end of FY 2017, 469,898 LUST cleanups had been completed.

Objective 1.3, Revitalize Land and Prevent Contamination directly supports the following FY 2020-2021 Agency Priority Goal (APG):

- **Accelerate the pace of cleanups and return sites to beneficial use in their communities.** By September 30, 2021, EPA will make an additional 102 Superfund sites and 1,368 brownfields sites ready for anticipated use (RAU).

For the FY 2018-2019 APG, EPA made 99 Superfund sites RAU, 97 percent of the two-year goal of 102 sites and 1,771 brownfields sites RAU, 133 percent of the two-year goal of 1,368 sites.

EPA works to improve the health and livelihood of all Americans by cleaning up and returning land to productive use, preventing contamination, and responding to emergencies. In FY 2021, the Agency is accelerating the pace of cleanups and reuse while addressing risks to human health and the environment. EPA uses its resources to enhance the livability and economic vitality of neighborhoods in and around hazardous waste sites, by collaborating with and leveraging efforts of other federal agencies, industry, states, tribes, and local communities. EPA also partners with states, tribes, local communities, and industry to prevent and reduce exposure to harmful contaminants. Superfund and RCRA provide the legal authority for EPA's work to protect and restore land. The Agency and its partners use Superfund authority to clean up uncontrolled or abandoned hazardous waste sites, allowing land to be returned to productive use which benefits communities and the economy. Under RCRA, EPA works in partnership with states and tribes to address risks associated with the generation, transportation, treatment, storage or disposal of waste, and to clean up contamination at active sites. EPA will continue to provide technical assistance and coordinate national efforts to increase the recycling of municipal solid waste and to reduce food loss and waste. The FY 2021 request includes new resources targeted to advance this work and realize the goal of cutting food waste in half in the next decade.

EPA will continue to collaborate with international, state, tribal, and local governments while considering the effects of decisions on communities. The Agency engages communities to help them understand and address risks posed by intentional and accidental releases of hazardous substances into the environment and to ensure that communities have an opportunity to participate in environmental decisions that affect them. Risk communication goes to the heart of EPA's mission and effective risk communication and community engagement builds trust and often leads to better decisions. In all this work, EPA's efforts are guided by scientific data, tools, and research that alert the American people to emerging issues and inform decisions on managing materials and addressing contaminated properties.

In FY 2021, EPA requests \$1.104 billion and 2,073.5 FTE to support this objective. To maximize effectiveness, EPA will focus on implementing programs where a federal presence is required by statute. Highlights include:

Cleaning Up Contaminated Sites

EPA's cleanup programs (i.e., Superfund Remedial, Superfund Federal Facilities, Superfund Emergency Response and Removal, RCRA Corrective Action, Underground Storage Tanks and Brownfields) work cooperatively with state, tribal, and local partners to take proactive steps to

facilitate the cleanup and revitalization of contaminated properties. Cleanup programs protect both human health and the environment and return sites to productive use, which is important to the economic wellbeing of communities. Working with partners across the country, EPA engages with communities in site cleanup decisions, fosters employment opportunities in communities, and promotes the redevelopment of blighted areas.

Superfund Remedial

One of EPA's top priorities is accelerating progress on the cleanup and reuse of Superfund sites. The reuse of a site often can play a role in economically revitalizing a community. As of FY 2019, EPA data show that approximately 1,000 Superfund sites are in reuse, more than half the number of sites ever placed on the National Priority List. EPA has data on over 9,100 businesses at 602 of these sites. In FY 2019 alone, these businesses generated \$58.3 billion in sales. These businesses employed more than 208,000 people who earned a combined income of over \$14 billion. The Superfund Remedial Program demonstrates that environmental protection and economic development can grow hand in hand.

In 2017, EPA convened a Superfund Task Force that identified 42 recommendations to streamline and improve the Superfund process. The recommendations are structured around five goals related to many aspects of Superfund, including site identification, remedy selection and implementation, and subsequent reuse. As of September 2019, all 42 recommendations have been implemented by the Superfund program. Superfund Task Force accomplishments, including detailed information on implementation efforts and performance measures for tracking progress, can be found in the Superfund Task Force Recommendations Final Report.¹⁶

In FY 2021, the Agency will continue to advance cleanup and revitalize once productive properties. This will be achieved by: removing contamination; enabling economic development; taking advantage of existing infrastructure; and maintaining and improving quality of life. There are multiple benefits associated with cleaning up contaminated sites. For example, recent research indicates that Superfund cleanup lowered the risk of elevated blood lead levels by roughly 8 to 18 percent for children living within two kilometers of a Superfund site where lead is a contaminant of concern.¹⁷ This work supports the FY 2020–FY 2021 Lead APG. Additional research shows that residential property values within three miles of Superfund sites increased between 18.7 to 24.4 percent when sites were cleaned up and deleted from the National Priorities List (NPL).¹⁸

In FY 2021, EPA requests \$482.3 million for the Superfund Remedial Program. EPA will continue its statutory responsibility to provide oversight of potentially responsible parties (PRP)-led activities at Superfund sites, consistent with legal settlement documents, and statutorily required five-year reviews. Additionally, in FY 2021, \$1.0 million is requested in the Superfund Remedial Program to support implementation of the PFAS Action Plan, including providing tools to help states and communities assess and address existing contamination.

¹⁶ The Superfund Task Force (SFTF) Recommendations Final Report can be found at: <https://semspub.epa.gov/work/HQ/100002231.pdf>.

¹⁷ Klemick, H., H. Mason and K. Sullivan. January 2019. Superfund Cleanups and Children's Lead Exposure, NCEE Working Paper 19-01, <https://www.epa.gov/sites/production/files/2019-01/documents/2019-01.pdf>.

¹⁸ Gamper-Rabindran, Shanti and Christopher Timmons. 2013. Does cleanup of hazardous waste sites raise housing values? Evidence of spatially localized benefits. *Journal of Environmental Economics and Management* 65(3): 345-360.

Superfund Federal Facilities

Federal facility sites are among the largest in the Superfund program, accounting for a high percentage of the annual program cleanup commitments and encompassing some of the most dangerous and unique environmental contaminants, including munitions, radiological waste, and emerging contaminants such as PFAS. EPA works closely with other federal agencies, states, tribes, and stakeholders to ensure protective and cost-effective cleanups at these NPL sites. Cleaning up contaminated sites at federal facilities can serve as a catalyst for economic growth and community revitalization. As part of an FY 2019 study, 22 federal facility Superfund sites in reuse a total of 1,400 businesses generated \$9.4 billion in annual sales and provide 115,000 jobs and \$7 billion in annual employment income.¹⁹ To further this work, the FY 2021 Budget requests \$21.6 million for this program.

Superfund Removal

Over the past decade, EPA completed or oversaw over 3,066 Superfund removal actions across the country. This work is performed as part of the overarching effort to clean up contaminants and protect human health and the environment. In the event of an emergency, EPA's Superfund Emergency Response and Removal Program is charged with preventing, limiting, mitigating, or containing chemical, oil, radiological, biological, or hazardous materials released during and in the aftermath of an incident. Typical situations requiring emergency response and removal actions vary greatly in size, nature, and location, and include chemical releases, fires or explosions, natural disasters, and other threats to people from exposure to hazardous substances. EPA's 24-hour-a-day response capability is a cornerstone element of the National Contingency Plan.²⁰ In FY 2021, EPA requests \$170.7 million for the Superfund Emergency Response and Removal Program.

RCRA Corrective Action

The RCRA Corrective Action Program is responsible for overseeing and managing cleanups at active RCRA sites. States have requested EPA participate in work sharing under this program, and the Agency serves in a lead or support role for a significant number of complex and challenging cleanups in both non-authorized and authorized states. To date EPA has authorized 44 states and one territory to directly implement the RCRA Corrective Action Program.²¹ In FY 2019, EPA approved 127 RCRA corrective action facilities as ready for anticipated use. To advance this work in FY 2021, the Budget includes \$35.1 million to support the RCRA Corrective Action Program.

Underground Storage Tanks

The Underground Storage Tank (UST) program has achieved significant success in addressing releases since the beginning of the program. Data show that of the approximately 550,900 releases reported since the beginning of the UST program in 1988, there have been 493,589 sites cleaned up (as of the end of FY 2019); 90 percent have reached the equivalent of RAU for this program.

¹⁹ For additional information, refer to: <https://www.epa.gov/fedfac/redevelopment-economics-federal-facilities>.

²⁰ For additional information, refer to: <https://www.epa.gov/emergency-response/national-oil-and-hazardous-substances-pollution-contingency-plan-ncp-overview>.

²¹ State implementation of the RCRA Corrective Action program is funded through the STAG (Program Project 11) and matching State contributions.

Approximately 57,300 releases remain that have not reached cleanup completion. EPA is working with states to develop and implement specific strategies and activities applicable to their specific sites to reduce remaining UST releases. A 2018 study found that high profile UST releases decrease nearby property values by 2 to 6 percent. However, once cleanup is completed, property values rebound by a similar margin.²² EPA requests a total of \$52.9 million in FY 2021 for UST direct cleanup and state cooperative agreements.

Brownfields

Approximately 129 million people (roughly 40 percent of the U.S. population) live within three miles of a brownfields site that receives EPA funding.²³ By awarding brownfields grants, EPA is making investments in communities so that they can advance environmental health, economic growth, and job creation. As of January 2020, grants awarded by the program have led to over 88,900 acres of idle land made ready for productive use and over 156,500 jobs and \$29.5 billion leveraged. From FY 2006 through the end of FY 2019, 7,741 brownfields properties/sites had been made RAU. During FY 2019, EPA achieved 910 brownfields sites RAU, exceeding the annual target. Ongoing data cleanup activities have improved the quality of the program's statistics.

This program has a direct economic effect, for instance, a 2017 study found that housing property values increased 5 to 15.2 percent near brownfields sites when cleanup was completed.²⁴ Another 2017 study of 48 brownfields sites showed an estimated \$29 to \$97 million in additional tax revenue generated for local governments in a single year after cleanup; this is 2 to 7 times more than the \$12.4 million EPA contributed to the cleanup of those brownfields.²⁵ The creation of Qualified Opportunity Zones through the 2017 Tax Cuts and Jobs Act complements EPA's brownfields funding by incentivizing private sector investment in the redevelopment of brownfields located in economically distressed communities. This redevelopment not only improves environmental quality, but also leads to diversified economies, improved job opportunities, and restored fiscal health in municipalities. The FY 2021 Budget provides \$129.6 million, including \$18 million targeted for Opportunity Zones, to advance brownfields work and continue these positive returns to the environment, public health, and the economy.

Preserving Land

Preventing the release of contamination in the first place can be one of the most cost-effective ways of providing Americans with clean land. In FY 2021, EPA will continue to work with our state and tribal partners to prevent releases of contamination, allowing the productive use of facilities and land and contributing to communities' economic vitality, while avoiding expensive cleanup costs.

²²Guignet, D. R. Jenkins, M. Ranson, and P. Walsh. 2018. Contamination and Incomplete Information: Bounding Implicit Prices using High-Profile Leaks, *Journal of Environmental Economics and Management*. 88: 259-282. <https://doi.org/10.1016/j.jeem.2017.12.003>.

²³ U.S. EPA, Office of Land and Emergency Management Estimate 2017. Data collected includes: (1) site information as of the end of FY16; and (2) census data from the 2011-2015 American Community Survey.

²⁴ Haninger, K., L. Ma, and C. Timmins. 2017. The Value of Brownfield Remediation. *Journal of the Association of Environmental and Resource Economists*, 4(1): 197-241, <https://ideas.repec.org/a/ucp/jaerec/doi10.1086-689743.htm>.

²⁵ Sullivan, Karen A. 2017. Brownfields Remediation: Impact on Local Residential Property Values. *Journal of Environmental Assessment Policy and Management*, 19(1), <https://www.worldscientific.com/doi/pdf/10.1142/S1464333217500132>.

Chemical Facility Safety

EPA plays a valuable role in working with states and communities to build capacity to prevent, prepare for, and respond to emergencies at chemical facilities. The program establishes a structure for federal, state, local, and tribal partners to work together with industry to protect emergency responders, local communities, and property from chemical risks through advanced technologies, community engagement, and improved safety systems. In FY 2021, the program will prioritize inspection of facilities required to have a Risk Management Plan (RMP) to ensure compliance with accident prevention and preparedness activities. In FY 2021, EPA requests \$10.9 million for the State and Local Prevention and Preparedness Program.

