United States
Environmental Protection Agency

FISCAL YEAR 2021

Justification of Appropriation Estimates for the Committee on Appropriations

Tab 04: Environmental Programs and Management

EPA-190-S-20-001

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Environmental Protection Agency
FY 2021 Annual Performance Plan and Congressional Justification

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APPROPRIATION: Environmental Programs & Management
Resource Summary Table

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management				
Budget Authority	$2,596,472.2	$2,663,356.0	$2,236,224.0	-$427,132.0
Total Workyears	8,562.2	8,808.6	7,643.7	-1,164.9

Bill Language: Environmental Program and Management

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed $19,000 for official reception and representation expenses, $2,236,224,000, to remain available until September 30, 2022. Provided further, That of the funds included in the first paragraph under this heading, the Chemical Risk Review and Reduction program project shall be allocated for this fiscal year, excluding the amount of any fees appropriated, not less than the amount of appropriations for that program project for fiscal year 2014.

In addition, $46,000,000, to remain available until September 30, 2022, for necessary expenses of the Energy Star program established by section 324A of The Energy Policy and Conservation Act (42 U.S.C. 6294a): Provided, That the Administrator of the Environmental Protection Agency shall collect fees pursuant to section 324A(e) (42 U.S.C. 6294a(e)), as added by this Act, and such fees shall be credited to this appropriation as offsetting collections: Provided further, That the sum herein ap- propriated in this paragraph from the general fund shall be reduced as such collections are received during fiscal year 2021 so as to result in a final fiscal year appropriation from the general fund estimated at $0: Provided further, That to the extent such collections received in fiscal year 2021 exceed $46,000,000, those excess amounts shall be deposited in the general fund.

Program Projects in EPM
(Dollars in Thousands)

Program Project	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Clean Air				
Clean Air Allowance Trading Programs	$15,302.4	$13,619.0	$13,231.0	-$388.0
Atmospheric Protection Program	$90,985.1	$95,436.0	$14,512.0	-$80,924.0
Federal Stationary Source Regulations	$19,279.9	$20,093.0	$17,877.0	-$2,216.0
Federal Support for Air Quality Management	$132,513.9	$130,588.0	$114,095.0	-$16,493.0
Stratospheric Ozone: Domestic Programs	$5,060.4	$4,661.0	$4,087.0	-$574.0
Stratospheric Ozone: Multilateral Fund	$8,326.0	$8,711.0	$0.0	-$8,711.0
Subtotal, Clean Air	$271,467.7	$273,108.0	$163,802.0	-$109,306.0
Indoor Air and Radiation				
Indoor Air: Radon Program	$2,642.6	$3,136.0	$0.0	-$3,136.0
Radiation: Protection	$10,880.5	$7,992.0	$2,470.0	-$5,522.0
Radiation: Response Preparedness	$2,078.1	$2,196.0	$2,350.0	$154.0
Reduce Risks from Indoor Air	$10,931.6	$11,627.0	$0.0	-$11,627.0
Subtotal, Indoor Air and Radiation	$26,532.8	$24,951.0	$4,820.0	-$20,131.0
Brownfields				
Brownfields	$22,939.3	$23,647.0	$17,816.0	-$5,831.0
Compliance				
Compliance Monitoring	$100,132.8	$101,665.0	$95,649.0	-$6,016.0
Enforcement				
Civil Enforcement	$160,202.2	$167,615.0	$157,820.0	-$9,795.0
Criminal Enforcement	$46,342.0	$47,635.0	$46,627.0	-$1,008.0
Environmental Justice	$5,033.5	$9,554.0	$2,729.0	-$6,825.0
NEPA Implementation	$13,827.4	$15,833.0	$17,937.0	$2,104.0
Subtotal, Enforcement	$225,405.1	$240,637.0	$225,113.0	-$15,524.0
Geographic Programs				
Geographic Program: Chesapeake Bay	$72,800.7	$85,000.0	$7,300.0	-$77,700.0
Geographic Program: Gulf of Mexico	$17,690.4	$17,553.0	$0.0	-$17,553.0
Geographic Program: Lake Champlain	$10,995.0	$13,390.0	$0.0	-$13,390.0
Geographic Program: Long Island Sound	$14,232.7	$21,000.0	$0.0	-$21,000.0
Geographic Program: Other				
Lake Pontchartrain	$947.0	$1,089.0	$0.0	-$1,089.0
S.New England Estuary (SNEE)	$4,842.8	$5,741.0	$0.0	-$5,741.0

Program Project	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Geographic Program: Other (other activities)	$1,401.5	$2,736.0	$0.0	-$2,736.0
Subtotal, Geographic Program: Other	$7,191.3	$9,566.0	$0.0	-$9,566.0
Great Lakes Restoration	$292,571.0	$320,000.0	$320,000.0	$0.0
Geographic Program: South Florida	$1,305.2	$4,845.0	$3,206.0	-$1,639.0
Geographic Program: San Francisco Bay	$8,381.7	$5,922.0	$0.0	-$5,922.0
Geographic Program: Puget Sound	$27,936.8	$33,000.0	$0.0	-$33,000.0
Subtotal, Geographic Programs	$453,104.8	$510,276.0	$330,506.0	-$179,770.0
Homeland Security				
Homeland Security: Communication and Information	$4,003.8	$3,818.0	$3,677.0	-$141.0
Homeland Security: Critical Infrastructure Protection	$444.4	$840.0	$1,361.0	$521.0
Homeland Security: Protection of EPA Personnel and Infrastructure	$5,755.6	$5,355.0	$4,986.0	-$369.0
Subtotal, Homeland Security	$10,203.8	$10,013.0	$10,024.0	$11.0
Information Exchange / Outreach				
State and Local Prevention and Preparedness	$12,588.0	$13,594.0	$10,862.0	-$2,732.0
TRI / Right to Know	$12,136.9	$12,155.0	$8,065.0	-$4,090.0
Tribal - Capacity Building	$13,780.0	$13,072.0	$14,099.0	$1,027.0
Executive Management and Operations	$51,243.2	$47,259.0	$43,784.0	-$3,475.0
Environmental Education	$8,597.1	$8,580.0	$0.0	-$8,580.0
Exchange Network	$17,090.3	$15,184.0	$12,328.0	-$2,856.0
Small Minority Business Assistance	$1,411.3	$987.0	$1,080.0	$93.0
Small Business Ombudsman	$1,906.9	$1,824.0	$1,983.0	$159.0
Children and Other Sensitive Populations: Agency Coordination	$5,903.7	$6,173.0	$2,704.0	-$3,469.0
Subtotal, Information Exchange / Outreach	$124,657.4	$118,828.0	$94,905.0	-$23,923.0
International Programs				
US Mexico Border	$3,236.0	$2,693.0	$0.0	-$2,693.0
International Sources of Pollution	$7,011.4	$6,553.0	$10,628.0	$4,075.0
Trade and Governance	$5,716.8	$5,365.0	$0.0	-$5,365.0
Subtotal, International Programs	$15,964.2	$14,611.0	$10,628.0	-$3,983.0
IT / Data Management / Security				
Information Security	$7,649.5	$7,593.0	$14,012.0	$6,419.0
IT / Data Management	$78,748.7	$80,223.0	$79,064.0	-$1,159.0
Subtotal, IT / Data Management / Security	$86,398.2	$87,816.0	$93,076.0	$5,260.0

Program Project	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Legal / Science / Regulatory / Economic Review				
Integrated Environmental Strategies	$10,760.9	$10,152.0	$14,200.0	$4,048.0
Administrative Law	$4,527.9	$4,835.0	$5,104.0	$269.0
Alternative Dispute Resolution	$667.4	$870.0	$0.0	-$870.0
Civil Rights Program	$8,972.5	$8,814.0	$9,780.0	$966.0
Legal Advice: Environmental Program	$51,526.8	$47,978.0	$50,263.0	$2,285.0
Legal Advice: Support Program	$14,926.0	$14,478.0	$18,082.0	$3,604.0
Regional Science and Technology	$1,224.3	$808.0	$0.0	-$808.0
Science Advisory Board	$3,154.5	$3,214.0	$4,031.0	$817.0
Regulatory/Economic-Management and Analysis	$12,616.7	$13,094.0	$17,294.0	$4,200.0
Subtotal, Legal / Science / Regulatory / Economic Review	$108,377.0	$104,243.0	$118,754.0	$14,511.0
Operations and Administration				
Central Planning, Budgeting, and Finance	$72,920.6	$71,423.0	$76,603.0	$5,180.0
Facilities Infrastructure and Operations	$321,500.4	$287,595.0	$317,345.0	$29,750.0
Acquisition Management	$33,799.8	$30,945.0	$29,621.0	-$1,324.0
Human Resources Management	$43,339.9	$41,556.0	$44,538.0	$2,982.0
Financial Assistance Grants / IAG Management	$23,794.8	$23,802.0	$21,452.0	-$2,350.0
Subtotal, Operations and Administration	$495,355.5	$455,321.0	$489,559.0	$34,238.0
Pesticides Licensing				
Science Policy and Biotechnology	$1,823.4	$1,605.0	$0.0	-$1,605.0
Pesticides: Protect Human Health from Pesticide Risk	$55,368.2	$58,753.0	$51,268.0	-$7,485.0
Pesticides: Protect the Environment from Pesticide Risk	$39,444.2	$38,966.0	$32,100.0	-$6,866.0
Pesticides: Realize the Value of Pesticide Availability	$7,193.6	$7,722.0	$6,014.0	-$1,708.0
Subtotal, Pesticides Licensing	$103,829.4	$107,046.0	$89,382.0	-$17,664.0
Research: Chemical Safety for Sustainability				
Research: Chemical Safety for Sustainability	$131.9	$0.0	$0.0	$0.0
Resource Conservation and Recovery Act (RCRA)				
RCRA: Corrective Action	$34,554.0	$36,973.0	$35,126.0	-$1,847.0
RCRA: Waste Management	$58,728.3	$66,819.0	$50,399.0	-$16,420.0
RCRA: Waste Minimization & Recycling	$8,840.2	$8,997.0	$4,253.0	-$4,744.0
Subtotal, Resource Conservation and Recovery Act (RCRA)	$102,122.5	$112,789.0	$89,778.0	-$23,011.0

Program Project	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Toxics Risk Review and Prevention				
Endocrine Disruptors	$8,178.1	$7,533.0	$0.0	-$7,533.0
Pollution Prevention Program	$11,657.5	$11,127.0	$0.0	-$11,127.0
Toxic Substances: Chemical Risk Review and Reduction	$64,241.5	$60,488.0	$69,004.0	$8,516.0
Toxic Substances: Lead Risk Reduction Program	$11,663.0	$11,567.0	$0.0	-$11,567.0
Subtotal, Toxics Risk Review and Prevention	$95,740.1	$90,715.0	$69,004.0	-$21,711.0
Underground Storage Tanks (LUST / UST)				
LUST / UST	$11,089.8	$10,750.0	$6,863.0	-$3,887.0
Water: Ecosystems				
National Estuary Program / Coastal Waterways	$26,425.7	$29,823.0	$0.0	-$29,823.0
Wetlands	$17,234.9	$19,241.0	$22,604.0	$3,363.0
Subtotal, Water: Ecosystems	$43,660.6	$49,064.0	$22,604.0	-$26,460.0
Water: Human Health Protection				
Beach / Fish Programs	$1,490.8	$1,584.0	$0.0	-$1,584.0
Drinking Water Programs	$92,373.1	$100,903.0	$97,462.0	-$3,441.0
Subtotal, Water: Human Health Protection	$93,863.9	$102,487.0	$97,462.0	-$5,025.0
Water Quality Protection				
Marine Pollution	$9,349.3	$9,258.0	$4,680.0	-$4,578.0
Surface Water Protection	$196,146.1	$198,431.0	$201,799.0	$3,368.0
Subtotal, Water Quality Protection	$205,495.4	$207,689.0	$206,479.0	-$1,210.0
Congressional Priorities				
Water Quality Research and Support Grants	$0.0	$17,700.0	$0.0	-$17,700.0
TOTAL EPM	**$2,596,472.2**	**$2,663,356.0**	**$2,236,224.0**	**-$427,132.0**

Clean Air

Clean Air Allowance Trading Programs
Program Area: Clean Air
Goal: A Cleaner, Healthier Environment
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$15,302.4***	***$13,619.0***	***$13,231.0***	***-$388.0***
Science & Technology	$7,834.8	$7,463.0	$5,739.0	-$1,724.0
Total Budget Authority	$23,137.2	$21,082.0	$18,970.0	-$2,112.0
Total Workyears	64.5	63.7	61.7	-2.0

Program Project Description:

Sulfur dioxide (SO_2) and nitrogen oxides (NO_X) are precursors for fine particulate matter ($PM_{2.5}$), while NO_X also is a precursor for ground-level ozone. Researchers have associated $PM_{2.5}$ and ozone (O_3) exposure with adverse health effects in toxicological, clinical, and epidemiological studies. Lowering exposure to $PM_{2.5}$ and O_3 contributes to significant human health benefits.