State and Local Prevention and Preparedness Fee Proposal

In FY 2021, EPA continues to propose new fee authority in the State and Local Prevention and Preparedness Program to better support compliance assistance work for RMP facilities. Once authorized, the new voluntary fee and service would provide support for facilities in complying with EPA regulations. Authorizing language for the new fee collection accompanies the FY 2021 Budget submission.

RCRA Waste Management

Approximately 60,000 facilities generate and safely manage hazardous waste in the United States. While states have primary responsibility for efforts related to permitting hazardous waste units (such as incinerators and landfills), 80 percent of the U.S. population live within three miles of one of these facilities, making national standards and procedures for managing hazardous wastes a necessity.²⁶

In FY 2021, permits for these activities will be issued, updated, or maintained as necessary. EPA will continue to directly implement the entire RCRA program in two states and provides leadership, work-sharing, and support to the states and territories authorized to implement the permitting program. In addition, EPA will review and approve polychlorinated biphenyls (PCB) cleanup, storage, and disposal activities as this federal authority is not delegable to state programs.

The FY 2021 Budget includes \$0.7 million, including 1 FTE, for RCRA Waste Management as part of a broader EPA effort to reduce sources of ocean pollution, particularly plastics, as part of the sharing of waste management approaches and technical assistance with select developing countries and vulnerable communities. In total, the FY 2021 Budget provides \$50.4 million to the RCRA Waste Management program.

Recycling and Food Waste

In FY 2021, EPA will focus on the priority areas of improving the U.S. recycling system and preventing food waste and loss. Activities will include performing a needs assessment of the U.S. recycling industry to inform future work for EPA's and/or other agencies' supporting efforts to

²⁶ U.S. EPA, Office of Solid Waste and Emergency Response Estimate. 2014. Data collected includes: (1) site information as of the end of FY 2011 from RCRAInfo; and (2) census data from the 2007-2011 American Community Survey.

maintain a sustainable and resilient recycling industry. Different definitions and recycling rate methodologies across the country create challenges to setting goals and tracking progress. EPA will develop and report new metrics for evaluating recycling system performance. EPA also will administer two grant programs: The Community Recycling Infrastructure and Capacity Building Grant for state and local governments to build and enhance recycling capacity and infrastructure around the country and the Local Government and Non-governmental Organization (NGO) Food Waste Campaign Strategy Grant to study effective food waste management campaigns and to assist local entities with educating the public about recycling and organics management. Finally, EPA will support a pilot innovation incentive program to encourage the creation of products made with recycled content and increased the use of recycled materials in manufacturing. To support these efforts, the FY 2021 Budget includes \$4.2 million with 5.0 FTE for the RCRA Waste Minimization and Recycling program.

Hazardous Waste Electronic Manifest

On October 5, 2012, the Hazardous Waste Electronic Manifest Establishment Act was enacted, requiring EPA to develop and maintain a hazardous waste electronic manifest system. The system is designed to, among other functions, assemble and maintain the information contained in the estimated two million manifest forms accompanying hazardous waste shipments across the Nation annually. On June 30, 2018, EPA launched the e-Manifest system, giving generators, transporters, and receiving facilities the option of using electronic manifests. The e-Manifest system improves knowledge of waste generation and final disposition, enhances access to manifest information, and provides greater transparency for the public about hazardous waste shipments. From the e-Manifest Program launch through November 2019, EPA has received over 2,600,000 manifests and collected \$19.2 million in fees. EPA estimates the e-Manifest system will reduce the burden associated with paper manifests by between 175,000 and 425,000 hours, saving state and industry users more than \$50 million annually, once electronic manifests are widely adopted.²⁷ In FY 2021, EPA will operate the e-Manifest system and the Agency will continue to collect and utilize fees for the full costs of operation of the system and necessary program expenses. EPA will no longer accept mailed paper manifests after June 30, 2021. To ensure a seamless transition to the e-Manifest system, EPA will continue to engage industry users through regular webinars and targeted demonstrations on how to use the e-Manifest system in FY 2021. In addition, EPA will continue to work with individual generators and associated groups to increase their registration and use of the e-Manifest system, which will allow for greater electronic adoption.

Oil Spill Prevention Preparedness and Response

Inland oil spills can threaten human health, cause severe environmental damage, and create financial loss to industry and the public. The Oil Spill program helps protect the American people by effectively preventing, preparing for, responding to, and monitoring inland oil spills. EPA serves as the lead responder for cleanup of all inland zone spills, including transportation-related spills, and provides technical assistance and support to the U.S. Coast Guard for coastal and maritime oil spills. In FY 2021, EPA requests a total of \$13.0 million for the Oil Spill Prevention, Preparedness and Response Program to continue to ensure compliance with preventative measures

²⁷Details can be found at: <https://www.epa.gov/e-manifest/learn-about-hazardous-waste-electronic-manifest-system-e-manifest>.

through inspections, deliver required annual oil spill inspector training to federal and state inspectors, and maintain the National Oil Database and National Contingency Plan product schedule.

Oil Spill Prevention, Preparedness and Response Fee Proposal

In FY 2021, EPA continues to propose a new fee authority in the Oil Spill Prevention, Preparedness, and Response Program to better support compliance assistance work for Facility Response Plan (FRP) and Spill Prevention Control and Countermeasure (SPCC) facilities. Once authorized, the new voluntary fee and service would provide support for facilities in complying with EPA regulations.

Homeland Security

Terrorist attacks, industrial accidents, and natural disasters can result in acutely toxic chemical, biological, radiological, or nuclear (CBRN) contamination causing sickness or death, disruption of drinking water and wastewater services, economic hardship in communities, and even shutdown of urban areas. EPA's Homeland Security work is an important component of the Agency's prevention, protection, and response activities. The FY 2021 Budget includes \$32.0 million to maintain Agency capability to respond to incidents that may involve harmful CBRN substances. Resources will allow the Agency to develop and maintain expertise and operational readiness to respond to emergencies. Funding of \$1.5 million also is included to begin formally planning for the next generation of mobile lab detection and to fund a www.challenge.gov initiative to crowdsource innovative ideas for creative technology concepts that could replace current technology.

Objective 4: Ensure Safety of Chemicals in the Marketplace. Effectively implement the Toxic Substances Control Act (TSCA), and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), to ensure new and existing chemicals and pesticides are reviewed for their potential risks to human health and the environment and actions are taken when necessary.

Objective 1.4, Ensure Safety of Chemicals in the Marketplace, directly supports the following long-term performance goals in the FY 2018-2022 EPA Strategic Plan:

- By September 30, 2022, complete all EPA-initiated TSCA risk evaluations for existing chemicals in accordance with statutory timelines.²⁸
- By September 30, 2022, complete all TSCA risk management actions for existing chemicals in accordance with statutory timelines.²⁹
- By September 30, 2022, complete all TSCA pre-manufacture notice final determinations in accordance with statutory timelines.³⁰

²⁸ There is no baseline for this measure, as the program is operating under new statutory authority.

²⁹ There is no baseline for this measure, as the program is operating under new statutory authority.

³⁰ Baseline is 58.4 percent of determinations made within 90 days in FY 2018. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

- By September 30, 2022, complete all cases of Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)-mandated decisions for the pesticides registration review program.³¹
- By September 30, 2022, reduce the Pesticide Registration Improvement Act (PRIA) registration decision timeframe by an average of 60 days.³²

Chemicals and pesticides released into the environment as a result of their manufacture, processing, use, or disposal can threaten human health and the environment. To address this threat, EPA gathers and assesses information about the risks associated with pesticides and other chemicals and implements risk management strategies when needed. EPA's research efforts will help advance the Agency's ability to assess chemicals more rapidly and accurately.

In FY 2021, EPA requests \$243.4 million and 1,083.5 FTE for this strategic objective. Highlights include:

Toxic Substances Control Act (TSCA)

In 2016, TSCA was amended by enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act. This amendment gave EPA significant new, as well as continuing, responsibilities for ensuring that chemicals in or entering commerce do not present unreasonable risks to human health and the environment, including potentially exposed or susceptible subpopulations. EPA works to ensure the safety of: (1) *existing chemicals* (those already in use when TSCA was enacted in 1976 and those which have gone through the TSCA new chemical review since then), by obtaining and evaluating chemical data and taking regulatory action, where appropriate, to prevent any unreasonable risk posed by their use; and (2) *new chemicals*, by reviewing and taking action on new chemical notices submitted by industry, including Pre-Manufacture Notices, to ensure that no unreasonable risk will be posed by such chemicals upon their entry into U.S. commerce.

EPA made considerable progress towards meeting the FY 2018-2019 APG for TSCA risk management actions and TSCA risk evaluations with key milestones achieved or in progress as of the end of FY 2019.³³ The Agency expects to complete risk evaluations under amended TSCA for the initial set of ten chemicals in FY 2020. Substantial progress has already been made, with the publication of scoping documents for these evaluations on schedule in June 2017, followed by the completion of problem formulation documents in June 2018. EPA has released draft risk evaluations for seven of the 10 chemicals (as of January 2020) for public comment and peer review. In addition, the Agency recently granted a manufacturer request to undertake risk evaluations for two chemicals used in plastic production, Diisodecyl Phthalate (DIDP) and Diisononyl Phthalate (DINP). In FY 2020, EPA will publish scoping documents for risk evaluations for 20 High-Priority Chemicals designated in December 2019. Going forward, the

³¹ Baseline is 239 decisions completed by the close of FY 2017 out of the known universe of 725. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

³² Baseline is an average timeframe of 655 days (range: 93-2,086 days) for PRIA decisions for 68 new active ingredients completed in FY 2015-2017.

³³ More details can be found at: https://www.performance.gov/EPA/APG_epa_6.html.

Agency will maintain 20 EPA-initiated evaluations on an on-going basis.³⁴ The Agency has identified 20 Low-Priority Chemicals which will not undergo risk evaluation. In FY 2021, EPA will work to develop drafts of the 20 new risk evaluations, commence associated peer reviews, and develop risk management actions to address any unreasonable risks identified in the risk evaluations for the first 10 chemicals to be completed in FY 2020. In FY 2021, as required by statute, EPA also will promulgate five rules to address risks associated with five Persistent, Bioaccumulative and Toxic chemicals referenced in amended TSCA. A proposed rule was issued in June 2019.³⁵

Although substantially improved from FY 2018, the performance rate of FY 2019 TSCA pre-manufacture notice (PMN) final determinations completed within 90 days was 78 percent, slightly below the 80 percent target for both the FY 2018-2019 APG and FY 2019 annual performance goal. Contributing factors included frequent submitter requests for suspensions of review, increased complexity of the review process under amended TSCA, and continuing need for recruitment and training of new staff. Given the positive year-over-year trend, EPA expects to meet the long-term performance goal to complete all PMN final determinations within 90 days by FY 2022. EPA expects continued improvement by applying findings from the Lean assessments completed in FY 2018 and FY 2019, introducing further information technology enhancements, and bringing additional staff on board. The Agency continues to meet 100 percent of final TSCA new chemical determinations within the full timeframes allowable by statute (including statutorily-allowable extensions).

In FY 2021, TSCA resources also will be used to support the FY 2020-2021 APG on reducing childhood lead exposures and associated health impacts, including maintaining an adequate supply of trained and certified lead-based paint professionals. By September 30, 2021, EPA will increase the recertification rate of lead-based paint renovation, repair, and painting firms to 28 percent from a baseline of 23 percent. EPA will strive to increase the recertification rate through outreach to industry and will continue to publish an updated list of certified renovation firms on the agency's website.³⁶

In FY 2021, EPA will support its chemical safety work through a combination of \$69.0 million in requested appropriated resources and revenue from TSCA user fees.

Promote Children's Environmental Health

Following the Administrator's FY 2019 reaffirmation of EPA's Policy on Evaluating Health Risks to Children to address their unique vulnerabilities, the Office of Children's Health Protection (OCHP) has provided assistance and information to EPA program offices to support actions under TSCA, FPQA, SDWA and other statutes.³⁷ In FY 2019, the Children's Health Protection Advisory Committee (CHPAC) met three times and began work to provide advice on how EPA can better

³⁴ More details can be found at: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/chemical-substances-undergoing-prioritization-high>.

³⁵ More details can be found at: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/regulation-chemicals-under-section-6a-toxic-substances>.

³⁶ <https://cfpub.epa.gov/flpp/pub/index.cfm?do=main.firmSearch>.

³⁷ https://www.epa.gov/sites/production/files/2018-10/documents/childrens_health_policy_reaffirmation_memo.10.11.18.pdf.

communicate risks to children's health to diverse audiences.³⁸ In response to CHPAC's advice, EPA began working with the National Institute of Environmental Health Services to plan a national workshop focusing on Children's Health and Wildfires to be held in April 2020. The committee was reauthorized and is poised to provide further guidance, with opportunity for public input, to the Agency on topics relevant to the protection of children's environmental health. Overall, EPA reached more than 118,000 stakeholders in FY 2019. These stakeholders included; parents, teachers, health care providers, state, tribal, and local government officials, day care providers, researchers and academia, community-based organizations, industry representatives, and the general public. In FY 2021, EPA will continue to provide advice and assistance to assure appropriate consideration of risks to children at all developmental life stages, from pregnancy through age 21, and to workers of childbearing ages. As EPA engages with stakeholders during FY 2021 to promote children's environmental health, emphasis will be placed on implementing the FY 2020 initiative to address children's environmental health in schools and childcare settings.

Healthy Schools Grant Program

Although EPA provides grant funding to a wide range of initiatives focused on addressing risks to children's health, the Agency has no comprehensive environmental health management program to support school administrators and others in identifying and addressing some of the most common areas of environmental health concerns found in schools. To address this need, the FY 2021 Budget proposes a Healthy Schools Grant Program. This Program is a multi-media grant that provides funding to identify and help prevent, reduce, and resolve environmental hazards and prevent childhood lead poisoning, reduce asthma triggers, promote integrated pest management, and reduce childhood exposure to one or more chemicals in schools, including public and faith-based schools and childcare centers. EPA recognizes that school environmental health challenges differ due to variations in geography, age of school infrastructure, population density, and other factors.

The Healthy Schools Grant Program was designed to protect children and teachers in environments in which they live, play, and work. In FY 2021, EPA requests \$50 million to implement this grant program which will target the highest priority efforts to protect human health and the environment in school settings.

Toxics Release Inventory (TRI)

The Toxics Release Inventory (TRI) Program supports EPA's mission, including its chemical safety program, by annually making available to the public data reported by industrial and federal facilities on the quantities of toxic chemicals they release each year to air, water or land, or otherwise manage as waste (e.g., through recycling). These facilities also disclose any pollution prevention practices they implemented during the year. TRI is the Agency's premiere source of data on toxic chemicals release and management for communities, non-governmental organizations, industrial facilities, academia, and government agencies. The data collected by EPA pertain to more than 650 individual toxic chemicals, and more than 30 chemical categories, from over 20,000 industrial and federal facilities. The Agency employs targeted system enhancements

³⁸ For additional information, refer to: <https://www.epa.gov/children/chpac>.

to better manage information flows and scientific tools and models. EPA's FY 2021 budget proposal includes \$8.1 million to continue to advance the work of this program.

Pesticides

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) is the primary federal law governing oversight of pesticide manufacture, distribution, and use in the United States. FIFRA requires EPA to register pesticides based on a finding that they will not cause unreasonable adverse effects on people and the environment. The finding must consider the economic, social, and environmental costs and benefits of the uses of the pesticides. Each time the law has been amended, Congress has strengthened FIFRA's safety standards while continuing to require consideration of pesticide benefits.

Every 15 years, EPA reevaluates previously registered pesticides to ensure they meet current standards. EPA's Pesticides Program remains on track to meet the statutory completion date for this 15-year Registration Review period, which is October 1, 2022. As of the end of FY 2019, 383 final decisions of a known universe of 725 cases were completed and 549 draft risk assessments of a known universe of 725 cases were completed. Through the Pesticide Registration Improvement Act (PRIA), the Program continues to ensure new products meet U.S. safety standards, expediting the licensing of new products so they are available in the marketplace for use in agricultural, consumer, and public health pest control needs.

In addition to FIFRA, the Federal Food, Drug, and Cosmetic Act (FFDCA) governs the maximum allowable level of pesticides in and on food grown and sold in the United States. The legal level of a pesticide residue on a food or food item is referred to as a tolerance. FFDCA requires that the establishment, modification, or revocation of tolerances be based on a finding of a "reasonable certainty of no harm." Whereas FIFRA is a risk-based statute that allows for consideration of the benefits of pesticide use in determining whether to register a pesticide, FFDCA is a risk-only statute, and benefits cannot be used in determining whether the tolerance meets the safety standard. When evaluating the establishment, modification, or revocation of a tolerance, EPA seeks to harmonize the tolerance with the maximum residue levels set by other countries to enhance the trade of agricultural commodities.

EPA's Pesticide Licensing Program evaluates new pesticides before they reach the market and ensures that pesticides already in commerce are safe when used in accordance with the label as directed by FIFRA, FFDCA, and the Food Quality Protection Act. EPA is responsible for licensing (registering) new pesticides and periodically reevaluating (registration review) older pesticides to protect consumers, pesticide users, workers who may be exposed to pesticides, children, and other sensitive populations, while considering the benefits associated with the use of the pesticide.

In FY 2021, \$95.1 million in appropriated funds is requested to support EPA's Pesticide Registration Review and Registration programs. Identifying, assessing, and reducing the risks presented by the pesticides on which our society and economy relies is integral to ensuring environmental and human safety. Chemical and biological pesticides help meet national and global demands for food. They provide effective pest control for homes, schools, gardens, highways, hospitals, and drinking water treatment facilities, while also controlling vectors of disease. The

Pesticides Program ensures that the pesticides available in the U.S. are safe when used as directed. The Program places priority on reduced-risk pesticides that, once registered, will result in increased societal benefits. In FY 2021, appropriated funding will be augmented by approximately \$49.8 million in pesticides registration and maintenance user fees, as authority to collect fees is provided through FY 2023 by the Pesticide Registration Improvement Extension Act of 2018 (PRIA 4).

In FY 2021, EPA will continue to review and register new pesticides, new uses for existing pesticides, and other registration requests in accordance with all statutory requirements. In addition, the Agency will review, under the Pesticides Registration Review Program, pesticides already in the market against current scientific standards for human health. The Agency has been working on reducing the average number of days to complete PRIA decisions for new active ingredients; however, in FY 2019 performance fell short of the annual target for reducing PRIA registration decision timeframes. In FY 2019, EPA took an average of 686 days to complete PRIA decisions, 55 days above the target of 631. Contributing factors that added time included: (1) three of the 14 completions had longer statutory timeframes; (2) the total number of new active ingredient completions in FY 2019 was somewhat lower than normal; and (3) 12 of the 14 completions required renegotiation of the PRIA due date. Reasons for the renegotiation of the PRIA due date in FY 2019 included: deficient applications; additional studies required; risk mitigation issues; public participation process; and the Federal Register Notice publication process. To bring results back in alignment with annual targets towards the long-term performance goal, EPA will take steps to support improvements to the new active ingredient review process. Additionally, the ongoing IT-modernization effort whereby EPA will be moving to an entirely electronic pesticide review process is expected to result in efficiencies that would reduce the average registration decision timeframe for new active ingredients.

The Agency will continue to invest resources to improve the compliance of pesticide registrations with the Endangered Species Act (ESA), including continuing its leadership of the FIFRA-ESA Interagency Working Group formed as part of the 2018 Farm Bill. Funding will ensure that pesticides are correctly registered and applied in a manner that protects water quality. EPA will continue registration and registration review requirements for antimicrobial, biopesticide, and conventional pesticides. Additionally, the Pesticides Program continues to focus on pollinator health, working with other federal partners, states, and private stakeholder groups to stem pollinator declines and increase pollinator habitat.

The Agency's worker protection, certification, and training programs will encourage safe pesticide application practices. The Certification of Pesticide Applicators regulation requires states, tribes, and Federal Agencies to submit to EPA by March 4, 2020, revised certification plans to continue to administer applicator certification programs in their jurisdictions. In FY 2021, EPA will review more than 50 state, tribal, and Federal Agency certification plans for approval. These updated plans will strengthen the baseline for applicator certification standards across the country. EPA also will continue to provide training to state regulators and inspectors and regions on the revised regulations to ensure accurate implementation and protection of America's workforce.

Through the Pesticides Program implementation, EPA also will continue outreach and training to healthcare providers in the recognition and management of pesticide-related illnesses. The

outreach focuses on efforts to train clinicians serving the migrant and seasonal farmworker community, further improving the treatment of agricultural workers and communities potentially exposed to pesticides. EPA will continue to emphasize reducing exposures from pesticides used in and around homes, schools, and other public areas. Together, these activities and programs will minimize exposure to pesticides, maintain a safe and affordable food supply, address public health issues, and minimize property damage that can occur from insects, pests, and microbes.

**Environmental Protection Agency
FY 2021 Annual Performance Plan and Congressional Justification**

More Effective Partnerships

More Effective Partnerships: Provide certainty to states, localities, tribal nations, and the regulated community in carrying out shared responsibilities and communicating results to all Americans.

Strategic Objectives:

- Improve environmental protection through shared governance and enhanced collaboration with state, tribal, local, and federal partners using the full range of compliance assurance tools.
- Listen to and collaborate with impacted stakeholders and provide effective platforms for public participation and meaningful engagement.

GOAL, OBJECTIVE SUMMARY

Budget Authority
Full-time Equivalents
(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
More Effective Partnerships	\$318,487.7	\$323,893.0	\$243,870.0	-\$80,023.0
Enhance Shared Accountability	\$304,194.9	\$305,126.0	\$241,141.0	-\$63,985.0
Increase Transparency and Public Participation	\$14,292.8	\$18,767.0	\$2,729.0	-\$16,038.0
Total Authorized Workyears	1,045.7	1,049.6	855.5	-194.1

Goal 2: More Effective Partnerships

Provide certainty to states, localities, tribal nations, and the regulated community in carrying out shared responsibilities and communicating results to all Americans.

Introduction

The intent that environmental and human health protection is a shared responsibility between the states, tribes, and the Federal Government is embedded in our environmental laws. Thus, EPA's strategic goal of more effective partnerships is vital to advancing the Agency's mission. EPA is focused on providing certainty to the American people, our co-regulators, and the regulated community. EPA attention is in three primary areas: certainty to the states and local governments, including tribes; certainty within EPA programs, such as permitting and enforcement actions; and certainty in risk communication.

Nearly 50 years after the creation of EPA and the enactment of a broad set of federal environmental protection laws, most states, and to a lesser extent territories and tribes, are authorized to implement EPA-administered environmental programs within their jurisdictions. Most of the major environmental statutes provide states and tribes the opportunity and responsibility for implementing and sustaining environmental and human health protection programs. Indeed, states have assumed more than 96 percent of the delegable authorities under federal law.³⁹

Through shared governance, the Agency will work with state and tribal partners to streamline processes and provide accessible, reliable information and data that benefits co-regulators and the regulated community. EPA will continue to adapt its practices to reduce duplication of effort with authorized states, tribes, and territories, and tailor its oversight of delegated programs.

EPA works to protect human health and the environment of federally recognized tribes by supporting implementation of federal environmental laws, with a special emphasis on helping tribes administer their own environmental programs. These efforts are consistent with the federal trust responsibility, the government-to-government relationship, and EPA's 1984 Indian Policy. As of September 30, 2019, EPA has completed 470 EPA-Tribal Environmental Plans (ETEPs). The purpose of these, and additional ETEPs under development, is to increase shared governance through joint planning that informs decisions on financial and technical assistance for environmental programs. EPA will monitor regional actions to implement ETEPs as part of its business review process. The Agency will continue to give special consideration to tribal interests in making Agency policy, and to ensure the close involvement of tribal governments in making decisions and managing environmental programs affecting reservation lands. Since 2011, EPA has completed over 500 Tribal Consultations, an important Agency milestone under the EPA Tribal Consultation Policy. EPA completed 64 tribal consultations in FY 2019.

EPA retains responsibility for directly implementing federal environmental programs in much of Indian Country where eligible tribes have not yet built capacity to take on program responsibility. There also are programs which may not be delegated by statute to the states, tribes or territories,

³⁹ Environmental Council of the States Paper, "Cooperative Federalism 2.0," June 2017.

and programs which are delegable, but for which the state, tribe or territory has not sought delegation. Taking a renewed look at such programs will facilitate constructive dialogue with states and tribes to ensure maximum utilization of resources.