The Clean Air Allowance Trading Programs are nationwide and multi-state programs that address air pollutants that are transported across state, regional, and international boundaries. The Programs designed to control SO_2 and NO_X include Title IV (the Acid Rain Program) of the Clean Air Act, the Cross-State Air Pollution Rule (CSAPR), and the Texas SO_2 Trading Program.

The Clean Air Allowance Trading Programs establish a total emission limit that is allocated to affected emission sources in the form of allowances – authorizations to emit one ton of a pollutant. The owners and operators of affected emission sources may select among different methods of compliance – install pollution control equipment, switch fuel types, purchase allowances, or other strategies. These programs are managed through a centralized database system operated by EPA.[1] Select data, collected under these programs, are made available to the public through EPA's Air Markets Program Data website[2], which provides access to both current and historical data collected as part of the Clean Air Allowance Trading Programs through charts, reports, and pre-packaged datasets.

To implement the Clean Air Allowance Trading Programs, EPA operates the Part 75 emission measurement program that requires approximately 4,150 affected units to monitor and report emission and operation data.[3] The emission measurement program requires high degrees of accuracy and reliability from continuous emission monitoring systems or approved alternative methods at the affected sources. EPA provides the affected emission sources with a software tool, the Emissions Collection and Monitoring Plan System, to process and assure the quality of data,

[1] Clean Air Act § 403(d).
[2] For additional information, please see: https://www.epa.gov/airmarkets/clean-air-markets-progress.
[3] Clean Air Act § 412; Clean Air Act Amendments of 1990. P.L. 101-549 § 821.

and facilitate reporting to EPA. The Agency conducts electronic audits, desk reviews, and field audits of the emission data and monitoring systems. The emission measurement program supports several other state and federal emission control and reporting programs.

EPA's centralized market operation system (the allowance tracking system) records allowance allocations and transfers.[4] At the end of each compliance period, allowances are reconciled against reported emissions to determine compliance for every facility with affected emission sources. For over 20 years, the affected facilities have maintained near-perfect compliance under the trading programs. In 2018, total annual SO_2 emissions from Acid Rain Program-affected emission sources were 1.2 million tons, or more than 85 percent below the statutory nationwide emissions cap. Total annual 2018 NO_X emissions were 1.0 million tons, a reduction of over 7 million tons from projected 2000 NO_X levels absent the Acid Rain Program, exceeding the Program's total targeted reduction of 2 million tons.[5]

The Clean Air Act's Good Neighbor provision[6] requires states or, in some circumstances, the Agency to reduce interstate pollution that interferes with the attainment and maintenance of the National Ambient Air Quality Standards. Under this authority, EPA issued the Cross-State Air Pollution Rule, which requires 27 states in the eastern U.S. to limit their state-wide emissions of SO_2 and/or NO_X to reduce or eliminate the states' contributions to $PM_{2.5}$ and/or ground-level ozone pollution in downwind states. The emission limitations are defined in terms of maximum statewide "budgets" for emissions of annual SO_2, annual NO_X, and/or ozone-season NO_X emissions from certain large stationary sources in each state. In addition, EPA began operating the Texas SO_2 Trading Program in 2019 as a means of addressing Texas' obligations with respect to best available retrofit technology, reasonable progress, and interstate visibility transport as those obligations relate to sulfur dioxide emissions from electricity generating units.[7]

EPA relies on the Clean Air Status and Trends Network for monitoring ambient sulfate and nitrate deposition concentrations, and other air quality indicators. EPA uses the Long-Term Monitoring program for assessing how water bodies and aquatic ecosystems are responding to reductions in sulfur and nitrogen emissions. Data from these air quality and environmental monitoring programs, in conjunction with SO_2, NO_X, and CO_2 emissions data from the Part 75 monitoring program, have allowed EPA to develop a comprehensive accountability framework to track the results of its air quality programs. EPA applies this framework to the programs it implements and issues annual progress reports on compliance and environmental results achieved by the Acid Rain Program and the Cross-State Air Pollution Rule. Previous reports have covered progress under the Clean Air Interstate Rule and the NO_X Budget Trading Program. These annual progress reports not only track reductions in SO_2 and NO_X emissions from affected sources but assess the impacts of these reductions on air quality (e.g., ozone and $PM_{2.5}$ levels), acid deposition, surface water acidity, forest health, and other environmental indicators.

[4] Clean Air Act § 403(d).
[5] For more information, please see: https://www.epa.gov/sites/production/files/2019-02/view_2018_camd_emissions_data_3.xlsx.
[6] Clean Air Act § 110(a)(2)(D); see also Clean Air Act § 110(c).
[7] Clean Air Act § 110 and § 169A; see 40 CFR 52.2312.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan*. In FY 2021, EPA will continue to operate the Clean Air Allowance Trading Programs and the systems to assess the programs' progress toward the environmental goals required by the Clean Air Act. EPA will work to meet requirements and requests for modeling in support of the power sector and for legal defense of regulatory actions. The Program will continue to support emission reporting for the Mercury and Air Toxics Standard Rule and Greenhouse Gas Reporting Program.[8]

Allowance tracking and compliance assessment: EPA will allocate SO_2 and NO_X allowances to affected emission sources and other account holders as established in the Clean Air Act[9] and state and federal CSAPR implementation plans. These allowance holdings will be maintained in an updated allowance tracking system (*i.e.*, central database) that will record allowance transfers.[10] At the end of each compliance period, EPA will reconcile each facility's allowance holdings against its emissions to ensure compliance for all affected sources.[11]

Emission measurement and data collection and review: EPA will operate the Part 75 Emission Measurement Program to collect, verify, and track emissions of air pollutants and air toxics from approximately 4,200 fossil-fuel-fired electric generating units.

Program Assessment: EPA will develop progress reports and other information to communicate the extent of the progress made by the Clean Air Allowance Trading Programs.[12]

Redesign System Applications: EPA will continue the redesign of its Air Markets Program Data website and Emission Monitoring Plan System desktop software. These mission critical systems support the trading programs, as well as other emissions reporting programs operated by the states and EPA. Reengineering these decade-old systems will enable EPA to enhance the user experience, comply with EPA security and technology requirements, consolidate software systems, and reduce operation and maintenance costs.

Assistance to States: EPA will work with states to develop emission reduction programs to comply with Clean Air Act Good Neighbor Provision and Texas SO_2 Trading program requirements.[13]

[8] See, 40 C.F.R. Part 63, Subpart UUUUU (*National Emission Standards for Hazardous Air Pollutants: Coal and Oil Fired Electric Utility Steam Generating Units*) and 40 C.F.R. Part 98, Subpart D (*Mandatory Greenhouse Gas Reporting: Electricity Generation*).
[9] Clean Air Act §§ 110 and 403
[10] Clean Air Act §§ 110 and 403.
[11] Clean Air Act §§ 110 and 404-405, and state CSAPR implementation plans.
[12] Government Performance and Results Act § 1115.
[13] Clean Air Act § 110(a)(2)(D).

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

For more information on program performance, please visit:
http://www.epa.gov/airmarket/progress/progress-reports.html.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$972.0) This change is an increase due to the recalculation of base payroll costs.
- (-$1,360.0 / -2.0 FTE) This decrease is a resource shift from the Clean Air Allowance Trading Program to the Federal Support for Air Quality Management Program.

Statutory Authority:

Clean Air Act.

Atmospheric Protection Program
Program Area: Clean Air
Goal: A Cleaner, Healthier Environment
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$90,985.1***	***$95,436.0***	***$14,512.0***	***-$80,924.0***
Science & Technology	$8,044.4	$7,772.0	$0.0	-$7,772.0
Total Budget Authority	$99,029.5	$103,208.0	$14,512.0	-$88,696.0
Total Workyears	201.3	200.6	120.0	-80.6

Program Project Description:

The Atmospheric Protection Program develops and delivers data, analysis, and technical information and assistance to identify technologies and strategies for industries, states, communities, and tribes to meet Clean Air Act (CAA) obligations and other statutory requirements.

ENERGY STAR: EPA manages the ENERGY STAR Program with clearly defined support from the U.S. Department of Energy. ENERGY STAR is the recognized symbol for energy efficiency; the Program provides information that consumers and businesses rely on to make informed decisions to reduce energy use, save money, and reduce harmful air pollutants. By reducing energy use through voluntary action, ENERGY STAR lowers costs for states and local governments as they design and implement plans to meet their air quality and other environmental goals. Specifically, EPA manages and implements the following activities: the specification process for more than 75 product categories and the ENERGY STAR Most Efficient recognition program; the ENERGY STAR Certified Homes Program for both single family homes and multifamily buildings; and the ENERGY STAR commercial and industrial programs. This work includes activities such as monitoring and verification, setting performance levels for building types, managing and maintaining the ENERGY STAR Portfolio Manager to measure and track energy use in buildings, and managing the ENERGY STAR brand.

Greenhouse Gas Reporting Program: EPA implements the U.S. Greenhouse Gas Reporting Program under the CAA. In 2007, Congress directed EPA to "require mandatory reporting of greenhouse gas emissions above appropriate thresholds in all sectors of the economy of the U.S." EPA annually collects data from over 8,000 facilities from 41 large industrial source categories in the U.S. and uses this data to improve estimates included in the *Inventory of U.S. Greenhouse Gas Emissions and Sinks*, to support federal and state-level policy development, and to share with industry stakeholders, state and local governments, the research community, and the public.

Inventory of U.S. Greenhouse Gas Emissions and Sinks: To fulfill U.S. Treaty obligations, under Article 4 of the 1992 Framework Convention on Climate Change, which was ratified by the U.S. Senate, EPA prepares the annual *Inventory of U.S. Greenhouse Gas Emissions and Sinks.* The

Inventory provides information on total annual U.S. emissions and removals by source, economic sector, and greenhouse gas. EPA leads the interagency process of preparing the *Inventory*, working with technical experts from numerous federal agencies, including the Department of Energy's Energy Information Agency, Department of Agriculture, Department of Defense, U.S. Geological Survey, and academic and research institutions.

Managing the Transition from Ozone Depleting Substances: EPA implements efforts directed by Section 612 of the Clean Air Act to ensure a smooth transition from ozone depleting substances to safer alternatives.

Science, Economic, and Technical Analyses: EPA conducts a range of economic, scientific, and technical analyses for CAA regulatory actions and technical input.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan*. In FY 2021, EPA will provide technical, analytical, and scientific support for regulatory action consistent with the Presidential Executive Order on Promoting Energy Independence and Economic Growth, dated March 28, 2017.

In FY 2021, EPA would implement user fees for entities that participate in the ENERGY STAR program. Fee collection would start in FY 2021 after EPA undertakes a rulemaking and finalizes a fees rule. By requesting an advance appropriation of $46 million for FY 2021, the budget provides the Program the authority to use fees to operate the program in advance of collections. The fees would provide for necessary expenses, including payroll to support the development, operation, and maintenance of the ENERGY STAR Program. The legislative proposal to authorize collection and spending of the fees is included as an administrative provision in the FY 2021 President's Budget Appendix.

The Agency will continue to implement priorities and efficiencies as called for in the January 24, 2017 Presidential Memorandum on *Streamlining Permitting and Reducing Burden to Domestic Regulatory Manufacturing*. These efforts are expected to align with previously identified Executive Orders, including implementation of Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs and Executive Order 13777, Enforcing the Regulatory Reform Agenda. EPA will evaluate recommendations, and where appropriate, take action to repeal, replace, or modify existing regulations to make them less burdensome.