The relationship between states, tribes, territories, and EPA is not just about who makes decisions, but also how decisions are made and affirming and respecting the sense of shared accountability to provide improvements to protecting human health and the environment which cannot be achieved by any single actor. Success is derived when the states, tribes, territories, and EPA, in conjunction with affected communities, work together in a spirit of trust, collaboration, and partnership. In FY 2021, EPA will continue to strengthen its community-driven approach through grants, technical assistance, and partnering directly with communities. The Agency will deploy its resources and expertise to collaborate with states, tribes, and communities to achieve a more comprehensive understanding of needs and support locally led, community-driven solutions to improved environmental protection and economic growth through competition of EPA's Environmental Justice (EJ) Small Grants.

In FY 2021, EPA will continue to strengthen its implementation of the Freedom of Information Act (FOIA) to promote transparency and build public trust in Agency actions. EPA will enhance its efforts to eliminate the FOIA backlog and meet statutory deadlines for responding to FOIA requests by September 30, 2022, EPA's long-term performance goal. In FY 2019, EPA developed new initiatives to enhance EPA's FOIA program and reduced its FOIA request backlog by 16 percent from the April 2018 baseline. EPA also reduced its FOIA appeals backlog by 51.5 percent, reversing a two-year trend of increases in both backlogs. With FOIA, community consultations and other public participation opportunities, the beneficiaries of environmental protection – the American people – will be able to more meaningfully engage through their communities, local governments, and state and tribal governments. As the Agency's statutory responsibilities are implemented, including the public's voice in EPA's policy, regulatory, and assistance work is essential to meeting the needs of the American people.

FY 2021 Activities

Objective 1: Enhance Shared Accountability. Improve environmental protection through shared governance and enhanced collaboration with state, tribal, local, and federal partners using the full range of compliance assurance tools.

Objective 2.1, Enhance Shared Accountability, directly supports the following long-term performance goals in the FY 2018-2022 EPA Strategic Plan:

- By September 30, 2022, increase the number of grant commitments achieved by states, tribes, and local communities.⁴⁰

⁴⁰ Universe (number of grant commitments) and FY 2021 target will be determined in FY 2020. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

- By September 30, 2022, increase the use of alternative shared governance approaches to address state, tribal, and local community reviews.⁴¹

In part through the Agency's grants and cooperative agreements, EPA and its partners have made and will continue to make enormous progress in protecting air, water, and land resources. In FY 2019, EPA analyzed grant performance tracking at the headquarters and regional levels, and is working with program offices to pilot a streamlined method to capture grantees' progress toward meeting the commitments established in grant and cooperative agreement workplans. EPA recognizes states and tribes vary in the environmental challenges they face due to geography, population density, and other factors. The unique relationship among EPA and its co-regulators is the foundation of the Nation's environmental protection system and each partner fulfills a critical role based on its expertise, capacity, and responsibilities to protect and improve human health and the environment. Recognizing this, EPA will maximize the flexibilities provided by law to accommodate each state's and tribe's unique situation when making regulatory and policy decisions. The FY 2021 Budget includes funding for the Multipurpose Grants, which are an example of a commitment to more effective partnerships. These grants afford flexibility to the Agency's state and tribal partners by allowing them to target funds toward their highest priority mandatory statutory duties to protect human health and the environment.

EPA recognizes the advances states and tribes have made in implementing environmental laws and programs. EPA is undertaking a series of initiatives to rethink and reassess the Agency's current and future position with respect to shared governance. These initiatives are working to clarify the Agency's statutory roles and responsibilities, and tailoring state and tribal oversight to maximize our return on investment, reduce the burden on states and tribes, and ensure continued progress in achieving environmental outcomes. To advance this progress, the Agency will work to provide more certainty to the states and tribes. For example, the Clean Water Act (CWA) lays out the process by which EPA can authorize states and tribes to perform many of the permitting and enforcement aspects of the National Pollutant Discharge Elimination System (NPDES) program. EPA's recent approval of Idaho's NPDES program is an example of EPA developing effective partnerships that provide states with greater responsibility and control of permitting discharges to waters.

The Agency will continue to work closely with our state and tribal partners to ensure our mutual responsibilities under the law are fulfilled. As one example, permitting issues can heavily impact small and mid-sized businesses, the backbone of the American economy. We are systematically tracking the time it takes to issue permits to reduce unnecessary burden. The Agency's long-term performance goal is to reach all permitting-related decisions within six months for CWA NPDES, Underground Injection Control, Polychlorinated Biphenyls (PCBs), and Resource Conservation and Recovery Act permits. Clean Air Act (CAA) permits are subject to timeframes described in the statute for permit issuance (12 months and 18 months, respectively, for NSR and Title V permits).

⁴¹ There is no baseline for this measure. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

In FY 2021, \$44.2 million is included for the Tribal General Assistance Program Grants, which will continue to assist tribal governments in developing environmental protection program capacity to assess environmental conditions, use relevant environmental information to improve long-range strategic environmental program development planning, and develop environmental programs tailored to tribal government needs consistent with those long-range strategic plans. EPA directly implements the majority of federal environmental programs in Indian Country. Therefore, the Agency works with tribes to develop their capacity to administer environmental programs enabling participating tribes the ability to implement federal environmental laws and programs. Consistent with the 1984 Indian Policy and EPA policies on consultation, the Agency works on a government-to-government basis to build tribal capacity to participate with EPA in direct implementation activities, and implement federal programs through delegations, authorizations, and primacy designations. This enables tribes to meaningfully participate in the Agency's policy making, standard setting, and direct implementation activities under federal environmental statutes.

In FY 2021, EPA requests a total of \$241.1 million and 851.5 FTE to enhance EPA's shared accountability and build more effective partnerships. Highlights include:

Shared Governance

In FY 2021, the Agency will focus on core statutory roles and responsibilities to better develop a future model of shared governance. This means engaging early and meaningfully with states and tribes and taking into account the progress they have made in protecting human health and the environment. The Agency will use shared governance to work with states and tribes to increase flexibility and to streamline oversight of state and tribal environmental programs. In FY 2019, EPA coordinated with states and tribes to develop a principles memo⁴², outlining key tenets of shared governance. The Agency also piloted the application of this memo using program-specific templates for reviews conducted as part of the CWA NPDES and Clean Air Act Title V operating permit programs. After seeking feedback from state partners, EPA implemented the process in all 10 regional offices and will use this process in FY 2021.

EPA continues to work with its co-regulators to identify additional areas of focus. This includes working to streamline and improve processes where EPA must review and approve state and tribal actions (e.g., permit reviews, Quality Assurance Project Plans). E-Enterprise for the Environment provides a shared governance forum where states, tribes and EPA work together to streamline processes and leverage technology with the goal to provide accessible, reliable information and data. Furthermore, states, tribes and EPA use E-Enterprise to deliver better results, often with lower costs and less burden for the benefit of the public, the regulated community, and government agencies.

The Agency actively works with tribes to develop their capacity to administer environmental programs for their lands. As of September 30, 2019, EPA has completed 470 ETEPs, which continues a long-standing commitment to cooperative EPA-tribal environmental planning. EPA will monitor regional actions to implement ETEPs as part of its business review process. EPA's

⁴² https://www.epa.gov/sites/production/files/2019-04/documents/fep_oversight_memo.10.30.18.pdf.

work in FY 2021 will continue to enhance EPA-Tribal partnerships through development and use of ETEPs that support tribal implementation of federal environmental laws and a continued focus on tracking and reporting measurable results of Indian Environmental General Assistance Program (GAP)-funded activities.

EPA, with its state, tribal, and local partners, ensures consistent and fair enforcement of federal environmental laws and regulations. In July 2019, EPA's Office of Enforcement and Compliance Assurance issued a policy titled "Enhancing Effective Partnerships Between the EPA and the States in Civil Enforcement and Compliance Assurance Work"⁴³ to create more effective partnerships with states, localities, and federally-recognized Indian tribes. This policy sets out expectations and procedures for enhancing effective partnerships in civil enforcement and compliance assurance work between EPA and states that are implementing federal environmental programs. EPA will strive to follow these planning and communication practices when working with federally-recognized Indian tribes, territories, and local governments that have received approval to implement federal programs. In collaboration with co-regulators, the Agency uses a full set of compliance assurance tools, such as compliance assistance and monitoring, electronic reporting, traditional enforcement, grant funding to states and tribes, and building tribal capacity. EPA, states, and tribes work together to develop and deliver better results, often with lower costs and less burden for the benefit of the public, the regulated community, and governmental sectors.

Compliance Assurance

As part of its role of assuring compliance with environmental laws, the Agency will continue to look for cost-effective ways to enhance the compliance assurance toolbox in collaboration with its state, tribal, local, federal, and industry partners. For example, the E-Enterprise Web Portal offers a platform or gateway of services available to states, tribes, and EPA to conduct and accomplish our work. These tools and services are designed to enhance efficiency, reduce burden on the regulated community, and improve environmental outcomes. In general, an expanded and modernized compliance assurance toolbox will enhance EPA's ability to tailor compliance assurance approaches to the differing needs and challenges among authorized states, territories, tribes, and regulated entities. EPA continues to work closely with authorized states, tribes, and territories to develop new compliance tools and approaches in order to make programs more effective and efficient in promoting compliance and remedying violations.

A key component of EPA's overall compliance assurance program is compliance monitoring. Compliance monitoring allows the regulatory agencies to detect noncompliance, implement timely and appropriate follow-up actions, and promote compliance with the Nation's environmental laws. Effective targeting of compliance monitoring plays a central role in achieving the goals that EPA has set for protecting human health and the environment. On a national level, EPA works closely with individual states, tribes, and state and tribal associations to develop, modernize, and implement national compliance monitoring and enforcement response strategies. This approach ensures a level playing field exists for regulated entities across the country. For example, in FY 2021, EPA will use circuit riders to provide on-the-ground assistance to help public water systems achieve and sustain compliance. In FY 2021, EPA requests \$1.1 million for this program which would include assistance in Indian Country where systems and facilities are often small or isolated.

⁴³ <https://www.epa.gov/sites/production/files/2019-07/documents/memoenhancingeffectivepartnerships.pdf>.

Another core element of EPA's compliance assurance program is providing timely and accessible compliance assistance information to the regulated community. EPA will continue to partner with third-party organizations and other federal agencies to support the existing web-based, sector-specific compliance assistance centers⁴⁴ and other web-based assistance resources. In FY 2021, EPA, state, and tribal inspectors will continue to use the inspection process as an opportunity to provide regulated entities with relevant compliance assistance information.

EPA principally focuses compliance monitoring activities on those programs not currently delegated or delegable to states and tribes, and in delegated or authorized state programs where the state lacks the equipment, resources, or expertise to take appropriate action to protect public health and the environment. Compliance monitoring activities include field inspections, electronic reporting, data analysis tools, and where appropriate, follow-up enforcement actions. In FY 2019, EPA exceeded its compliance monitoring target (of 10,000) inspections and evaluations by conducting 10,300 compliance monitoring activities, which included on-site inspections and some off-site compliance monitoring. The Agency will continue to provide monitoring, program evaluations, and capacity building to support and complement authorized state, tribal, territorial and local government programs. The Agency works collaboratively with states in resolving noncompliance at federal facilities, especially states lacking enforcement authorities or the capacity to address these issues. In FY 2021, EPA will increase the environmental law compliance rate by reducing the percentage of CWA NPDES permittees in significant noncompliance (SNC) with their permit limits to 18.4 percent. In addition, the Agency will continue to implement Phase 2 of the NPDES Electronic Reporting Rule which covers the e-reporting rule permitting and compliance monitoring requirements for EPA and states.

In FY 2021, EPA requests \$96.7 million and 427.7 FTE to fund EPA's compliance monitoring activities.

International Partnerships

To achieve the Agency's domestic environmental and human health objectives, the EPA will work with international partners to address international sources of pollution that impact the United States or our foreign policy objectives. International sources of pollution impact air, water, food crops, and food chains, and can accumulate in foods such as fish. EPA will work with international partners to strengthen environmental laws and governance to more closely align with U.S. standards and practices of U.S. industry. The FY 2021 Budget includes \$10.6 million to support these efforts through the International Sources of Pollution program, including \$3.1 million and 3.0 FTE to support multilateral and bilateral efforts to reduce ocean pollution and plastic, an increasingly prominent global issue that can negatively impact domestic water quality, tourism, industry, and public health. The Budget also includes resources to support implementation of the Environment Chapter of the US-Mexico-Canada (USMCA) trade agreement. In addition, in FY 2021, \$0.7 million, including 0.5 FTE, is allocated to support EPA's cooperation on food waste reduction methodologies, and to identify U.S. best practices and technologies that can reduce food waste with international partners.

⁴⁴ For more information on compliance assistance centers, see <https://www.epa.gov/compliance/compliance-assistance-centers>.

Objective 2: Increase Transparency and Public Participation. Listen to and collaborate with impacted stakeholders and provide effective platforms for public participation and meaningful engagement.

Objective 2.2, Increase Transparency and Public Participation, directly supports the following long-term performance goal in the *FY 2018-2022 EPA Strategic Plan*:

- By September 30, 2022, eliminate the backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests.⁴⁵

In FY 2021, EPA will continue to strengthen its community-driven approach, which emphasizes public participation in partnering with states, tribes, and communities. In FY 2021, EPA requests \$2.7 million and 4.0 FTE to support this strategic objective.

EPA will meet community needs through more meaningful engagement and public participation, and by building community capacity through grants, technical assistance, and partnering directly with communities. Increasing transparency and public participation in EPA's work, especially at the early stages of Agency actions, will enhance the Agency's ability to partner with states, tribes, and local governments and increase responsiveness to the needs of the most vulnerable communities.

EPA's competitive Environmental Justice (EJ) Small Grants will support locally led, community-driven solutions to improve environmental protection and economic growth. In 2019, EPA's EJ grant projects directly trained, educated, and engaged over 12,000 community residents in grant activities addressing disproportionate issues specific to their communities. In FY 2019, EPA implemented a series of training webinars focused on integrating environmental justice at the state level. Over 4,000 individuals registered for this webinar series with representatives from all fifty states, Washington D.C., and Puerto Rico, and which included state environmental, public health, planning, and transportation agencies. EPA plans to offer additional trainings in FY 2021.

In FY 2021, EPA will continue to use the Environmental Justice and Community Revitalization Council (EJCRC) as the central decision making and leadership body for environmental justice and community revitalization programs' strategic priorities and guiding implementation. The EJCRC has made Community-Driven Solutions a priority to engage with vulnerable communities and meet their needs through enhanced coordination across EPA programs and external partners. Community-Driven Solutions also is the platform that supports the Agency's Opportunity Zone work.

Environmental Justice and Interagency Coordination

In FY 2021, the Agency will enhance coordination across its programs and with federal partners to ensure alignment of mutual efforts, including consideration of vulnerable groups and communities when making decisions. EPA will leverage resources with new and existing partners to deliver services efficiently and effectively. In FY 2019, the Agency launched a new program

⁴⁵ As of April 2018, there were 2,537 overdue FOIA requests in the backlog. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

with the USDA Forest Service and Northern Border Regional Commission, called the Recreation Economy for Rural Communities, which is modeled after the highly successful interagency programs, Local Foods, Local Places and Healthy Places for Healthy People. The Agency will continue these partnerships in FY 2021, focusing on economically distressed communities and Opportunity Zones.

The Agency also will leverage recommendations provided by federal advisory committees, such as the National Environmental Justice Advisory Council (NEJAC), the Local Government Advisory Council, and the Children's Health Protection Advisory Committee. The focus will be on partnerships representing vulnerable populations, such as youth, elderly, minority, tribal, and low-income communities. In FY 2019, working with EPA, the NEJAC formed a working group to make recommendations that will enhance the effectiveness and efficiencies of Superfund cleanups and help to revitalize local communities. In FY 2019, the NEJAC Superfund Working Group successfully completed a draft phase one recommendations report, sharing it with Superfund program leadership. In FY 2021, the NEJAC will finalize and transmit these recommendations. In 2019, EPA collaborated with other federal agencies to provide direct technical assistance workshops to economically distressed communities. These workshops supported community-driven solutions to environmental challenges and economic decline in more than 60 communities and will be expanded to more communities in FY 2021.

In FY 2021, the Agency will continue its leadership and involvement in the White House Opportunity and Revitalization Council. EPA will coordinate with other agencies to develop and disseminate new and existing tools and resources to support distressed communities. In 2019, half of all EJ grants awarded by EPA were for projects located within or impacting Opportunity Zones. The work of the Council will strengthen coordination with the Interagency Working Group on Environmental Justice (EJ IWG) to better integrate EPA priorities and support and engage vulnerable and environmentally overburdened communities.

In FY 2021, the EJIWG will focus on implementing FY 2019 recommendations from the Government Accountability Office on ways to improve the coordination and integration of environmental justice across the Federal Government. In addition, EPA will support and align its work with the activities and priorities of the President's Task Force on Environmental Health Risks and Safety Risks to Children. These efforts will help advance an approach to partnerships that are more effective, responsive and collaborative in addressing the needs and challenges of our partners and communities.

Implement the Freedom of Information Act (FOIA)

In FY 2021, EPA will continue to strengthen its implementation of the Freedom of Information Act (FOIA) to promote transparency and build public trust in agency actions, and will enhance its efforts to achieve its long-term performance goal: eliminate the FOIA backlog and meet statutory deadlines for responding to FOIA requests by September 30, 2022.

EPA has made progress in enhancing the FOIA program. In FY 2019, EPA published in the Federal Register an update to its 17-year old FOIA regulations, bringing its regulations into compliance with the 2007, 2009, and 2016 FOIA amendments. The regulation update also centralized FOIA request submissions to EPA's National FOIA Office, enabling EPA to improve efficiency,

consistency, and quality of its determinations and responses, and to apply best practices in early communications with requesters. Assignments are made rapidly, expedited processing determinations are made more quickly, improper or unclear requests are often identified early, and requesters receive an early, substantive communication from National FOIA Office staff about their requests. In FY 2021, EPA will continue to focus on improving its processing of FOIA requests, in particular to address the increasing complexity and volume of electronic documents required to be searched, collected, and reviewed when responding to FOIA requests. The Agency will apply Lean management techniques to increase processing speed and will apply new and enhanced technologies to ensure it supports the timely searching and collection of information for purposes of responding to FOIA requests and other information needs in a cost-effective and sustainable manner.

EPA's efforts have yielded substantial results: in FY 2019, EPA reduced its FOIA request backlog by 16 percent from the April 2018 baseline. EPA also reduced its FOIA appeals backlog by 51.5 percent, reversing a two-year trend of increases in both backlogs. In FY 2019, EPA realigned the regional FOIA programs into the Regional Counsel Offices to enhance accountability and streamline organizational structure in EPA's 10 regional offices. This realignment established clear authority and reporting lines through the Regional Counsels to the Agency's General Counsel, the Agency's Chief FOIA Officer following the FY 2018 reorganization. EPA's regions collectively reduced their FOIA request backlog by 22 percent in FY 2019, surpassing the agency-wide 16 percent FY 2019 backlog reduction.

**Environmental Protection Agency
FY 2021 Annual Performance Plan and Congressional Justification**

Greater Certainty, Compliance, and Effectiveness

Greater Certainty, Compliance, and Effectiveness: Increase certainty, compliance, and effectiveness by applying the rule of law to achieve more efficient and effective agency operations, service delivery, and regulatory relief.

Strategic Objectives:

- Timely enforce environmental laws to increase compliance rates and promote cleanup of contaminated sites through the use of all of EPA's compliance assurance tools, especially enforcement actions to address environmental violations.
- Outline exactly what is expected of the regulated community to ensure good stewardship and positive environmental outcomes.
- Refocus the EPA's robust research and scientific analysis to inform policy making.
- Issue permits more quickly and modernize our permitting and reporting systems.
- Provide proper leadership and internal operations management to ensure that the Agency is fulfilling its mission.

GOAL, OBJECTIVE SUMMARY

Budget Authority
Full-time Equivalents
(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Greater Certainty, Compliance, and Effectiveness	\$1,862,694.6	\$1,881,689.0	\$1,726,973.0	-\$154,716.0
Compliance with the Law	\$376,247.0	\$404,452.0	\$403,902.0	-\$550.0
Create Consistency and Certainty	\$67,976.7	\$64,426.0	\$71,228.0	\$6,802.0
Prioritize Robust Science	\$466,344.3	\$500,029.0	\$285,198.0	-\$214,831.0
Streamline and Modernize	\$38,895.7	\$35,996.0	\$34,243.0	-\$1,753.0
Improve Efficiency and Effectiveness	\$913,230.9	\$876,786.0	\$932,402.0	\$55,616.0
Total Authorized Workyears	5,957.1	6,317.2	5,663.5	-653.7

Goal 3: Greater Certainty, Compliance, and Effectiveness

Increase certainty, compliance, and effectiveness by applying the rule of law to achieve more efficient and effective agency operations, service delivery, and regulatory relief.

Introduction

EPA will enforce the rule of law in a timely and consistent manner and take action against those that violate environmental laws to the detriment of human health or the environment. Consistency in how the laws and regulations are applied across the country is important to ensure environmental protection for industries and citizens. EPA recognizes the importance of applying rules and policies consistently as well as creating certainty by meeting the statutory deadlines required for EPA's actions. EPA continues to carry out a broad range of efforts to ensure consistency in the application of laws and regulations, while respecting the unique circumstances of each state and tribe. The rule of law also must be built on the application of robust science that is conducted to help the Agency meet its mission and support the states and tribes in achieving their environmental goals. Research, in conjunction with user-friendly applications needed to apply the science to real-world problems, will help move EPA and the states forward in making timely decisions. In FY 2021, EPA scientists will conduct human health, environmental engineering, and ecological research and translate these into planning and analysis tools for localities throughout the United States to facilitate regulatory compliance and improve environmental and human health outcomes.

Equally important is creating certainty around timing and requirements for routine processes. Achieving this goal requires that EPA improve the efficiency of its internal business and administrative operations. Streamlining EPA's business operations, specifically the permitting processes established by different environmental statutes, is a key to ensuring economic growth, human health, and environmental protection. Between June 2018 and September 2019, EPA reduced the backlog of new permit applications by more than 50 percent (from 149 to 65 applications) through a series of targeted Lean events to improve the efficiency and effectiveness of permitting programs. EPA continues to focus on improving the Agency's business processes to align with the President's Management Agenda. In FY 2021, the Agency will advance the modernization of its information technology systems, help to shift from low to high value work and provide better customer service to its partners and the public to acquire, generate, manage, use, and share information.

In FY 2021, EPA will continue to seek to increase certainty, compliance and effectiveness. To accomplish this, EPA will continue to work cooperatively with states and tribes to ensure compliance with the law, as well as to create consistency and certainty for the regulated community. To ensure a consistent playing field, the Agency will continue to take civil or criminal enforcement action against violators of environmental laws. One example of this is the recent settlement agreement reached between EPA, the Department of Justice, and the State of California with Fiat Chrysler. Fiat Chrysler agreed to pay a \$305 million penalty and implemented a recall program at an estimated cost of \$185 million for violating the Clean Air Act by installing defeat devices in more than 100,000 vehicles to lessen the effectiveness of the vehicles' emission control systems. This demonstrates how a robust enforcement program is critically important for

addressing violations and promoting deterrence and supports the Agency’s mission of protecting human health and the environment. EPA’s policies and rules will reflect common sense, in line with the Agency’s statutory authorities, and provide greater regulatory and economic certainty for the public.

EPA also will continue the work it began in FY 2019 of implementing the new *Foundations for Evidence-Based Policymaking Act*, coordinated by a Central Evaluation Office. Implementation of the Act will enhance strategic planning under the Government Performance and Results Modernization Act (GPRMA). EPA will systematically identify the most important evidence the Agency needs to gather and generate to advance its goals and ensure the Agency uses high quality data and other information to inform policy and decision making. In FY 2021, EPA will develop its first Full Draft Learning Agenda, in coordination with the development of the *FY 2022–FY 2026 EPA Strategic Plan*.