In FY 2021, EPA will continue to implement the Greenhouse Gas Reporting Program covering a total of 41 sectors, with approximately 8,000 reporters. Focus areas for the Program will include:

- Developing and implementing regulatory revisions across multiple sectors, including oil and gas to reduce burden and streamline reporting where appropriate;
- Aligning the database management systems with those regulatory amendments; and
- Conducting a QA/QC and verification process through a combination of electronic checks, staff reviews, and follow-up with facilities when necessary.

EPA will work to complete the annual *Inventory of U.S. Greenhouse Emissions and Sinks*.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$726.0) This change is an increase due to the recalculation of base payroll costs.

- (-$81,650.0 / -121.9 FTE) This program change is a decrease that proposes elimination of appropriated funding for the partnership programs with industry, businesses, states, tribes, and localities and focuses the program on core requirements to meet CAA obligations and other statutory requirements.

- (+70.0 FTE) This program change is an increase in reimbursable FTE for the development, operation, and maintenance of a fee-supported ENERGY STAR Program. By requesting an advance appropriation of $46 million for FY 2021, the budget allows for the time involved in both a fee rulemaking and developing and enacting new authorizing legislation by providing the program the authority to use fees to operate the program in advance of collections.

Statutory Authority:

Clean Air Act; Global Change Research Act of 1990; Global Climate Protections Act; Energy Policy Act of 2005 § 756; Pollution Prevention Act §§ 6602-6605; National Environmental Policy Act (NEPA) § 102; Clean Water Act § 104; Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) § 8001.

Federal Stationary Source Regulations
Program Area: Clean Air
Goal: A Cleaner, Healthier Environment
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$19,279.9***	***$20,093.0***	***$17,877.0***	***-$2,216.0***
Total Budget Authority	$19,279.9	$20,093.0	$17,877.0	-$2,216.0
Total Workyears	98.2	108.5	79.1	-29.4

Program Project Description:

Under the statutory framework of the Clean Air Act (CAA), EPA is required to undertake actions pertaining to multiple aspects of air quality. The CAA requires EPA to set National Ambient Air Quality Standards (NAAQS) for ambient pollutants considered harmful to public health and the environment. The six "criteria" pollutants for which EPA has established NAAQS are: particulate matter (PM), ozone (O3), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), carbon monoxide (CO), and lead (Pb). The CAA requires EPA to periodically review the science upon which the NAAQS are based and the standards themselves. These national standards form the foundation for air quality management and establish goals that protect public health and the environment. Section 109 of the CAA Amendments of 1990 established two types of NAAQS. Primary standards are set at a level requisite to protect public health with an adequate margin of safety. Secondary standards are set at a level requisite to protect public welfare from any known or anticipated adverse effects.

Sections 111, 112, and 129 of the CAA statutory program direct EPA to undertake activities targeted at air emissions of toxic, criteria, and other pollutants from stationary sources. Specifically, to address air toxics, this program provides for the development of National Emission Standards for Hazardous Air Pollutants (NESHAP) for major sources and area sources; the assessment and, as necessary, regulation of risks remaining after implementation of NESHAP that are based on Maximum Available Control Technology (MACT); the periodic review and revision of the NESHAP to reflect developments in practices, processes, and control technologies; and associated national guidance and outreach. 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. The statutory program also includes issuing, reviewing, and periodically revising, as necessary, New Source Performance Standards (NSPS) for criteria and a subset of listed pollutants from certain new, modified, or reconstructed sources of air emissions; issuing emissions guidelines for states to apply to certain existing sources; and providing guidance on Reasonably Available Control Technology through issuance and periodic review and revision of control technique guidelines. The CAA further requires EPA to develop and periodically review standards of performance and emissions guidelines covering air emissions from waste combustion sources.

Sections 169A and 169B of the CAA require protection of air quality related values (AQRV) for 156 congressionally mandated national parks and wilderness areas, known as Class I areas. Visibility is one such AQRV, and Congress established a national goal of returning visibility in the Class I areas to natural conditions, i.e., the visibility conditions which existed without manmade air pollution. The Regional Haze Rule sets forth the requirements that state plans must satisfy to make reasonable progress towards meeting this national goal.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, the Agency will continue to implement priorities and efficiencies called for in the January 24, 2017 Presidential Memorandum, *Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing*. These efforts are expected to dovetail with previously identified Executive Orders, including implementation of Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs and Executive Order 13777, Enforcing the Regulatory Reform Agenda. EPA will continue to evaluate recommendations, and, where appropriate, act to repeal, replace, or modify existing regulations to make them less burdensome and provide greater certainty to regulated entities.

NAAQS: In FY 2021, EPA will continue reviewing the NAAQS and make revisions, as appropriate. Each review involves a comprehensive reexamination, synthesis, and evaluation of the scientific information, the design and conduct of complex air quality and risk and exposure analyses, and the development of a comprehensive policy assessment providing analysis of the scientific basis for alternative policy options.

EPA will work to achieve and maintain compliance with existing standards. These include the ozone standards established in 2015, 2008, 1997, and 1979; the 1997 PM_{10} standards; the 2012, 2006 and 1997 $PM_{2.5}$ standards; the 2008 lead standard;[14] the 2010 NO_2 standard;[15] the 1971 CO standard; and the 2010 SO_2 standard[16] (Note, pursuant to the May 9, 2018 memorandum, *Back to Basics Process for Reviewing the National Ambient Air Quality* Standards, EPA is working to complete reviews of the ozone and PM standards by late CY 2020). EPA, in close collaboration with states and tribes, will work to reduce the number of areas not in attainment with the NAAQS, including assisting states and tribes in developing CAA-compliant pollution reduction plans.

Air Toxics**:** Section 112(d)(6) of the CAA requires EPA to review and revise, as necessary, all NESHAP (for both major and area sources) every eight years. These reviews include compiling information and data already available to the Agency; collecting new information and emissions data from industry; reviewing emission control technologies; and conducting economic analyses for the affected industries needed for developing regulations. Similarly, Section 112(f) of the CAA requires EPA to review the risk that remains after the implementation of MACT standards within eight years of promulgation.

[14] In September 2016, EPA completed the review of the 2008 Lead NAAQS and retained the standards without revision.
[15] In April 2018, EPA completed the review of the 2010 NO_2 NAAQS and retained the standards without revision.
[16] In February 2019, EPA completed the review of the 2010 SO_2 NAAQS and retained the standards without revision.

In FY 2021, EPA will engage in rulemaking efforts to review and revise, as appropriate, emissions standards for 14 source categories, pursuant to two separate court orders and statutory obligations. Additionally, as a result of ongoing litigation, EPA expects to undertake reviews and regulatory revisions, as applicable, under CAA Section 112 for five other source categories. EPA further anticipates work to address expected CAA-authorized requests for administrative reconsideration of some of the rules issued under Section 112 that EPA will be finalizing in 2020. These rules affect more than 25 source categories.

NSPS: Section 111 of the CAA requires EPA to set NSPS for new, modified, or reconstructed stationary sources of air emissions in categories that have been determined to cause, or significantly contribute to, air pollution that may endanger public health or welfare. Section 111 of the CAA also requires EPA, at least every eight years, to review and, if appropriate, revise NSPS for each source category for which such standards have been established. Under CAA Section 111, EPA must establish emission guidelines for existing sources for which air quality criteria have not been issued, are not included in the list published under Section 108(a) of the CAA or are emitted from a source category that is regulated under Section 112 of the CAA but to which a standard of performance would apply if such an existing source were a new source.

In FY 2021, EPA will work to address NSPS reviews, consistent with the requirements of the CAA, for sources of air pollutants for multiple source categories, including Municipal Solid Waste (MSW) Landfills, and anticipates further NSPS reviews for the Electric Utility Generating Units (EGUs); Crude Oil and Natural Gas Production, Transmission and Distribution; primary copper; and primary magnesium source categories. EPA also will address emission guidelines for MSW Landfills. Additionally, as a result of ongoing litigation, EPA expects to undertake additional NSPS reviews and regulatory revisions, as applicable, for two other source categories in FY 2021.

EPA also may undertake other projects, such as statutorily mandated, overdue NSPS and area source technology reviews related to the source categories in addition to those mentioned above. EPA will continue work on case-by-case regional and national NESHAP and NSPS applicability determinations. In addition, under Section 129 of the CAA, EPA plans to address the statutorily mandated reviews and court-ordered regulatory revisions for rules involving solid waste incineration units, such as the Commercial and Industrial Solid Waste Incinerators and Other Solid Waste Incinerators rules, and to review developments regarding incineration and control technologies to support these rulemaking efforts. In FY 2021, EPA will address program-wide issues, including court-remanded and court-vacated rules that apply across many industrial sources.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$1,410.0) This change is an increase due to the recalculation of base payroll costs.

- (-$3,626.0 / -29.4 FTE) This program change is a decrease in the Federal Stationary Source Regulations Program. As a result of this change, the Agency will work to develop a more efficient approach to meeting Clean Air Act requirements including statutorily-required NAAQS reviews. In addition, EPA will rely on states and other stakeholders to identify burden and cost-reduction actions needed to holistically improve the federal-state partnership.

Statutory Authority:

Clean Air Act.

Federal Support for Air Quality Management

Program Area: Clean Air
Goal: A Cleaner, Healthier Environment
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$132,513.9***	***$130,588.0***	***$114,095.0***	***-$16,493.0***
Science & Technology	$10,878.2	$6,039.0	$3,712.0	-$2,327.0
Total Budget Authority	$143,392.1	$136,627.0	$117,807.0	-$18,820.0
Total Workyears	824.8	842.0	638.8	-203.2

Program Project Description:

The Federal Support for Air Quality Management Program assists states, tribes, and local air pollution control agencies in the development, implementation, and evaluation of programs for the National Ambient Air Quality Standards (NAAQS), establishes standards for reducing air toxics, and sustains visibility protection. EPA develops federal measures and regional strategies that help to reduce emissions from stationary and mobile sources; whereas delegated states have the primary responsibility (and tribes may choose to take responsibility) for developing clean air measures necessary to meet the NAAQS and protect visibility. At the core of this program is the use of scientific and technical air emissions data. EPA, working with states, tribes, and local air agencies, develops methods for estimating and measuring air emissions and concentrations, collects these data, and maintains databases (*e.g.,* Emissions Inventory System, Air Quality System, etc.). EPA also supports training for state, tribal, and local air pollution professionals.

Under the Clean Air Act (CAA), EPA is required to set the NAAQS for ambient pollutants considered harmful to public health and the environment. The six "criteria" pollutants for which EPA has established NAAQS are: particulate matter (PM), ozone (O3), sulfur dioxide (SO2), nitrogen dioxide (NO2), carbon monoxide (CO), and lead (Pb). The CAA requires EPA to periodically review the science upon which the NAAQS are based and the standards themselves. These national standards form the foundation for air quality management and establish goals that protect public health and the environment.

NAAQS Development

Section 109 of the CAA Amendments of 1990 established two types of NAAQS - primary and secondary standards. Primary standards are set at a level requisite to protect public health with an adequate margin of safety, including the health of at-risk populations. Secondary standards are set at a level requisite to protect public welfare from any known or anticipated adverse effects, such as decreased visibility and damage to animals, crops, vegetation, and buildings.

Air Pollution Information Tracking

For each of the six criteria pollutants, under Section 110 of the CAA, EPA tracks two kinds of air pollution information: air pollutant concentrations based on actual measurements in the ambient (outside) air at monitoring sites throughout the country; and pollutant emissions based on engineering estimates or measurements of the total tons of pollutants released into the air each year. EPA works with state and local governments to ensure the technical integrity of emission source controls in State Implementation Plans (SIPs) and with tribes on Tribal Implementation Plans (TIPs). EPA also reviews SIPs to ensure they are consistent with applicable requirements of the CAA and takes regulatory action on SIP submissions consistent with CAA responsibilities.

New Source Review (NSR) Preconstruction Permit Program

The NSR preconstruction permit program in Title I of the CAA is a part of state plans to attain and maintain the NAAQS. The two primary aspects of this program are the Prevention of Significant Deterioration Program, described in Section 165 of the CAA and the Nonattainment NSR Program, described in various parts of the CAA, including Sections 173 and 182.

Protection of Class I Areas

Sections 169A and 169B of the CAA require protection of visibility for 156 congressionally mandated national parks and wilderness areas, known as Class I areas. The Congress established a national goal of returning visibility in the Class I areas to natural conditions (*i.e.*, the visibility conditions which existed without manmade air pollution). The Regional Haze Rule sets forth the requirements that state plans must satisfy to make reasonable progress towards meeting this national goal.

Control of Air Toxics

The provisions of the CAA that address the control of air toxics are located primarily in Section 112. This section requires issuing National Emission Standards for Hazardous Air Pollutants (NESHAP) for major sources and area sources; the assessment and, as necessary, regulation of risks remaining after implementation of NESHAP that are based on Maximum Available Control Technology (MACT); the periodic review and revision of all NESHAP to reflect developments in practices, processes, and control technologies; and associated national guidance and outreach. 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. Section 129 of the CAA requires a similar approach to review regulations applicable to solid waste incinerators. In addition to its regulatory work, EPA also provides determinations to states and industry seeking information about source-specific applicability of these regulations. EPA is making improvements to the database that tracks applicability determinations.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan.* This program also supports the FY 2020 - 2021 Agency

Priority Goal, "Improve air quality by reducing the number of areas not meeting air quality standards," and the long-term performance goal, "By September 30, 2022, reduce the number of nonattainment areas to 101." Air quality has improved significantly for communities across the country since passage of the CAA in 1970 (with amendments in 1977 and 1990). Since 1990, for example, national average levels have decreased by 21 percent for ozone, 26 percent for particulate matter, 89 percent for sulfur dioxide, and 97 percent for lead.[17] In FY 2021, EPA will continue to prioritize key activities in support of attainment of the NAAQS and implementation of stationary source regulations by state, tribal, and local air agencies.

NAAQS Review

In FY 2021, EPA will review the NAAQS in accordance with the CAA, including completing the ongoing NAAQS reviews for ozone and particulate matter, as well as continuing the review of the secondary NAAQS for oxides of nitrogen, oxides of sulfur and particulate matter. In addition, EPA will continue its CAA mandated responsibilities to administer the NAAQS by reviewing state plans and decisions consistent with statutory obligations; taking federal oversight actions, such as action on SIP and TIP submittals; and developing regulations and policies to ensure continued health and welfare protection during the transition between existing and new standards. EPA will work with air agencies to determine the need for additional federal rulemakings and guidance documents to support state and tribal efforts to implement CAA SIP requirements, in alignment with capacity and priorities. EPA will provide technical and policy assistance to states and tribes developing or revising SIPs/TIPs.

NAAQS Nonattainment Areas

EPA, in close collaboration with states and tribes, will work to reduce the number of areas not in attainment with the NAAQS. The Agency will look for ways to improve the efficiency and effectiveness of the SIP process, including its own review process, with a goal of maximizing timely processing of state-requested SIP actions and reducing the backlog. In FY 2019, EPA acted on over 360 SIPs, 165 of which were backlogged. The Agency will act on designation or re-designation of nonattainment areas to attainment in a timely manner. EPA will focus on states achieving attainment, looking at improved processes and flexible implementation options. EPA is improving transparency and tracking by continuing development of the State Plan Electronic Collaboration System or SPeCS.

SIPs for Regional Haze

In FY 2021, EPA will review and take appropriate action on SIPs for regional haze to ensure that states are making reasonable progress towards their visibility improvement goals, consistent with statutory obligations. In FY 2021, EPA will provide technical assistance to states that are developing plan revisions. Under the Regional Haze Rule, states are required to submit updates to their plans to demonstrate how they have and will continue to make progress towards achieving their visibility improvement goals. The first state plans were due in 2007 and covered the 2008-2018 first planning period. The second planning period covers 2018-2028.

[17]For more information, please see *Our Nation's Air: Status and Trends Through 2018*, found at: https://www.epa.gov/air-trends/air-quality-national-summary.

Regulatory Reform and Burden Reduction

The Agency will implement priorities and efficiencies as called for in the January 24, 2017 Presidential Memorandum, *Streamlining Permitting and Reducing Regulatory Burden for Domestic Manufacturing*. These efforts are expected to dovetail with previously identified Executive Orders, including implementation of Executive Order 13771, *Reducing Regulation and Controlling Regulatory Costs* and Executive Order 13777, *Enforcing the Regulatory Reform Agenda*. EPA will evaluate recommendations, and, where appropriate, repeal, replace, or modify existing regulations to make them less burdensome and provide greater certainty to regulated entities.

Fulfilling Legal Obligations

One of EPA's priorities is to fulfill its statutory and court-ordered obligations. Section 112 of the CAA sets deadlines for EPA to review and update, as necessary, all NESHAP every eight years, accounting for developments in practices, processes, and technologies related to those standards. Section 112 also requires that EPA conduct risk assessments within eight years of promulgation of each MACT-based NESHAP to determine if it appropriately protects public health and to revise it as needed. In FY 2021, EPA will conduct these periodic "technology reviews" and conduct risk assessments as required. The Program will prioritize conducting reviews of NESHAP for 14 source categories for which the statutory deadlines passed and 13 of which are now subject to court-ordered dates. EPA expects to similarly prioritize reviews for the five source categories currently subject to litigation.

Technical Assistance to External Government Partners

EPA will assist other federal agencies and state and local governments in implementing the conformity regulations promulgated pursuant to Section 176 of the CAA. These regulations require federal agencies, taking actions in nonattainment and maintenance areas, to determine that the emissions caused by their actions will conform to the SIP.

In FY 2021, EPA will provide technical assistance to state, local, and tribal air agencies for both NSR and Title V (operating) permits. This support will occur at appropriate times and as requested, consistent with applicable requirements, before and during the permitting process. EPA expects to implement such support in an efficient manner and consistent with established timeframes for applicable oversight of state, tribal, and local air agencies during the permitting process. EPA will continue development of the Electronic Permitting System, which is expected to improve EPA interaction with state, local, and tribal air agencies and improve data availability and transparency.

EPA will assist state, tribal, and local air agencies with various technical activities. EPA develops and provides a broad suite of analytical tools, such as source characterization analyses, emission factors and inventories, statistical analyses, source apportionment techniques, quality assurance protocols and audits, improved source testing and monitoring techniques, source-specific dispersion and regional-scale photochemical air quality models, and augmented cost/benefit tools, to assess control strategies.[18] The Agency will maintain the core function of these tools (*e.g.,*

[18] For additional information, please see: https://www.epa.gov/technical-air-pollution-resources.

integrated multiple pollutant emissions inventory, air quality modeling platforms, etc.) to provide the technical underpinnings for scientifically sound, more efficient and comprehensive air quality management by state, local, and tribal agencies.

In FY 2021, state and local air agencies will have the lead in implementing the National Air Toxics Trends Sites (NATTS). The NATTS is designed to capture the impacts of widespread air toxics and is comprised of permanent monitoring sites throughout the nation.[19] EPA will consult on priority data gaps to better assess population exposure to toxic air pollution.

Maintaining Analytical Capabilities and Continuing Data Management

EPA will maintain baseline analytical capabilities required to develop effective regulations including: analyzing the economic impacts and health benefits of regulations and policies; developing and refining source sampling measurement techniques to determine emissions from stationary sources; updating dispersion models for use in source permitting; and conducting air quality modeling that characterizes the atmospheric processes that disperse a pollutant emitted by a source. Resources from the Science and Technology appropriation component of this program support the scientific development of these capabilities.

In FY 2021, EPA will maintain the Air Quality System (AQS), one of the Agency's mission-essential functions, which houses the nation's air quality data. EPA will provide the core support needed for the AQS Data Mart, which provides access to the scientific community and others to obtain air quality data via the internet. The Agency's national real-time ambient air quality data system (AirNow) will maintain baseline operations. EPA will continue to operate and maintain the Emissions Inventory System (EIS), a system used to quality assure and store current and historical emissions inventory data, and to support development of the National Emissions Inventory (NEI). The NEI is used by EPA, states, and others to support state and local air agency SIP development, to serve as a vital input to air quality modeling, help to analyze the public health risks from air toxics and develop strategies to manage those risks, as well as support multi-pollutant analysis covering air emissions. EPA will continue to implement previously identified Lean strategies to streamline NEI development and reduce the burden for industry to meet their emissions data reporting requirements through the Combined Air Emissions Reporting (CAER) e-Enterprise effort. The CAER project, when fully developed and deployed, will streamline multiple emissions reporting processes and is expected to reduce the cost to industry and government for providing and managing environmental data and to improve decision-making capacity through more timely availability of data.

Performance Measure Targets:

(PM NA1) Number of Nonattainment Areas.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					155	138	132	121	Nonattain-ment Areas
Actual	190	182	176	166	159	147			

[19] For additional information, please see: http://www.epa.gov/ttn/amtic/airtoxpg.html.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$9,580.0) This change is an increase due to the recalculation of base payroll costs.

- (-$26,409.0 / -202.1 FTE) This program change is a decrease in EPA's technical assistance to and support of state, tribal, and local air programs, including those that develop and implement clean air plans, issue air permits, and provide air quality information to the public. The Agency will prioritize supporting state and local air agencies in obtaining air quality improvements necessary to bring areas into attainment.

- (+$336.0 / +2.0 FTE) This increase is a resource shift from the Clean Air Allowance Trading program to the Federal Support for Air Quality Management program.

Statutory Authority:

Clean Air Act.

Stratospheric Ozone: Domestic Programs
Program Area: Clean Air
Goal: A Cleaner, Healthier Environment
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$5,060.4***	***$4,661.0***	***$4,087.0***	***-$574.0***
Total Budget Authority	$5,060.4	$4,661.0	$4,087.0	-$574.0
Total Workyears	19.9	18.9	18.0	-0.9

Program Project Description:

The stratospheric ozone layer protects life by shielding the Earth's surface from harmful ultraviolet (UV) radiation. Scientific evidence demonstrates that ozone-depleting substances (ODS) used around the world destroy the stratospheric ozone layer,[20] which raises the incidence of skin cancer and other illnesses through overexposure to increased levels of UV radiation.[21]

EPA estimates that in the U.S. alone, the worldwide phase out of ODS will avert millions of cases of non-fatal and fatal skin cancers (melanoma and non-melanoma), as well as millions of cataract cases, which is the leading cause of blindness. Full implementation of the *Montreal Protocol on Substances that Deplete the Ozone Layer* (Montreal Protocol) globally, including its amendments and adjustments, is expected to avoid more than 280 million cases of skin cancer, approximately 1.6 million skin cancer deaths, and more than 45 million cases of cataracts in the U.S. among individuals born between 1890 and 2100.[22]

EPA implements provisions of the Clean Air Act Amendments of 1990 (CAA) and the Montreal Protocol, resulting in the reduction of ODS in the U.S. and lower health risks to the American public. EPA uses a combination of regulatory and partnership programs to protect and restore the ozone layer. The CAA provides for a phase-out of production and consumption of ODS and requires controls on their use, including banning certain emissive uses, requiring labeling to inform consumer choice, and requiring sound servicing practices for the use of refrigerants in air conditioning and refrigeration appliances. The CAA also prohibits venting ODS and

[20] World Meteorological Organization (WMO). Scientific Assessment of Ozone Depletion: 2014. Global Ozone Research and Monitoring Project–Report No. 56, Geneva, Switzerland. 2014.
[21] Fahey, D.W., and M.I. Hegglin (Coordinating Lead Authors), Twenty questions and answers about the ozone layer: 2014 Update, In Scientific Assessment of Ozone Depletion: 2014, Global Ozone Research and Monitoring Project–Report No. 56, World Meteorological Organization, Geneva, Switzerland, 2014. Available on the internet at: https://www.esrl.noaa.gov/csd/assessments/ozone/2014/twentyquestions2014update.pdf.
[22] EPA, Updating ozone calculations and emissions profiles for use in the Atmospheric Health Effects Framework Model (2015). Available on the internet at: https://www.epa.gov/sites/production/files/2015-11/documents/ahef_2015_update_report-final_508.pdf.

their substitutes and requires listing of alternatives that reduce overall risks to human health and the environment, ensuring that businesses and consumers have alternatives that are safer for the ozone layer than the chemicals they replace.