EPA recognizes that meeting the needs of states, tribes, territories, local governments, and communities to achieve environmental improvements cannot be accomplished without consideration of economic growth. The Agency has a responsibility to streamline and reduce unnecessary burdens and to help communities meet their environmental and economic needs. With this understanding, EPA will leverage community revitalization in tandem with environmental protection through targeted investment approaches, such as through Opportunity Zones redevelopment. Opportunity Zones can spur capital investment into redevelopment of economically distressed communities, leading to diversified economies, improved job opportunities, and restored fiscal health in municipalities suffering from disinvestment and environmental challenges.

FY 2020 – 2021 Agency Priority Goals

The Budget highlights EPA’s FY 2020-2021 Agency Priority Goals (APGs) that advance EPA priorities and the *FY 2018-2022 EPA Strategic Plan*.⁴⁶ One of the six APGs directly supports *Goal 3, Objective 3.4: Streamline and Modernize* and is included in the narrative for that objective. Please note that this APG for accelerating permitting-related decisions is agency wide in scope and involves work under Goals 1 and 2.

FY 2021 Activities

Objective 1: Compliance with the Law. Timely enforce environmental laws to increase compliance rates and promote cleanup of contaminated sites through the use of all of EPA’s compliance assurance tools, especially enforcement actions to address environmental violations.

Objective 3.1, Compliance with the Law, directly supports the following long-term performance goals in the *FY 2018-2022 EPA Strategic Plan*:

⁴⁶ For EPA’s APG Action Plans and Quarterly Updates, see <https://www.performance.gov/EPA/>.

- By September 30, 2022, reduce the average time from violation identification to correction.⁴⁷
- By September 30, 2022, increase the environmental law compliance rate.⁴⁸

To carry out its mission to protect human health and the environment, EPA, in collaboration with state and tribal partners, relies on a strong national compliance assurance and enforcement program. An effective enforcement program is key to ensuring the ambitious goals of the Nation's environmental statutes are realized. EPA's enforcement program strives to address noncompliance in an efficient and timely manner, applying a broad range of enforcement and compliance tools to achieve the goal of reducing noncompliance. EPA also seeks to ensure that communities are protected from contaminated sites with its Superfund cleanup enforcement program. By cleaning up hazardous waste sites across the country, ensuring that potentially responsible parties perform and pay for these cleanups, and encouraging third party investment, EPA is reducing human exposure to pollutants and facilitating the reuse of Superfund sites.

EPA aims to enhance its partnerships with its state, local, and tribal co-regulators by more effectively carrying out the Agency's shared responsibilities under environmental laws. EPA is responsible for addressing violations: (1) in programs that are not delegable to a state or a federally-recognized tribe; and (2) where the state or tribe has not been authorized to implement a delegable program. EPA will generally defer to a state as the primary implementer of inspections and enforcement in authorized programs. EPA, however, retains concurrent enforcement authority and there are specific situations where EPA may choose to take direct action after consultation with the authorized state or tribe.⁴⁹ EPA has been working to improve the processes associated with enforcement actions to move faster in protecting the environment. In FY 2019, EPA reduced the number of all referred no complaint filed (RNCF) civil judicial cases that are more than 2.5 years old to 94, below the target of 129. In addition, EPA increased the percentage of inspection reports that EPA provides to facilities within 70 days of inspection to 81 percent (from a baseline of 46 percent). EPA also increased documentable EPA administrative enforcement actions/activities producing correction of violations from 74 to 184. These activities serve to increase the speed of correcting violations.

Through the State Review Framework, EPA periodically reviews authorized state compliance monitoring and enforcement programs for Clean Air Act (CAA) Stationary Sources, Resource Conservation and Recovery Act (RCRA) Hazardous Waste, and the Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES). This is done using criteria agreed upon by states to evaluate performance against national compliance monitoring or enforcement program standards. When states do not achieve standards, the Agency works with them to make

⁴⁷ As a proxy, EPA is measuring the number of all referred no complaint filed (RNCF) civil judicial cases that are more than 2.5 years old. EPA is working in close cooperation with the U.S. Department of Justice to ensure that cases move toward resolution at an appropriate speed in order to more quickly return violators to compliance.

⁴⁸ This concept will be piloted by focusing initially on decreasing the percentage of Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permittees in significant noncompliance with their permit limits. Other program areas may be included in this long-term performance goal during the FY 2018-2022 timeframe. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

⁴⁹ For a list of situations that could warrant EPA involvement in an authorized State, please refer to the July 11, 2019 Memo *Enhancing Effective Partnerships Between the EPA and the States in Civil Enforcement and Compliance Assurance Work* (<https://www.epa.gov/compliance/memo-enhancing-effective-partnerships-between-epa-and-states-civil-enforcement-and>).

progress. However, EPA may take a lead implementation role when authorized states have a documented history of failure to make progress toward meeting national standards.

Civil Enforcement

The overall goal of EPA's civil enforcement program is to maximize compliance with the Nation's environmental laws and regulations to protect human health and the environment. The Agency works closely with the U.S. Department of Justice and other federal departments, states, tribes, territories, and local agencies to ensure consistent and fair enforcement of environmental statutes. In FY 2021, EPA will continue to strengthen environmental partnerships with states and tribes, encourage regulated entities to correct violations rapidly, ensure that violators do not realize an economic benefit from noncompliance, and pursue enforcement to deter future violations. In FY 2019, EPA increased compliance in the Clean Water Act National Pollutant Discharge Elimination System (NPDES) by reducing the percentage of permittees in significant noncompliance with their permit from 29.4 percent to 25.0 percent. EPA requests \$160.8 million and 857.1 FTE for the Civil Enforcement program in FY 2021.

Significant environmental progress has been made over the years, much of it due to enforcement efforts by EPA, states, tribes, and local communities. To maximize EPA's impact, the Agency has refocused enforcement efforts, in support of the *FY 2018-2022 EPA Strategic Plan*, to address significant noncompliance issues and substantial impacts to human health and the environment. EPA recognizes the role of states and tribes as the primary implementers of federal statutes where authorized by EPA; therefore, the Agency will focus compliance assurance and enforcement resources on direct implementation responsibilities, multi-state and national issues, addressing the most significant violations, and assisting authorized states and tribes with technical and scientific support. Providing this compliance assistance helps to ensure a level playing field.

EPA is responsible for direct implementation for programs that are not delegable or where a state or tribe has not sought or obtained the authority to implement a program (or program component). Examples of non-delegable programs include the Clean Air Act (CAA) mobile source and stratospheric ozone programs, pesticide labeling and registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), virtually all compliance assurance and enforcement in Indian Country, and enforcement of the Federal Superfund cleanup program. Additionally, the enforcement of portions of various other laws, including RCRA, CWA, and stratospheric ozone under CAA are non-delegable. EPA also will pursue enforcement actions at federal facilities where significant violations are discovered, ensure that federal facilities are held to the same standards as the private sector, and provide technical and scientific support to states and tribes with authorized programs.

For FY 2020-FY 2023, the national enforcement and compliance assurance program will be focusing on six National Compliance Initiatives (NCIs), in addition to pursuing EPA's core enforcement work.⁵⁰ These six NCIs will advance the *FY 2018-2022 EPA Strategic Plan* objectives to improve air quality, provide for clean and safe water, ensure chemical safety, and improve compliance with the Nation's environmental laws while enhancing shared accountability

⁵⁰ *FY 2020- FY 2023 National Compliance Initiatives*(<https://www.epa.gov/enforcement/fy2020-fy2023-national-compliance-initiatives>.)

between EPA, states, and tribes with authorized environmental programs. While compliance assistance will be a component of each implementation framework, formal enforcement will remain an important tool in the NCIs to address serious noncompliance and create general deterrence.

Criminal Enforcement

EPA's Criminal Enforcement program enforces the Nation's environmental laws through targeted investigation of criminal conduct committed by individual and corporate defendants that threaten public health and the environment. EPA collaborates and coordinates with the U.S. Department of Justice, as well as state, tribal, and local law enforcement counterparts to ensure the Agency responds to violations as quickly and effectively as possible. EPA's Criminal Enforcement program plays a critical role across the country supporting states and tribes who may have limited capacity to investigate and prosecute environmental crimes. As a result of the collaborative efforts with our enforcement partners, in FY 2019, the conviction rate for criminal defendants was 98 percent. In FY 2021, the Agency requests \$55.1 million and 220.6 FTE to support the Criminal Enforcement program by targeting investigations on the most egregious environmental cases.

Superfund Enforcement

Through the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or Superfund), EPA will facilitate prompt site cleanup and use an "enforcement first" approach that maximizes the participation of liable and viable parties in performing and paying for cleanups. The Agency will continue to work to protect communities by ensuring that potentially responsible parties (PRPs) conduct cleanups at Superfund sites, preserving federal taxpayer dollars for sites where there are no viable contributing parties, and recovering costs if EPA expends Superfund appropriated dollars to clean up sites. EPA also will address liability concerns that can be a barrier to potential reuse. Addressing the risks posed by Superfund sites and returning them to productive use strengthens the economy and spurs economic growth. In 2019, the Superfund Enforcement program secured private party commitments for cleanup and cost recovery and billed for oversight amounts totaling more than \$961 million. The use of Superfund enforcement tools in 2019 resulted in cleanup and redevelopment at 160 private-party sites.

In FY 2021, EPA requests \$162.5 million and 745.3 FTE to support Superfund Enforcement and will focus its resources on the highest priority sites, particularly those that may present an immediate risk to human health or the environment. The Agency also will continue to improve and revitalize the Superfund program to ensure that contaminated sites across the country are remediated to protect human health and the environment and returned to beneficial reuse as expeditiously as possible. In FY 2019, Superfund Task Force efforts contributed to achievement of EPA's annual performance goal, by completing 210 enforcement tools to address cleanup and/or long-term protection, including reuse of contaminated sites exceeding EPA's target of 170 tools.

Objective 2: Create Consistency and Certainty. Outline exactly what is expected of the regulated community to ensure good stewardship and positive environmental outcomes.

Objective 3.2, Create Consistency and Certainty, directly supports the following long-term performance goals in the FY 2018-2022 EPA Strategic Plan:

- By September 30, 2022, meet 100% of legal deadlines imposed on EPA.
- By September 30, 2022, eliminate unnecessary or duplicative reporting burdens to the regulated community by 10,000,000 hours.⁵¹

The environmental regulatory framework is inherently dynamic. For instance, as part of its statutory obligations, EPA is required to publish many regulations within a set timeframe each year that implement environmental programs and assist the Agency in meeting its core mission. These regulations address newly mandated responsibilities as well as updates and revisions to existing regulations. As EPA meets its obligations to protect human health and the environment through regulatory action, it also must meet another key responsibility by minimizing regulatory uncertainty. Regulatory certainty can help businesses and communities avoid delays and ensure proper planning to comply with environmental regulations. EPA will employ a set of strategies to reduce regulatory uncertainty while continuing to improve human health and environmental outcomes consistent with the Agency's authorities as established by Congress and while considering unique state, tribal, and local circumstances. These strategies, which reflect EPA's commitment to more effective partnerships and greater certainty, compliance, and effectiveness, will help advance Agency goals for streamlining and modernizing permitting and enhancing shared accountability. In FY 2021, EPA requests \$71.2 million and 329.0 FTE to support this objective.

As EPA issues new or revised regulations, businesses and individuals may find it challenging to know which rules apply to them and to adjust their compliance strategies. EPA will refocus its approach to regulatory development and prioritize meeting its statutory deadlines to ensure expectations are clear for the regulated community and the public and Agency actions are defensible and consistent with its authorities. The Agency will work to support greater consistency and transparency in consideration of economic costs in the regulatory development process and implementation of Agency programs. The Agency will use new approaches and flexible tools to minimize regulatory uncertainty and improve communications to realize more consistent and better environmental outcomes. EPA will strengthen working relationships with industry sectors to better understand their needs and challenges in implementing Agency requirements and with communities to understand their concerns. This knowledge will enable the Agency to develop better policies and regulations to protect human health and the environment in line with the authorities given to EPA by Congress.

In FY 2021, EPA will develop and engage stakeholders in reviewing a draft base catalog of responsibilities that statutes require EPA to perform in programs delegated to states and tribes.

⁵¹ Baseline is estimated at 173,849,665 information collection and reporting hours, as of October 2, 2017. (Footnote updated from FY 2018-2022 EPA Strategic Plan published February 12, 2018.)