As a signatory to the Montreal Protocol, the U.S. is committed to ensuring that our domestic program is at least as stringent as international obligations, and to regulating and enforcing the terms of the Montreal Protocol respective of domestic authority. With U.S. leadership, in 2007 the Parties to the Montreal Protocol agreed to a more aggressive phase-out for ozone-depleting hydrochlorofluorocarbons (HCFCs) equaling a 47 percent reduction in overall emissions during the period 2010-2040. The adjustment in 2007 also calls on Parties to promote the selection of alternatives to HCFCs that minimize environmental impacts, in particular impacts on climate.[23] In 2016, the Parties to the Montreal Protocol agreed to the Kigali Amendment,[24] which will globally phase down production and consumption of hydrofluorocarbons (HFCs). HFCs are intentionally manufactured fluorinated greenhouse gases used in all the same sectors as ODS such as air conditioning, refrigeration, fire suppression, solvents, foam blowing agents, and aerosols. In 2018, the Parties to the Montreal Protocol agreed to adjust the HCFC phaseout's servicing provisions to, among other things, allow for servicing of existing fire suppression equipment until 2030.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018 – 2022 EPA Strategic Plan*. In carrying out the requirements of the CAA and the Montreal Protocol in FY 2021, EPA will continue to meet its ODS import caps and work toward the gradual reduction in production and consumption of ODS. EPA is planning to implement a notice-and-comment rulemaking finalized in FY 2020 that will allow EPA to issue HCFC allowances and codify the servicing provision changes under the Montreal Protocol. To meet targets for FY 2021 and beyond, EPA will: issue allocations for HCFC production and import in accordance with the requirements established under CAA Sections 605 and 606; review petitions to import used ODS under sections 604 and 605; manage information that industry identifies as Confidential Business Information under CAA Section 603; and implement regulations concerning the production, import, and export of ODS and maintenance of the tracking system used to collect the information. EPA also will prepare and submit an annual report under Article 7 of the Montreal Protocol on U.S. consumption and production of ODS.[25]

CAA Section 612 requires continuous review of alternatives for ODS through EPA's Significant New Alternatives Policy (SNAP) program[26] to find those that pose less overall risk to human health and the environment and to promote a smooth transition to safer alternatives. Through these evaluations, SNAP generates lists of acceptable and unacceptable substitutes for approximately 50

[23] *Montreal Protocol Decision XIX/6: Adjustments to the Montreal Protocol with regard to Annex C, Group I, substances (hydrochlorofluorocarbons).*

[24] Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, Kigali 15 October 2016, found at: https://treaties.un.org/doc/Publication/CN/2016/CN.872.2016-Eng.pdf.

[25] The Article 7 report prepared by EPA on behalf of the United States contains chemical-specific production, import and export data that is not available publicly. To protect potential confidential information the report is not available on the internet; however, the data included in the report is aggregated and available at: https://ozone.unep.org/countries/profile/usa

[26] For more information, please see: http://www.epa.gov/ozone/snap/index.html.

end uses across eight industrial sectors. In *Mexichem Fluor v. EPA*, the court partially vacated a 2015 rule "to the extent it requires manufacturers to replace HFCs with a substitute substance" and remanded the rule to EPA for further proceedings. A second court decision applies to a 2016 rule similarly. EPA expects to finalize a notice-and-comment rulemaking in FY 2020 that would address the court's decisions, including potentially making changes to the SNAP Program's scope and applicability. In addition, EPA will consider a number of submissions and petitions that would expand the list of acceptable alternatives, particularly for end-uses where there is an urgent need for more options. The schedule for other approvals will be adjusted through FY 2021. Certain approvals adjusted for FY 2020 will be taken up with other pending approvals in FY 2021, to the extent practicable, as EPA seeks to minimize the risk to the investment made by companies in research, and development, and testing phases given that SNAP listings are critical to the commercialization of many substitutes and alternative technologies in key sectors of use. Final agency action can include notices of acceptability listings as well as notice-and-comment rulemaking. EPA also will continue to work towards ensuring the uptake of safer alternatives and technologies, while supporting innovation, and ensuring adoption through support for changes to industry codes and standards.

In FY 2021, EPA is planning to implement a revised CAA Section 608 rule that the Agency intends to finalize in FY 2020. That rule revisits certain aspects of the extension of the Section 608 refrigerant management program to substitute refrigerants. At the same time, EPA will continue efforts under CAA Section 608 to reduce emissions of refrigerants during the service, maintenance, repair and disposal of air conditioning and refrigeration equipment. EPA will continue to educate stakeholders about the rules concerning servicing, maintenance, repair and disposal of air conditioning and refrigeration appliances. EPA will monitor industry standards and may adopt the standards into its regulations through incorporation by reference, as appropriate.

EPA will continue to support the CAA Section 609 motor vehicle air conditioning (MVAC) servicing program to reduce emissions of refrigerants from MVAC systems. Where industry consensus standards are available that EPA considers to be sufficient for protection of human health and the environment, EPA may adopt the standards into its regulations through incorporation by reference. EPA is aware of such standards developed by the Society of Automotive Engineers (SAE) for recovery equipment for new alternatives. EPA intends to issue a proposed rule in FY 2020 to incorporate by reference these industry, consensus-based standards for MVAC systems that use refrigerants currently listed as acceptable, subject to use conditions. EPA intends to finalize this rule in FY 2021.

In FY 2021, EPA will continue to support implementation of the Montreal Protocol domestically by ensuring U.S. interests are represented at Montreal Protocol meetings by providing technical expertise. The Agency will provide technical expertise for the Montreal Protocol's Technology and Economic Assessment Panel and its Technical Options Committees.

With the decline in allowable ODS production, a significant stock of equipment that continues to use ODS will need access to recovered and recycled/reclaimed ODS to allow for proper servicing. EPA reviews available market and reported data to monitor availability of recycled and reclaimed ODS, where production and import of new material is phased out. EPA also will implement other provisions of the Montreal Protocol, including exemption programs to allow for a continued

smooth phase out of ODS, in particular HCFCs and halons.

Additionally, EPA will continue to work with federal and international agencies to stem illegal imports of ODS to support a level playing field for companies that have transitioned to non-ODS alternatives. This is particularly important in light of recent atmospheric measurements showing unexpected increased emissions of CFC-11, an ODS phased out of production globally.[27,28] EPA will continue data exchange with U.S. Customs and Border Protection and Homeland Security Investigations on ODS importers and exporters to determine admissibility and target illegal ODS shipments entering the United States, as well as reviewing and approving ODS imports flagged in the Automated Customs Environment.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$53.0) This change is an increase due to the recalculation of base payroll costs.
- (-$627.0 / -0.9 FTE) This program change is a decrease to program resources and FTE related to activities for development of outreach and compliance assistance materials.

Statutory Authority:

Title VI of the Clean Air Act.

[27] See, Montzka *et al*. An unexpected and persistent increase in global emissions of ozone-depleting CFC-11, Nature, volume 557, pages 413–417, 2018. Available on the internet at: https://www.nature.com/articles/s41586-018-0106-2.
[28] See, Rigby *et al*. Increase in CFC-11 emissions from eastern China based on atmospheric observations, Nature, volume 569, pages 546-550, 2019. Available on the internet at: https://www.nature.com/articles/s41586-019-1193-4.

Stratospheric Ozone: Multilateral Fund

Program Area: Clean Air
Goal: A Cleaner, Healthier Environment
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$8,326.0***	***$8,711.0***	***$0.0***	***-$8,711.0***
Total Budget Authority	$8,326.0	$8,711.0	$0.0	-$8,711.0

Program Project Description:

The *Montreal Protocol on Substances that Deplete the Ozone Layer* (Montreal Protocol) facilitates a global phaseout of ozone-depleting substances (ODS). The United States implements its treaty obligations primarily through Title VI of the Clean Air Act.

The *Multilateral Fund for the Implementation of the Montreal Protocol* (Multilateral Fund) was created by the Parties to the Montreal Protocol to provide funds to enable developing countries to comply with their Montreal Protocol obligations to phase out the use of ODS on an agreed schedule. The United States and other developed countries contribute to the Multilateral Fund. The U.S. contribution to the Multilateral Fund is split between EPA and the Department of State.

FY 2021 Activities and Performance Plan:

Resources are proposed for elimination for this program in FY 2021. EPA will continue domestic ODS reduction work.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$8,711.0) This funding change proposes to eliminate resources to support EPA participation in the Multilateral Fund.

Statutory Authority:

Title VI of the Clean Air Act.

Brownfields

Brownfields
Program Area: Brownfields
Goal: A Cleaner, Healthier Environment
Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$22,939.3***	***$23,647.0***	***$17,816.0***	***-$5,831.0***
Total Budget Authority	$22,939.3	$23,647.0	$17,816.0	-$5,831.0
Total Workyears	117.0	127.5	92.6	-34.9

Program Project Description:

Brownfields sites are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Brownfields can be found in the heart of America's main streets and former economic centers. The Brownfields Program supports efforts to revitalize these sites by awarding grants and providing technical assistance to states, tribes, local communities, and other stakeholders to work together to plan, inventory, assess, safely cleanup, and reuse 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.[29] 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.[30]

This Program supports the operating expenses for the Brownfields Program. Operating activities include: 1) conducting the annual, high volume cooperative agreement competitions; 2) awarding new cooperative agreements; 3) managing the ongoing cooperative agreement workload; 4) providing technical assistance and ongoing support to grantees; 5) providing contractor supported technical assistance to non-grantee communities with Brownfields; 6) collaborating with other agency programs; 7) operating the Assessment Cleanup and Redevelopment Exchanges System (ACRES) online grantee reporting tool; 8) assisting communities to explore land reuse opportunities under the Land Revitalization Program; and 9) developing guidance and tools that clarify potential environmental cleanup liabilities.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination, in the *2018 – 2022 EPA Strategic Plan*. In FY 2021, the Brownfields Program will continue to manage approximately 900 assessment, cleanup, revolving loan fund (RLF), multi-purpose, and Environmental Workforce Development and Job Training (EWDJT) cooperative

[29] U.S. EPA, Office of Land and Emergency Management Estimate 2017. Data collected includes: (1) site information as of the end of 2016; and (2) census data from the 2011-2015 American Community Survey.
[30] EPA's ACRES database.

agreements; as well as state and tribal assistance agreements; training, research, and technical assistance agreements; Targeted Brownfields Assessments and land revitalization projects.

In FY 2021, the Brownfields Program will support the following activities:

- **Compete and Award New Cooperative Agreements**: Review, select, and award an estimated 360 new cooperative agreements which will lead to approximately $1.2 billion and 7,100 jobs leveraged in future years.

- **Oversight and Management of Existing Cooperative Agreements:** Continue federal fiduciary responsibility to manage approximately 900 existing brownfields cooperative agreements in a reduced capacity, while ensuring the terms and conditions of the agreements are met and provide limited technical assistance. The Program also will provide targeted environmental oversight support to grantees (*e.g.*, site eligibility determinations, review of environmental site assessment and cleanup reports).

- **Technical Assistance:** Provide technical assistance to states, tribes, and local communities in the form of research, training, analysis, and support for community led planning workshops. This can lead to cost effective implementation of brownfields redevelopment projects by providing communities with the knowledge necessary to understand market conditions, economic development and other community revitalization strategies, and how cleanup and reuse can be catalyzed by small businesses.

- **Collaboration:** The Program will work collaboratively with our partners at the state, tribal, and local level on innovative approaches to help achieve land reuse. It also will continue to develop guidance and tools that clarify potential environmental cleanup liabilities, thereby providing greater certainty for parties seeking to reuse these properties. The Program also can provide direct support to facilitate transactions for parties seeking to reuse contaminated properties.

- **Accomplishment Tracking**: Support the maintenance of the ACRES online grantee reporting tool. This enables grantees to track accomplishments and report on the number of sites assessed and cleaned up, and the amount of dollars and jobs leveraged with brownfields grants.

- **Land Revitalization Program Support:** Provide support for approximately two communities as part of EPA's Land Revitalization Program. The Land Revitalization Program supports communities in their efforts to restore contaminated lands into sustainable community assets.

Performance Measure Targets:

Work under this program supports performance results in the Brownfields Projects Program under the STAG appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$1,856.0) This change is an increase due to the recalculation of base payroll costs.

- (-$7,687.0 / -34.9 FTE) This net program change reduces funding for managing and closing out assistance agreements, data collection analysis, and system enhancements.

Statutory Authority:

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), §§ 101(39), 104(k), 128(a); Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, § 8001.

Compliance

Compliance Monitoring
Program Area: Compliance
Goal: More Effective Partnerships
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$100,132.8***	***$101,665.0***	***$95,649.0***	***-$6,016.0***
Inland Oil Spill Programs	$82.8	$139.0	$0.0	-$139.0
Hazardous Substance Superfund	$1,313.8	$995.0	$1,004.0	$9.0
Total Budget Authority	$101,529.4	$102,799.0	$96,653.0	-$6,146.0
Total Workyears	447.1	453.9	427.7	-26.2

Program Project Description:

The Compliance Monitoring Program is a key component of EPA's Compliance Assurance Program that allows the controlling regulatory authority to detect noncompliance. The Compliance Monitoring Program also promotes compliance with the Nation's environmental laws. Effective targeting of compliance monitoring plays a critical role in achieving the goals EPA has set forth for protecting health and the environment. The states and EPA use compliance monitoring tools and activities to identify whether regulated entities are complying with environmental laws enacted by Congress, as well as applicable regulations and permit conditions. In addition, compliance monitoring activities, such as inspections, investigations, and review of self-reported compliance monitoring information, are conducted to determine whether conditions exist that may present imminent and substantial endangerment to human health and the environment. In FY 2019, EPA exceeded its compliance monitoring target of 10,000 by conducting 10,300 compliance monitoring activities. This total includes on-site inspections and some off-site compliance monitoring activities.

In July 2019, EPA's Enforcement and Compliance Assurance Program issued a policy titled *"Enhancing Effective Partnerships Between the EPA and the States in Civil Enforcement and Compliance Assurance Work"* to create more effective partnerships with states, localities, and federally-recognized Indian tribes.[31] The Compliance Monitoring Program supports enhanced partnerships and the expanded use of compliance assurance tools (such as compliance assistance) among state, tribal, local, and federal partners. States, tribes, and EPA have policies/procedures on the appropriate use of the tools in our compliance assurance tool box, with states undertaking the majority of enforcement and compliance activities in authorized programs. EPA is working to implement the Program in the most efficient manner possible by leveraging information technology systems and improving business processes. Tools in the Compliance Monitoring Program include:

[31] For more information, please see EPA policy: Enhancing Effective Partnerships Between the EPA and the States in Civil Enforcement and Compliance Assurance Work (July 11, 2019).

- **Compliance Assistance:** EPA collaborates with state, local, federal, tribal, and industry partners through the E-Enterprise initiative which allows the states, the regulated community, and EPA to transact business such as permitting and reporting. EPA also will continue its compliance assistance work by continuing to partner with third-party organizations and federal agencies to support existing web-based, sector-specific centers and other web-based assistance resources.

- **Full Electronic Reporting with Compliance Assistance:** EPA has a national enforcement and compliance data system, the Integrated Compliance Information System (ICIS), which supports both the compliance monitoring and civil enforcement programs. ICIS collects enforcement and compliance data, and EPA utilizes those data and other information technology tools to: identify potential violations of the federal environmental laws; facilitate efficient enforcement; and promote compliance with these requirements. EPA also makes ICIS data available to the public via the internet-accessible Enforcement and Compliance History Online (ECHO) system. Using ICIS and ECHO to electronically track its civil enforcement work allows EPA to better ensure that its enforcement resources are used to facilitate transparency and address the most significant noncompliance problems. Currently, EPA and states are implementing the National Pollution Discharge Elimination System (NPDES) Electronic Reporting Rule through ICIS.[32] Phase one of the rule was implemented in FY 2017 for NPDES Discharge Monitoring Reports (DMRs), including compliance assistance features such as electronic reminders to state and federal permittees that may have missed their compliance monitoring report deadlines. More than 20 states currently use EPA's electronic reporting tools for DMR reporting and reporting of other required information such as General Permit Notices of Intent.

- **Smart Tools for Field Inspectors:** EPA has developed software solutions to improve the effectiveness and efficiency of how EPA and authorized states conduct compliance inspections, starting with the Resource Conservation and Recovery Act (RCRA) Hazardous Waste Program. This will be followed by Smart Tools for the NPDES Program and the Clean Air Act.

- **Circuit Riders:** EPA is increasing resources for circuit riders to provide effective on-the-ground assistance to help public water systems and wastewater systems achieve and sustain environmental compliance. This program would include assistance in Indian Country where systems and facilities are disproportionately small and isolated. Circuit riders will provide in-the-field technical assistance to drinking water and wastewater systems that have been consistently out of compliance. In addition to supporting drinking water and wastewater needs, tribes will be offered additional multimedia assistance with respect to underground injection wells, underground storage tanks, and other programs as appropriate.

- **Compliance Monitoring Inspector Credential Policies and Training for EPA and States and Tribes:** To ensure the quality of compliance monitoring activities, EPA

[32] For more information, please see: https://www.epa.gov/compliance/npdes-ereporting.

develops national policies, updates inspection manuals, establishes training requirements for inspectors, and issues inspector credentials. As a result of EPA audits, recommendations and findings of the inspector credential possession and training documentation, in FY 2020, EPA is implementing a new streamlined inspector credentialing process to ensure greater integrity in the inspector credentialing process and make the operation more efficient. The findings and recommendations from those audits are being used to improve the documentation supporting EPA inspector credentials. For example, EPA estimates that shifting from the current paper process to an electronic one will decrease the total time it takes to provide credentials to an inspector by approximately 80 percent.[33]

In addition, EPA delivers critical in-person and online training courses to new and experienced federal, state, tribal and local inspectors to ensure the integrity of the national Compliance Monitoring Program, as well as other training for federal and state personnel on critical and emerging compliance issues. EPA hosts several in-person inspector training programs, such as the annual Clean Water Act NPDES Technical Inspector Workshop and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Pesticide Inspector Residential Training Program. These on-site inspector training programs deliver in-depth technical and programmatic content to hundreds of inspectors nationwide. EPA's National Enforcement Training Institute (NETI) provides over one hundred on-line training courses for EPA and state, local, and tribal co-regulators and enforcement partners. NETI provides webinars, and other relevant training for case development officers, attorneys, and investigators. NETI also oversees the annual Trial Advocacy workshop for new EPA attorneys.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 2/Objective 2.1, Enhance Shared Accountability in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA will continue to streamline its compliance monitoring activities such as field inspections, data tools, and assistance. EPA will focus principally on 1) those programs that are not delegated to states ("direct implementation"), and 2) where EPA's expertise or unique role is best suited to address the issue. This includes, but is not limited to, multi-state/multi-regional matters, issues of national significance, and emergency situations. In addition, EPA will provide some targeted oversight and support to state, local, and tribal programs. To accomplish this, the Agency will prioritize work with states to develop methods that successfully leverage advances in both monitoring and information technology. Also, the Agency will maintain accessibility to ICIS for EPA, states, and tribes.

In addition, the Agency will continue to implement Phase two of the NPDES Electronic Reporting Rule which covers the e-reporting rule permitting and compliance monitoring requirements for EPA and states. EPA will work with states to evaluate and prioritize the development of additional electronic reporting tools that support states. EPA's centralized development of electronic reporting tools saves the states significant resources in information technology development costs.

[33] Based on a technical evaluation from the *kaizen* event: Leaning the Civil Inspector Credentialing Process, July 17-19, 2018. The current practice takes approximately 127 days. The new process is estimated to take 25 days.

In FY 2021, EPA will continue its support for the Circuit Riders Program to provide effective on-the-ground assistance to help public water systems and wastewater systems achieve and sustain environmental compliance. This includes assistance in Indian Country where systems and facilities are disproportionately small and isolated. The Program supports circuit riders to provide in-the-field technical assistance to drinking water and wastewater systems that have been consistently out of compliance. In addition to supporting drinking water and wastewater needs, tribes will be offered technical assistance with respect to underground injection wells, underground storage tanks, and other programs as appropriate.

EPA engaged with states, tribes, and local governments to gather input on the selection of enforcement and compliance assurance priorities and in June 2019 announced its FY 2020 - FY 2023 National Compliance Initiatives (NCIs).[34] EPA will focus its resources on these NCIs to advance the Agency's strategic objectives to improve air quality, provide for clean and safe water, ensure chemical safety, continue compliance with the law, and enhance shared accountability.

Performance Measure Targets:

(PM 409) Number of federal on-site compliance monitoring inspections and evaluations and off-site compliance monitoring activities.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target	17,000	15,500	15,500	14,000	10,000	10,000	10,000	10,000	Inspections & Evaluations
Actual	16,000	15,400	13,500	11,800	10,600	10,300			

Work under this program supports performance results in the Civil Enforcement Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$4,827.0) This change is an increase due to the recalculation of base payroll costs.
- (-$14,716.0 / -25.4 FTE) This net program change recognizes that states conduct the majority of inspections, an EPA focus on direct implementation programs, and an increased reliance on technology rather than on-site inspections to monitor compliance.
- (+$1,100.0) This increase supports on-the-ground technical assistance using circuit riders. Efforts are targeted to provide compliance assistance at drinking and wastewater systems across the nation and multi-media assistance in Indian Country.
- (+$2,773.0) This net change to fixed and other costs is an increase due to the recalculation of rent, utilities, and security or lab fixed costs.

[34] For more information please see *FY2020 - FY2023 National Compliance Initiatives*: https://www.epa.gov/enforcement/fy2020-fy2023-national-compliance-initiatives.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Act to Prevent Pollution from Ships (MARPOL Annex VI); Asbestos Hazard Emergency Response Act; Clean Air Act; Clean Water Act; Emergency Planning and Community Right-to-Know Act; Federal Insecticide, Fungicide, and Rodenticide Act; Marine Protection, Research, and Sanctuaries Act; Mercury-Containing and Rechargeable Battery Management Act; Noise Control Act; Oil Pollution Act; Resource Conservation and Recovery Act; Rivers and Harbors Act; Safe Drinking Water Act; Small Business Regulatory Enforcement Fairness Act; Toxic Substances Control Act.

Enforcement

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$160,202.2***	***$167,615.0***	***$157,820.0***	***-$9,795.0***
Leaking Underground Storage Tanks	$678.1	$620.0	$541.0	-$79.0
Inland Oil Spill Programs	$2,393.3	$2,413.0	$2,462.0	$49.0
Total Budget Authority	$163,273.6	$170,648.0	$160,823.0	-$9,825.0
Total Workyears	908.3	916.2	857.1	-59.1

Program Project Description:

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. EPA will seek to strengthen environmental partnerships with its state and tribal partners, 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.

The Agency works closely with the U.S. Department of Justice, states, tribal governments, territories, and local agencies to ensure consistent and fair enforcement of all major environmental statutes, distinct programs under those statutes, and numerous regulatory requirements under those programs, which apply in various combinations to millions of regulated federal and private entities. The Civil Enforcement Program develops, litigates, and settles administrative and civil judicial cases against serious violators of environmental laws. 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 also 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. In FY 2019, because of EPA enforcement actions, approximately 350 million pounds of pollutants and waste were reduced, treated, or eliminated.

EPA has a national enforcement and compliance data system, the Integrated Compliance Information System (ICIS), which supports both the Compliance Monitoring and Civil Enforcement programs. ICIS collects enforcement and compliance data, and EPA utilizes the data and other information technology tools to identify potential violations of federal environmental laws, facilitating efficient enforcement and promoting compliance with these requirements. In addition, EPA also makes ICIS data available to the public via the internet-accessible Enforcement and Compliance History Online (ECHO) system. Using ICIS and ECHO to electronically track its

civil enforcement work allows EPA to ensure its enforcement resources will address the most significant noncompliance and facilitate transparency.

EPA also maintains a National Enforcement Training Institute (NETI) that is responsible for training federal, state, and local inspectors, civil and criminal investigators, and technical experts in the enforcement of the Nation's environmental laws. NETI provides webinars, in-person training, and e-learning opportunities for trainees. NETI also oversees the Annual Trial Advocacy Institute, which provides comprehensive trial advocacy training for new EPA attorneys.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.1, Compliance with the Law in the *FY 2018 – 2022 EPA Strategic Plan*. Work in this program supports the long-term performance goal: By September 30, 2022, increase the environmental law compliance rate.

In FY 2021, EPA will continue to focus efforts toward areas where, in support of the goals of the *FY 2018 – 2022 EPA Strategic Plan*, EPA's enforcement actions can address the most substantial impacts to human health and the environment. This work supports the Agency's long-term performance goals to reduce the average time from violation identification to correction and, to increase the environmental law compliance rate, both by September 30, 2022. EPA engaged with states, tribes, and local governments to gather their input on the selection of enforcement and compliance assurance priorities and in June 2019 announced its FY 2020 – FY 2023 National Compliance Initiatives (NCIs).[35] EPA will focus its resources on these NCIs to 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 our nation's environmental laws while enhancing shared accountability between EPA and states and tribes with authorized environmental programs.