This will support the establishment of more effective commitments with partners by minimizing duplication and overlap among EPA programs, states, and tribes. This effort also leverages another commitment EPA is making under its goal to develop more effective partnerships—to identify for all environmental media, an inventory and timeline for state-led permits that EPA reviews.

In FY 2021, EPA will continue to review regulatory guidance documents to identify key opportunities and will clarify and realign Agency approaches to improve consistency and clarity. For example, the Small Minority Business Assistance program provides expertise in ensuring small business prime and subcontracting opportunities to expand the EPA’s competitive supplier base in furthering the Agency’s mission. The Budget request of \$1.1 million and 7.6 FTE supports statutorily mandated advocacy on behalf of the various categories of small businesses, including disadvantaged businesses; certified small businesses located in Historically Underutilized Business Zones (HUBZones); service-disabled veteran-owned small businesses (SDVOSBs); and women-owned small businesses. Further, EPA will strengthen its working relationships with states, tribes, and local communities to transfer knowledge, leveraging its commitments under more effective partnerships, such as the collaboration under E-Enterprise for the Environment. EPA will make available tools and services designed by other federal agencies, states, tribes, or local communities that enhance efficiency and reduce burden on the regulated community, while ensuring protection of human health and the environment. EPA has been successful in implementing small business contracting opportunities in carrying out the Agency’s mission. FY 2018 marked the tenth consecutive year that EPA has earned an “A” on the Small Business Administration’s Small Business Procurement Scorecard.⁵²

The Agency is continuing to implement its long-term performance goal to eliminate unnecessary or duplicative reporting burdens to the regulated community by 10,000,000 hours at the end of FY 2022. The baseline is 173,849,665 hours. In FY 2019, EPA increased reporting burden to the regulated community by 5.9 million hours, compared with a targeted reduction of 2.0 million hours. Most of the increase in FY 2019 was due to high priority efforts that protect public safety and health: (1) the microbial rules for drinking water, which reflect full implementation of the Revised Total Coliform Rule (3.44 million hours); (2) a rule requiring facilities that use extremely hazardous substances to develop a Risk Management Plan (1.78 million hours); (3) a rule increasing the number of facilities subject to reporting under the Emergency Planning and Community Right-to-Know Act (1.05 million hours); and (4) revisions to the Renewable Fuels Standards (0.65 million hours). EPA will continue to work to meet the long-term performance goal of reducing burden by 10,000,000 hours in our FY 2020 and FY 2021 regulatory efforts.

⁵² <https://www.sba.gov/document/support--environmental-protection-agency-contracting-scorecard>.

Objective 3: Prioritize Robust Science. Refocus the EPA’s robust research and scientific analysis to inform policy making.

Objective 3.3, Prioritize Robust Science, directly supports the following long-term performance goal in the *FY 2018-2022 EPA Strategic Plan*:

- By September 30, 2022, increase the percentage of research products meeting customer needs.⁵³

EPA’s overall research effort is organized around six integrated and transdisciplinary national research programs. Each program is guided by a Strategic Research Action Plan (StRAP) that is developed in collaboration with EPA’s program and regional offices to address their specific needs. EPA’s Office of Research and Development is implementing the third generation StRAPs. These updated StRAPs will continue to reflect the scientific requirements of the Agency as well as the needs of states and tribes. StRAPs received active collaboration and involvement from EPA’s research program partners to ensure that scientific efforts are responsive to today’s environmental concerns.⁵⁴ The StRAPs also will help inform the development of EPA’s Learning Agenda required by the new Foundations for Evidence-Based Policymaking Act. The Learning Agenda will enhance strategic planning under the GPRMA by helping identify the most important evidence the Agency needs to gather and generate to advance our goals by ensuring we use high quality data and other information to inform our policy and decision making.

EPA will identify, assess, conduct, and apply the best available science to address current and future environmental hazards, develop new approaches, and improve the scientific foundation for environmental protection decisions. EPA conducts problem-driven, interdisciplinary research to address specific environmental risks and is committed to using science and innovation to reduce risks to human health and the environment, based on needs identified by EPA programs as well as state and tribal partners. Specifically, the Agency will strengthen alignment of its research to support EPA programs, states, and tribes in accomplishing their top human health and environmental protection priorities for improved air quality, clean and safe water, revitalized land, and chemical safety.⁵⁵ In FY 2019, 79 percent of EPA’s research products met customer needs, exceeding its performance target of 77 percent. The customers surveyed currently include EPA program offices, regions and partner federal agencies (including Army Corps of Engineers, the National Parks Service, DoD, Department of Agriculture, and more). Working closely with the Environmental Council of States and its subsidiary, the Environmental Research Institute of the States,⁵⁶ the Agency will strive to connect state research needs with Agency priorities, and work to improve communication and dissemination of research results. Through the public-private coalition Interstate Technology and Regulatory Council,⁵⁷ EPA will encourage the adoption of innovative technologies and solutions. The Agency also will emphasize the translation of its work products for end-user application and feedback.

⁵³ Measure text updated from “By September 30, 2022, increase the number of research products meeting customer needs.” (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018).

⁵⁴ For more information: <https://www.epa.gov/research/strategic-research-action-plans-2016-2019>. The current updates are not final and will be published when they are finalized.

⁵⁵ For more information on EPA’s research go to <https://www.epa.gov/aboutepa/about-office-research-and-development-ord>.

⁵⁶ For more information please go to <https://www.ecos.org/eris/>.

⁵⁷ For more information on the Interstate Technology and Regulatory Council, go to <http://www.itrcweb.org/>.

EPA research will be reviewed by various scientific advisory boards, such as the Board of Scientific Counselors.⁵⁸ The Board is made up of recognized experts in various scientific, engineering, and social science fields from industry, business, public and private organizations and research institutes, academia, governments (federal, state, tribal, and local), nongovernmental organizations, and other relevant interest groups.

Air Quality

In coordination with the air program, EPA's research efforts will advance the science and provide information critical to improve air quality and to inform stationary source regulations, vehicle and fuel standards and certification, emission inventories, air quality assessments, and domestic ozone actions.⁵⁹ The results of Agency research to support air quality program priorities will inform EPA programs, air programs (state, tribal, and local), communities, and individuals about measures and strategies to reduce air pollution. Researchers will publish peer-reviewed scientific journal articles to disseminate research findings as appropriate. As one example, the Air and Energy Research Program is addressing nitrogen and co-pollutant loadings to watersheds via atmospheric deposition, as well as optimizing approaches to reduce health and risk from uncontrolled wildfires. In FY 2021, EPA requests \$33.5 million and 153.8 FTE to conduct air quality research.

Safe and Sustainable Water Resources

In FY 2021, EPA requests \$78.9 million and 268.9 FTE for the Safe and Sustainable Water Resources Research program. EPA will develop innovative, cost-effective solutions to current, emerging, and long-term water resource challenges for complex chemical and biological contaminants.⁶⁰ Using a systems approach to develop scientific and technological solutions for protecting human health and aquatic ecosystems, EPA researchers partner with program experts, federal and state agencies, tribes, local communities, academia, nongovernmental organizations, and private stakeholders. For example, EPA's researchers are developing laboratory analytical methods, evaluating chemical toxicity, identifying and estimating human exposure to per- and polyfluoroalkyl substances (PFAS), identifying drinking water treatment technologies, and providing technical support and data to EPA and states that can be used to make informed decisions about managing PFAS. In FY 2021, EPA directs an additional \$236 thousand with 0.5 FTE from this program area to support science and research to advance implementation of the PFAS Action Plan, which supports the FY 2020 – 2021 PFAS APG.

Examples of research include improving methods for rapid and cost-effective monitoring of waterborne pathogens in recreational waters, investigating the health impacts from exposure to harmful algal/cyanobacteria toxins, and developing innovative methods to monitor, characterize, and predict blooms for early action. In FY 2021, EPA will conduct scientific and related research to support the multi-office effort to reduce and better predict harmful algal blooms (HABs), including tool development for market-based approaches and pilot projects to reduce exposure and

⁵⁸ Please see <https://www.epa.gov/bosc>.

⁵⁹ For more information on EPA's Air Research program go to <https://www.epa.gov/air-research>.

⁶⁰ For more information on EPA's Water Research go to <https://www.epa.gov/water-research>.

toxic events that include predictive modeling and monitoring. In FY 2021, this program includes an increase of \$3.3 million with 2.0 FTE for research and technical assistance to address HABs.

In addition, EPA requests an additional \$2.5 million to increase research and technical assistance related to lead issues, which supports the FY 2020 – 2021 APG for reducing childhood lead exposures and associated health impacts. Work will be guided by the *Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts* and support the Lead Exposure Reduction Initiative.

Sustainable and Healthy Communities

EPA requests \$70.9 million and 294.6 FTE in FY 2021 to support the Sustainable and Healthy Communities Research program. EPA will conduct research to support regulatory activities and protocol development for the National Oil and Hazardous Substances Pollution Contingency Plan and provide on-demand technical support at cleanup sites managed by federal, state or tribal governments, as well as assistance during emergencies.⁶¹ The Agency conducts health, environmental engineering, and ecological research and develops planning and analysis tools for localities nationwide to use in facilitating regulatory compliance and improving environmental and health outcomes.⁶² Research is being conducted on end-of-life management of PFAS-containing materials (e.g., industrial waste, household waste) to ensure that PFAS from these materials do not impact the environment. In addition, the Sustainable and Healthy Communities program supports a technical assistance function for states, tribes, and local communities on issues pertaining to ecological and human health risk assessment, as well as site engineering challenges related to PFAS. In FY 2021, this program includes an additional \$238 thousand with 0.5 FTE to support science and research to advance implementation of the PFAS Action Plan which supports the FY 2020 – 2021 PFAS APG.

In addition, the program supports the multi-office effort to improve the U.S. recycling system and reduce food loss and waste. EPA will support research that increases the effectiveness of food waste campaigns and study food waste collection and pretreatment technologies from a lifecycle perspective. In FY 2021, this program includes an increase of \$850 thousand for research associated with food waste reduction.

EPA requests an additional \$1.5 million to increase research and technical assistance related to lead issues. This funding supports the FY 2020–2021 Lead APG which will be guided by the Federal Lead Action Plan. Further, these resources will support the Lead Exposure Reduction Initiative. The program is working to strengthen the scientific basis of EPA’s lead-related regulatory and cleanup decisions; identify locations of high exposures and blood lead levels to target remaining lead sources for mitigation; and develop innovative methods for cleaning up Superfund and other contaminated sites. EPA will work to enhance models and methods that determine key drivers of blood lead levels to inform regulatory decisions, develop tools to identify and prioritize communities with higher incidence of increased lead blood levels in children, and provide the data needed to reduce uncertainty in lead exposure and risk analysis.

⁶¹ For more information please go to <https://www.epa.gov/land-research>.

⁶² For more information please go to <https://www.epa.gov/eco-research> and <https://www.epa.gov/healthresearch>.

Chemical Safety

EPA requests \$67.0 million and 241.4 FTE in FY 2021 to support the Chemical Safety Research program. This funding will advance innovative tools that accelerate the pace of data-driven evaluations, enable knowledge-based decisions that protect human health, and advance the science required to anticipate and solve problems. The program will evaluate and predict impacts from chemical use and disposal and provide states and tribes with information, tools, and methods to make better informed, more timely decisions about the thousands of chemicals in the United States.⁶³

In June 2018, EPA released a TSCA Alternative Toxicity Testing Strategy Document.⁶⁴ This strategic plan, developed jointly by the Chemical Safety Research program and EPA's Chemical Safety and Pollution Prevention program promotes development and implementation of test methods within the TSCA program that are better, faster, less expensive, and reduce the need for animal use.

In FY 2021, this program includes an increase of \$289 thousand with 0.5 FTE to support science and research to advance implementation of the PFAS Action Plan and in support of the FY 2020–2021 PFAS APG.

Human and Environmental Risk Assessment

EPA requests \$30.9 million and 111.6 FTE in FY 2021 to support the Human and Environmental Risk Assessment Program, including \$6.2 million and 28.2 FTE from the Superfund transfer. EPA will focus on the science of assessments that inform Agency, state, and tribal decisions and policies.⁶⁵ These risk assessments provide the research and technical support needed to ensure safety of chemicals in the marketplace, revitalize and return land to communities, provide clean and safe water, and work with states and tribes to improve air quality. EPA and other health agencies use Integrated Risk Information System (IRIS) human health assessments to inform national standards, cleanup levels at local sites, and set advisory levels. EPA is working to develop a responsive risk screening process that would engage a cross-agency team and support a singular Agency answer for identified emerging contaminants. EPA also requests an additional \$1.0 million to increase research and technical assistance related to lead issues in this domain, in support of the FY 2020–2021 Lead APG, which will be guided by the Federal Lead Action Plan.