Recognizing the role of states and tribes as the primary implementers where authorized by EPA to implement the federal statutes, EPA will focus civil enforcement resources on direct implementation responsibilities, as well as assisting authorized states and tribes in meeting national standards, such as by providing expertise and implementing compliance monitoring and civil enforcement strategies that will ensure a level playing field. EPA is responsible for direct implementation of programs that are not delegable or where a state or tribe has not sought or obtained the authority to implement a particular program (or program component). Examples include the Clean Air Act (CAA) mobile source program, pesticide labeling and registration under the Federal Insecticide, Fungicide, and Rodenticide Act, enforcement in Indian Country, and enforcement of non-delegated portions of various other laws, including the Resource Conservation and Recovery Act (RCRA), the Clean Water Act, the Safe Drinking Water Act, and the CAA. On July 11, 2019, EPA issued a memorandum on enhancing effective partnerships with states that are authorized to implement federal environmental laws, to effectively carry out our shared responsibilities under those laws.[36]

[35] For more information, please see: https://www.epa.gov/enforcement/fy2020-fy2023-national-compliance-initiatives.
[36] For more information, please see: Enhancing Effective Partnerships Between the EPA and the States in Civil Enforcement and Compliance Assurance Work (July 11, 2019).

In addition, EPA ensures cleanup (corrective action) at RCRA facilities. For example, closely coordinating with states, EPA can issue cleanup orders to RCRA facilities to help meet the RCRA Corrective Action Program's goals. EPA also will pursue enforcement actions at federal facilities where significant violations are discovered and ensure that federal facilities are held to the same standards as the private sector and will provide technical and scientific support to states and tribes with authorized programs. The Agency also will carry out its statutory oversight responsibilities and will offer assistance to states in their implementation of delegated programs when needed or in cases where the Agency maintains a unique expertise or capability.

In FY 2021, under one of the six NCIs, EPA will continue to track the rate of significant non-compliance (SNC) with National Pollutant Discharge Elimination System (NPDES) program requirements quarterly to assess progress with EPA's goal of reducing the SNC rate. Continuing efforts initiated in FY 2018, EPA will implement identified approaches in focus areas to achieve SNC rate reductions with the goal of reducing the rate by 50 percent by the end of FY 2022. In FY 2019, EPA reduced the percentage of permittees in significant noncompliance with their permit from 29.4 percent to 25 percent. To achieve this goal, the Agency established an EPA-state workgroup to develop and implement approaches for reducing the SNC rate in areas where EPA and/or authorized states can have a significant impact. The Agency will continue efforts to reduce the NPDES SNC rate by a full 50 percent as an EPA FY 2020 – 2023 National Compliance Initiative. EPA also will continue to review the rate of electronic reporting for each authorized NPDES state program and work with states to achieve improved reporting.

Performance Measure Targets:

(PM 432) Percentage of Clean Water Act National Pollutant Discharge Elimination System (NPDES) permittees in significant noncompliance with their permit limits.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					24	25.7	22.1	18.4	Percent
Actual					22	25.0			
Numerator					12,017	10,141			Permittees
Denominator					53,545	40,606			

(PM 434) Millions of pounds of pollutants and waste reduced, treated, or eliminated through concluded enforcement actions.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					325	325	325	325	Millions of Pounds
Actual	1,221	1,030	62,223	461	810	347			

(PM 436) Number of all referred no complaint filed (RNCF) civil judicial cases that are more than 2.5 years old.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target						129	120	120	Cases
Actual						94			

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$9,541.0) This change is an increase due to the recalculation of base payroll costs.

- (-$24,563.0 / -58.8 FTE) This net program change recognizes that states are primary implementers of our nation's environmental laws. EPA will focus on matters affecting multiple states or tribes, serve as a backstop in instances when a state or tribe does not timely or appropriately address serious noncompliance, and assist a state or tribe in remedying noncompliance problems when it is unable to address the problem because it lacks the capability, resources, or will. This change includes a reduction in resources for cases that do not meet these criteria.

- (+$5,227.0) This net change to fixed and other costs is an increase due to the recalculation of rent, utilities, and security or lab fixed costs.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Act to Prevent Pollution from Ships (MARPOL Annex VI); Asbestos Hazard Emergency Response Act; Clean Air Act; Clean Water Act; Emergency Planning and Community Right-to-Know Act; Federal Insecticide, Fungicide, and Rodenticide Act; Marine Protection, Research, and Sanctuaries Act; Mercury-Containing and Rechargeable Battery Management Act; Noise Control Act; Oil Pollution Act; Resource Conservation and Recovery Act; Safe Drinking Water Act; Small Business Regulatory Enforcement Fairness Act; and Toxic Substances Control Act.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$46,342.0***	***$47,635.0***	***$46,627.0***	***-$1,008.0***
Hazardous Substance Superfund	$7,492.9	$7,645.0	$8,479.0	$834.0
Total Budget Authority	$53,834.9	$55,280.0	$55,106.0	-$174.0
Total Workyears	234.6	256.7	220.6	-36.1

Program Project Description:

EPA's Criminal Enforcement Program enforces the Nation's environmental laws through targeted investigation of criminal conduct, committed by individual and corporate defendants, that threatens public health and the environment. EPA's criminal enforcement agents (Special Agents) investigate violations of environmental statutes and associated violations of Title 18 of the United States Code such as fraud, conspiracy, false statements, and obstruction of justice.

The agents are assisted in the Criminal Enforcement Program by forensic scientists, attorneys, technicians, engineers, and other experts. EPA's criminal enforcement attorneys provide legal and policy support for all the Program's responsibilities, including forensics and expert witness preparation, to ensure that program activities are carried out in accordance with legal requirements and the policies of the Agency. These efforts support environmental crime prosecutions primarily by the United States Attorneys and the Department of Justice's Environmental Crimes Section. In FY 2019, the conviction rate for criminal defendants charged as a result of EPA criminal enforcement investigations was 98 percent.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.1, Compliance with the Law in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA will continue to focus its resources on the most egregious cases (e.g., significant human health, environmental, and deterrent impacts), while balancing its overall case load across all environmental statutes. The Criminal Enforcement Program will increase its collaboration and coordination with the Civil Enforcement Program to ensure that EPA's Enforcement Program identifies the most egregious cases and responds to them as effectively as possible. The Agency will perform targeted investigations of violations of environmental statutes and associated violations of Title 18 of the United States Code to protect public health and the environment.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$5,745.0) This change is an increase due to the recalculation of base payroll costs.

- (-$8,262.0 / -36.1 FTE) This net program change reflects a focus on the most egregious cases and increased coordination with the Civil Enforcement program, and a reduction in resources for small cases that have limited deterrence value.

- (+$1,509.0) This net change to fixed and other costs is an increase due to the recalculation of rent, utilities, and security or lab fixed costs.

Statutory Authority:

Title 18 of the U.S.C.; 18 U.S.C. § 3063; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Resource Conservation and Recovery Act; Clean Water Act; Safe Drinking Water Act; Clean Air Act; Toxic Substances Control Act; Emergency Planning and Community Right-To-Know Act; Federal Insecticide, Fungicide, and Rodenticide Act; Ocean Dumping Act; Rivers and Harbors Act; Pollution Prosecution Act of 1990.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$5,033.5***	***$9,554.0***	***$2,729.0***	***-$6,825.0***
Hazardous Substance Superfund	$662.2	$633.0	$0.0	-$633.0
Total Budget Authority	$5,695.7	$10,187.0	$2,729.0	-$7,458.0
Total Workyears	29.1	34.9	4.0	-30.9

Program Project Description:

EPA's Office of Environmental Justice (OEJ) coordinates the Agency's efforts to address the needs of vulnerable populations by decreasing environmental burdens, increasing environmental benefits, and working collaboratively to build healthy, sustainable communities. OEJ provides financial and technical assistance to communities working constructively and collaboratively to address environmental justice issues. OEJ also works with local, state, and federal governments; tribal governments; community organizations; business and industry; and academia to establish partnerships seeking to achieve protection from environmental and health hazards for all people regardless of race, color, national origin, or income. 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 DC and Puerto Rico and included state environmental, public health, planning and transportation agencies. EPA's FY 2019 Environmental Justice (EJ) grants program focused on disaster preparedness, response, and recovery; issues related to homelessness and military veterans; and organizations which have not recently received an EJ grant. EPA's FY 2020 EJ grants program will again fund our Collaborative Problem Solving Cooperative Agreements, which provide a larger level of support over a longer time period for projects which have attracted dedicated partnership involvement.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 2/Objective 2.2, Increase Transparency and Public Participation in the *FY 2018 – 2022 EPA Strategic Plan*. In accordance with the 2018 American Water Infrastructure Act, every EPA regional office employs a dedicated EJ coordinator and the Agency maintains a list of these persons on EPA's website.[37]

In FY 2021, EPA will: continue to support the Environmental Justice Collaborative Problem-Solving cooperative agreements awarded in FY 2020 to support community-based organizations;

[37] For more information on EPA's regional office contacts, please see: https://www.epa.gov/environmentaljustice/forms/contact-us-about-environmental-justice.

compete the Environmental Justice Small Grants awards; and continue to provide Environmental Justice Technical Assistance for Communities to support the technical needs of low income, minority and tribal/indigenous populations. The Agency has five measures of national EJ significance that are annually tracked. Results are published in EPA's annual EJ reports.[38]

In FY 2021, EPA will continue to support the efforts of the National Environmental Justice Advisory Council, including completion of its recommendations focused on efficiently and effectively remediating Superfund sites for future redevelopment and revitalization of neighboring communities with environmental justice concerns. EPA also will continue to lead the Interagency Working Group on Environmental Justice (EJ IWG) and work collaboratively on all decisions and activities of the EJ IWG.

In FY 2021, EPA will continue to employ process improvements. In FY 2019, process improvements led to an immediate improvement in the EJ Hotline's ability to respond within its established goal of 20 days after receiving a customer inquiry, improving the response rate from 62 percent of the time to 95 percent. EPA has subsequently revised its goal of responding within 20 days from 85 percent to 93 percent of the time. In FY 2019, EPA performed 134 trainings that reached over 1,400 participants representing at least 290 distinct stakeholder groups. The Agency additionally held over 400 other engagements such as consultations or educational events which reached at least 3,700 individuals representing over 1,000 stakeholder groups. In FY 2021, EPA will continue to use process improvements to strategically enhance and improve EPA's EJ Program.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$120.0) This change is an increase due to the recalculation of base payroll costs.

- (-$6,945.0 / -27.4 FTE) This program change reflects a focus on providing financial assistance grants to community-based organizations and technical assistance to low income, minority, and tribal/indigenous populations. This change proposes to eliminate support for the EJ hotline, engagements with vulnerable and overburdened communities, and EJ trainings.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

[38] For more information, please see: https://www.epa.gov/environmentaljustice/annual-environmental-justice-progress-reports.

NEPA Implementation
Program Area: Enforcement
Goal: More Effective Partnerships
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$13,827.4***	***$15,833.0***	***$17,937.0***	***$2,104.0***
Total Budget Authority	$13,827.4	$15,833.0	$17,937.0	$2,104.0
Total Workyears	84.1	88.9	95.5	6.6

Program Project Description:

Pursuant to the National Environmental Policy Act (NEPA) and §309 of the Clean Air Act (CAA), EPA's NEPA Implementation Program coordinates and comments on the environmental review of major federal actions and ensures the §309 draft and final EIS comment letters are made publicly available. The Program guides EPA's compliance with NEPA, and other related statutes and executive orders. The Program manages the official Environmental Impact Statement (EIS) filing system for all federal EISs, in accordance with a Memorandum of Understanding (MOU) with the Council on Environmental Quality (CEQ).[39] EPA uses e-NEPA, a web-based system, as the official EIS filing system for federal agencies and EIS clearinghouse to meet the CEQ MOU commitments. All §309 comment letters are publicly available on e-NEPA. The NEPA Implementation Program also operates, uses, and promotes NEPAssist, a publicly available geographic information system to help users (EPA, other federal agencies, and the public) with environmental reviews under NEPA. The Program also is responsible for managing the review of Environmental Impact Assessments of non-governmental activities in Antarctica, in accordance with the Antarctic Science, Tourism, and Conservation Act.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 2/Objective 2.1, Enhance Shared Accountability in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA will focus its reviews on areas where EPA has statutory authority and subject matter expertise. EPA will continue to work with the Office of Management and Budget, CEQ, and other federal agencies to evaluate ways to coordinate, streamline, and improve the NEPA process. In FY 2019, the NEPA Implementation Program reviewed and commented on 286 EISs, numerous environmental assessments, and 25 initial environmental evaluations in Antarctica. EPA was engaged early with the lead federal agency on 84 percent of projects where a draft EIS was published.