Objective 4: Streamline and Modernize. Issue permits more quickly and modernize our permitting and reporting systems.

Objective 3.4, Streamline and Modernize, directly supports the following long-term performance goal in the *FY 2018-2022 EPA Strategic Plan*:

- By September 30, 2022, reach all permitting-related decisions within six months.⁶⁶

⁶³ Please see <https://www.epa.gov/chemical-research>.

⁶⁴ <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/alternative-test-methods-and-strategies-reduce>.

⁶⁵ Please see <https://www.epa.gov/risk/human-health-risk-assessment>.

⁶⁶ Baseline is 149 new permit applications in backlog as of June 30, 2018, and 479 existing permits in backlog as of May 31, 2019. (Footnote updated from FY 2018-2022 EPA Strategic Plan published February 12, 2018.)

Objective 3.4, Streamline and Modernize, supports the following FY 2020-2021 Agency Priority Goal (APG):

- **Accelerate permitting-related decisions.** By September 30, 2021, EPA will reduce the backlog of new permitting-related decisions to zero from a baseline of 65; and reduce the backlog of permit renewals by 50% from a baseline of 417.

EPA implements a host of environmental statutes that affect the regulated community. Permitting requirements under these statutes can impose a variety of costs, including direct costs and opportunity costs related to uncertainty, delay, and cancellation. Delays in the review of applications for permits and modifications by federal, state, or tribal permitting authorities can postpone or prevent manufacturers from building, expanding, or beginning operations, even if the affected operations ultimately may be deemed suitable as proposed. Delays also can impact construction of major infrastructure projects. EPA is committed to speeding up reviews of permits and modifications to create certainty for the business community, leading to more jobs, increased economic prosperity, and streamlined permit renewals, which incorporate up-to-date information and requirements more quickly, thereby improving environmental protection. In FY 2021, EPA requests a total of \$34.2 million and 84.2 FTE in support of this strategic objective.

Through a series of targeted efforts to improve the efficiency and effectiveness of permitting programs, by the end of FY 2019, EPA reduced the backlog of new applications by 65 percent (from 149 to 52 applications, excluding Clean Air Act New Source Review and Title V Operating Permits), meeting the target for the FY 2018-2019 APG. The FY 2020-2021 APG for EPA permits in backlog is expanded to include applications to renew existing permits as well as new applications. In addition, the APG now includes reporting for permits issued under the Clean Air Act (NSR and Title V).⁶⁷

EPA will continue to systematically collect and report permitting data for each of its permitting programs. The Agency also will continue efforts to employ business process improvement strategies, such as Lean management, to improve efficiencies in all permitting processes and meet commitments. EPA will continue to explore options to modernize permitting and reporting processes by implementing shared services to reduce the creation of duplicative/redundant systems and save costs.

In addition to focusing on permits issued by EPA, the Agency will develop a standard, consistent approach for the evaluation and oversight of the national permitting work performed by delegated, approved and authorized states and local agencies. This approach will focus on outcome metrics that are understandable and useful to regulators, the regulated community, and the public while remaining consistent with statutory objectives and requirements.

This objective demonstrates new approaches to streamline and reduce unnecessary burdens and to help communities meet their environmental and economic needs. In FY 2021, an additional \$5.1 million with 12.0 FTE are requested to continue to deliver tools, technical assistance, and

⁶⁷ CAA permits will not be subject to the six-month goal but will be held to the statutory timeframes for permit issuance (12 months and 18 months, respectively, from receipt of complete application for NSR and Title V permits).

meaningful engagement to economically distressed communities. The investment supports research to support Opportunity Zones across all stakeholders and to hold infrastructure and revitalization roundtables. EPA creates lasting partnerships between economic development, environmental protection and public health, and public and private sector investments that can work together to support locally led, community-driven goals.

EPA's Smart Sectors partnership program provides a platform to collaborate with 13 regulated sectors of the economy and develop more sensible approaches to protect the environment and public health. In FY 2021, EPA requests \$374 thousand and 2.0 FTE to continue its progress delivering transparent sector-based environmental and economic performance data to the general public, highlighting best practices for industry, EPA, and states. The Agency will facilitate cross-sector dialogues to identify innovative solutions to environmental problems. Additionally, the program will continue providing sector ombudsmen to connect, facilitate, and convene Agency experts with sector representatives to solve discrete policy, guidance, and implementation issues unique to the sectors.

Objective 5: Improve Efficiency and Effectiveness. Provide proper leadership and internal operations management to ensure that the Agency is fulfilling its mission.

Objective 3.5, Improve Efficiency and Effectiveness, directly supports the following long-term performance goals in the *FY 2018-2022 EPA Strategic Plan*:

- By September 30, 2022, reduce unused office and warehouse space by 850,641 square feet.⁶⁸
- By September 30, 2022, reduce procurement processing times by achieving 100% of procurement action lead times (PALT).⁶⁹
- By September 30, 2022, improve 250 operational processes.
- By September 30, 2022, increase enterprise adoption of shared services by four.⁷⁰

Process Improvements

To better support EPA's mission to protect human health and the environment, EPA is improving the efficiency and effectiveness of its business processes. In FY 2021, priority areas include financial, facility, human resource, contract, grant, and information technology (IT)/information management (IM). EPA will take advantage of enhancements and new collaborative and cost-effective tools and technologies. The Agency will continue to build a modern and secure work environment to protect critical information and support its efforts to address the environmental problems of the 21st Century. EPA will continue to modernize and improve business processes and

⁶⁸ Baseline is 5,264,846 square feet as of FY 2017.

⁶⁹ Baseline, as of September 30, 2018 is 77 percent for all contract actions awarded within PALT. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

⁷⁰ Baseline is four administrative systems/operations federal shared services in FY 2017. (Footnote updated from *FY 2018-2022 EPA Strategic Plan* published February 12, 2018.)

operations to promote transparency, efficiency, and effectiveness; enhance collaborative, results-driven partnerships with internal and external business partners; recruit, develop, and maintain a highly-skilled, diverse, and engaged workforce; and improve the capabilities and cost-effectiveness of its IT and IM systems. EPA will build on progress being made to employ enterprise risk management and increase effective use of data analysis and visualization tools to inform Agency decision making. To support this strategic objective, EPA requests a total of \$932.4 million and 2,225.0 FTE in FY 2021.

EPA will continue to apply EPA Lean Management System (ELMS) principles and leverage input from customer-focused councils, advisory groups, workgroups, portfolio reviews, and federal advisory committees to identify business process streamlining opportunities. The Agency is working to improve its enterprise ethics review process. One aspect of the effort will enhance and standardize the approach and increase rigor of Agency oversight. To improve the efficiency and cost effectiveness of its operations, EPA will continue to standardize and streamline internal business processes in its acquisition and financial management and explore additional federal shared services. EPA made 66 process improvements in FY 2019 after applying ELMS to operational processes across the Agency. Process times were reduced by 50 percent on average.

Improving the efficiency of acquisition activities helps maximize the Agency's use of appropriated resources to implement environmental programs. In FY 2019, EPA met its 85 percent target and is making progress toward achieving 100 percent of procurement action lead times (PALT) by FY 2022. EPA continues to leverage ELMS to identify process improvement opportunities around PALT.

Agency Workforce Planning

Effective workforce management is critical to EPA's ability to accomplish its mission. In FY 2021, EPA will continue to build upon its performance, learning, and succession management activities by providing access to quality training and development opportunities for employees and supervisors to improve their skills, knowledge, and performance. The performance and learning activities are being automated and centralized in FedTalent, a federal shared service tool. Additionally, EPA will continue to leverage workforce planning dashboards to advance human capital priorities by giving managers a strategic view of retirement eligibility, diversity information, occupational series, and grade levels. The dashboards assist EPA with succession planning by helping identify workforce gaps due to anticipated retirements and attrition trends.

Cybersecurity

To protect critical environmental and human health information, EPA will strengthen its cybersecurity posture. The Agency will focus on implementing two key cybersecurity priorities—the mandated federal government-wide Continuous Diagnostics and Mitigation (CDM) effort, and the complementary EPA-specific Cyber Risk Mitigation Projects (CRMPs). These two priorities introduce or improve upon dozens of cybersecurity capabilities, enhance the Agency's ability to respond to threats, and improve EPA's privacy posture in alignment with the Privacy Act of 1974. EPA will work closely with the Department of Homeland Security and other partners in implementing CDM capabilities.

Information Technology Modernization and Shared Services

EPA also will work to transform and modernize its information systems, tools, and processes to improve how the Agency collaborates internally and with external stakeholders. EPA will enhance the power of information by delivering on-demand data to the right people at the right time. To enable the Agency, its partners, and the public to acquire, generate, manage, use, and share information effectively, EPA will improve its IT/IM capabilities and customer experiences.

EPA deployed three additional federal shared services in FY 2019, including the Department of Interior's (DOI) FedTalent for talent management services, the General Services Administration's (GSA) USAccess for identity credentials, and Enterprise Physical Control System (eACS) for facility access control.

In FY 2021, an additional \$500 thousand is included to complete the deployment of EPA's Next Generation Grants System (NGGS) and retire outdated legacy grants management system. Additionally, in FY 2021, EPA directs an increase of \$500 thousand to support planning for the migration to a federal shared service provider contract writing system to achieve efficiencies, retire a legacy system, and leverage existing solutions. In FY 2021, the Agency will continue to prepare for G-invoicing, the new Treasury system for Interagency Agreements. In addition, this will provide full integration of Treasury's invoice payment process. These systems will integrate with the Agency's accounting systems and reporting interfaces. \$2.2 million is included to support implementation of G-Invoicing and other Financial Management Payment Processing Modernization which advance this effort.

To better understand complex interactions between pollutants and the environment and address the environmental problems of the 21st Century effectively and efficiently, EPA and its partners analyze large volumes of data. EPA will develop a comprehensive data management strategy that addresses the collection, management, and use of data generated internally and from external partners including states, tribes, grantees, the regulated community, and citizen science. The Agency will deploy new data analysis, data visualization, and geospatial tools in a cloud-based framework to enable analysis and provide the basis for informed decision making. This work will support Evidence Act requirements.

Environmental decision making across media programs requires access to high-quality data and analytical tools. EPA will build shared IT services, maximizing the benefits of Agency investments and ensuring consistency and scalability in tools and services. EPA programs that receive submissions from outside the Agency, whether from the reporting community, states, tribes, or local governments, will rely increasingly on centrally-developed and maintained information services, decreasing the volume of computer code each program must develop and maintain. For example, in FY 2021 EPA requests an additional \$1.2 million with 1.0 FTE to provide data standards and geo-referencing expertise for EPA's research, predictive modeling and monitoring tools and analyses, and policy approaches to target and reduce nutrient pollution that causes Harmful Algal Blooms and impacts water quality across the country. Shared services will reduce reporting burden for submitting entities and improve data quality for EPA. EPA programs, states,

and tribes will work to establish a common catalog of shared services and agree to a minimum set of common standards and practices.

The Agency will enhance its enterprise-wide records management system (ECMS) to facilitate the electronic management of data and information, multimodal access, effective searching, and ease of use, as well as provide support to all EPA offices in meeting statutory requirements under the Federal Records Act. These services are crucial to Agency operations. In FY 2021, an additional \$4.0 million is requested to continue progress towards upgrading the Agency's enterprise-wide records management system and enhancing the digitization of paper records. E-Records and eDiscovery support the long-term performance goal of eliminating the backlog and meeting statutory deadlines for responding to Freedom of Information Act (FOIA) requests by facilitating the process of searching and identifying records related to the requests. The Agency's future information management architecture will support official recordkeeping requirements, as well as daily document management, business processes, information access, and legal needs of EPA employees and organizations, while also being flexible, scalable, and cost effective. In addition, digitization of records and an enterprise-wide records management system will support the Agency's long-term performance goal of reducing unused office and warehouse space by 850,641 square feet by September 30, 2022. In FY 2021, \$3.8 million is requested for resources to support Discovery Services.