[39] Memorandum of Agreement No. 1 Between the Council on Environmental Quality and the Environmental Protection Agency, October 1977.

In support of EPA efforts to implement Executive Order 13807: "Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects[40];" the Memorandum of Understanding Implementing One Federal Decision; Executive Order 13766: "Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects[41];" and the FAST-41 ACT[42]; the NEPA Implementation Program will partner with federal agencies on proposed projects throughout the NEPA process to provide expertise and recommendations and focus efforts on early engagement prior to the publication of the draft EIS. Early engagement by stakeholders in the NEPA process can support efficiencies and improved project outcomes. Early engagement may involve meeting with the lead agency in person or by phone or providing written comments with recommendations to mitigate impacts of the proposed project or improve the development of the NEPA analysis.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$1,829.0) This change is an increase due to the recalculation of base payroll costs.

- (+$2,500.0 / +15.0 FTE) This program change is an increase to support the implementation of FAST-41, Executive Order 13807, and the Memorandum of Understanding implementing One Federal Decision.

- (-$2,225.0 / -8.4 FTE) net program change is an increase to support and improve EPA's NEPA environmental review and permitting process for infrastructure projects.

Statutory Authority:

NEPA; CAA § 309; Antarctic Science, Tourism, and Conservation Act; Clean Water Act § 511(c); Endangered Species Act; National Historic Preservation Act; Archaeological and Historic Preservation Act; Fishery Conservation and Management Act; Fish and Wildlife Coordination Act; Title 41 of the Fixing America's Surface Transportation Act.

[40] For additional information, please refer to: https://www.whitehouse.gov/presidential-actions/presidential-executive-order-establishing-discipline-accountability-environmental-review-permitting-process-infrastructure/.
[41] For additional information, please refer to: https://www.whitehouse.gov/presidential-actions/executive-order-expediting-environmental-reviews-approvals-high-priority-infrastructure-projects/.
[42] For additional information, please refer to: https://www.govinfo.gov/content/pkg/PLAW-114publ94/html/PLAW-114publ94.htm.

Geographic Programs

Geographic Program: Chesapeake Bay
Program Area: Geographic Programs
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$72,800.7***	***$85,000.0***	***$7,300.0***	***-$77,700.0***
Total Budget Authority	$72,800.7	$85,000.0	$7,300.0	-$77,700.0
Total Workyears	34.1	38.2	0.0	-38.2

Program Project Description:

The Chesapeake Bay Program is a voluntary partnership, initiated in 1983, that now includes the Chesapeake Bay watershed states (Delaware, Maryland, New York, Virginia, Pennsylvania, and West Virginia), the District of Columbia, the Chesapeake Bay Commission, and the federal government. EPA represents the federal government on the partnership's Chesapeake Executive Council and, under the authority of Section 117 of the Clean Water Act, works with the Executive Council to coordinate activities of the partnership. On June 16, 2014, the Chesapeake Bay Program partners signed the most recent Chesapeake Bay Watershed Agreement,[43] which provides for the first time the Bay's headwater states (Delaware, New York, and West Virginia) with full partnership in the Bay program. The Agreement establishes 10 goals and 31 outcomes for sustainable fisheries, water quality, vital habitats, climate change, toxic contaminants, and other areas.

EPA, the watershed jurisdictions, and other key federal agencies set two-year water quality milestones that measure progress made in achieving the Bay Total Maximum Daily Load (TMDL) and the jurisdictions' Watershed Implementation Plans.[44] The TMDL satisfies a requirement of the Clean Water Act and EPA commitments under court-approved consent decrees for Virginia and Washington, D.C. dating to the late 1990s.[45] The TMDL is designed to ensure all nitrogen, phosphorus, and sediment pollution control efforts needed to restore the Bay and its tidal rivers are in place by 2025.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA is requesting $7.3 million for support

[43] The Chesapeake Bay Watershed Agreement (2014) available at: http://www.chesapeakebay.net/documents/FINAL_Ches_Bay_Watershed_Agreement.withsignatures-HIres.pdf.
[44] The federal milestones related to water quality in the Chesapeake Bay watershed are available at http://executiveorder.chesapeakebay.net/EO_13508_Water_Quality_Milestones-2012-01-06.pdf. The jurisdictional milestones are available at: http://www.epa.gov/reg3wapd/tmdl/ChesapeakeBay/EnsuringResults.html.
[45] The Chesapeake Bay TMDL, available at: http://www.epa.gov/chesapeakebaytmdl/.

of state and local collection of water quality monitoring data and coordination of science, research, and modeling. The FY 2021 request would support the following activities:

- Water quality monitoring ($5.2 million). This funding would leverage between $10 and $12 million in combined federal, state, and local funds.
    - Tidal and non-tidal monitoring ($4.8 million).
    - Submerged Aquatic Vegetation (SAV) monitoring ($400 thousand).

- Help build capacity at the state level ($2.1 million).
    - Coordinate modeling, decision support services, data collection, analysis, storage, and access;
    - Support information dissemination and transparency; and
    - Provide consistency and efficiency in communications and data management.

Environmental results, measured through data collected by the states and shared with the federal government, show the importance of the investment that federal, state and local governments have made in providing clean and safe water. Every year the Chesapeake Bay Program uses available monitoring information from the 92 segments of the Chesapeake Bay to estimate whether each segment is attaining criteria for one or more of its designated uses. EPA, along with other federal, state and academic partners, is using this information to demonstrate progress toward meeting water quality standards and the Bay TMDL.

At the end of FY 2019, practices were in place to achieve 77 percent of the phosphorus reductions and 39 percent of the nitrogen reductions necessary to attain applicable water quality standards as measured through the Partnership's Phase 6 Chesapeake Bay Watershed Model.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$720.0) This change is a decrease due to the recalculation of base payroll costs.

- (-$76,980.0 / -38.2 FTE) This program change reduces funding for the Chesapeake Bay Program. Remaining resources will support critical activities in water quality monitoring.

Statutory Authority:

Clean Water Act, Section 117; Estuary Restoration Act of 2000; Chesapeake Bay Accountability and Recovery Act of 2014; Clean Air Act; Further Consolidated Appropriations Act, 2020, Pub. L. 116-94.

Geographic Program: Gulf of Mexico
Program Area: Geographic Programs
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$17,690.4***	***$17,553.0***	***$0.0***	***-$17,553.0***
Total Budget Authority	$17,690.4	$17,553.0	$0.0	-$17,553.0
Total Workyears	12.6	14.7	0.0	-14.7

Program Project Description:

The efforts of EPA's Gulf of Mexico Program Office (GMPO) are dedicated to the protection, restoration and enhancement of the water bodies and coastal environments associated with the greater Gulf of Mexico region.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. EPA will encourage the five Gulf of Mexico states to continue to make progress in restoring the Gulf of Mexico from within core water programs.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$17,553.0 / -14.7 FTE) This funding change proposes to eliminate the Gulf of Mexico Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

Clean Water Act. Further Consolidated Appropriations Act, 2020, Pub. L. 116-94.

Geographic Program: Lake Champlain

Program Area: Geographic Programs
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$10,995.0***	***$13,390.0***	***$0.0***	***-$13,390.0***
Total Budget Authority	$10,995.0	$13,390.0	$0.0	-$13,390.0

Program Project Description:

EPA supports efforts to protect Lake Champlain through partnerships to implement the "Opportunities for Action" management plan. The plan was developed to bring together people with diverse interests in the lake to create a comprehensive pollution prevention, control, and restoration plan for protecting the future of the Lake Champlain Basin.

FY 2021 Activities and Performance Plan:

Resources are proposed for elimination for this program in FY 2021. EPA will encourage New York and Vermont to continue to make progress in restoring Lake Champlain from within core water programs.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$13,390.0) This funding change proposes to eliminate the Lake Champlain Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

Boundary Waters Treaty of 1909; Clean Water Act; Further Consolidated Appropriations Act, 2020, Pub. L. 116-94.

Geographic Program: Long Island Sound

Program Area: Geographic Programs
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$14,232.7***	***$21,000.0***	***$0.0***	***-$21,000.0***
Total Budget Authority	$14,232.7	$21,000.0	$0.0	-$21,000.0

Program Project Description:

EPA and the States of Connecticut and New York work in partnership to restore and protect Long Island Sound. EPA assists states in implementing the Long Island Sound's Comprehensive Conservation and Management Plan by coordinating the cleanup and restoration actions of the Long Island Sound Study Management Conference.

FY 2021 Activities and Performance Plan:

Resources are proposed for elimination for this program in FY 2021. EPA will encourage Long Island Sound states and local entities to continue to make progress in restoring the Sound from within core water programs.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$21,000.0) This funding change proposes to eliminate the Long Island Sound Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

Clean Water Act § 119.

Geographic Program: Other

Program Area: Geographic Programs
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$7,191.3***	***$9,566.0***	***$0.0***	***-$9,566.0***
Total Budget Authority	$7,191.3	$9,566.0	$0.0	-$9,566.0
Total Workyears	4.7	4.7	0.0	-4.7

Program Project Description:

Under this program, the Agency develops and implements approaches to mitigate pollution for specific and targeted geographic areas, including the Northwest Forest Program, Lake Pontchartrain Basin Restoration Program, and the Southeast New England Coastal Watershed Restoration Program.

Northwest Forest Program

The Northwest Forest Program supports interagency and intergovernmental efforts that coordinate and leverage resources for water quality and drinking water efforts in seven[46] western states.

Lake Pontchartrain Basin Restoration Program

The Lake Pontchartrain Basin Restoration Program, through a collaborative and voluntary effort, strives to restore ecological health by developing and funding restoration projects within the sixteen parishes in the basin.

Southeast New England Coastal Watershed Restoration Program (SNECWRP)

The Southeast New England Program serves as a hub to enable protection and restoration of the coastal watersheds of Southeast New England, including the ecosystem services that sustain the region's communities.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. EPA will encourage states and local entities to continue to make progress in restoring these major aquatic ecosystems from within core water programs.

[46] California, Idaho, Montana, Nevada, Oregon, Utah, and Washington.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$9,566.0 / -4.7 FTE) This funding change proposes to eliminate the Geographic Program: Other. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

Clean Water Act.

Geographic Program: South Florida
Program Area: Geographic Programs
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$1,305.2***	***$4,845.0***	***$3,206.0***	***-$1,639.0***
Total Budget Authority	$1,305.2	$4,845.0	$3,206.0	-$1,639.0
Total Workyears	1.3	1.3	1.2	-0.1

Program Project Description:

Rapidly growing South Florida and its nearly 10 million residents represent a multibillion-dollar economy fueled by outdoor recreational tourism (beaches, fishing, boating and diving); commercial fishing; waterfront real estate development; and agriculture that depend on clean oceans, estuaries, rivers, lakes and drinking water. EPA is committed to protecting and restoring the Everglades, Florida Keys National Marine Sanctuary (FKNMS), Biscayne Bay and the other extraordinary natural ecosystems in South Florida.

EPA's South Florida program coordinates 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. EPA implements, coordinates, and facilitates activities, including the Clean Water Act Section 404 Wetlands Program, the Everglades Water Quality Restoration Strategies Program, the Everglades Environmental Monitoring and Assessment Program, the Florida Keys National Marine Sanctuary Water Quality Protection Program, the Florida Keys National Marine Sanctuary Water Quality Monitoring Program, the Coral Reef Environmental Monitoring Program, the Benthic Habitat Monitoring Program, the Southeast Florida Coral Reef Initiative, as directed by the U.S. Coral Reef Task Force, the Brownfields Program, and other programs.[47]

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. The South Florida Program supports efforts to protect and restore various communities and ecosystems impacted by environmental problems. EPA's request includes appropriate workforce support levels. In FY 2021, EPA will focus on the activities listed below.

- Implementation of the FKNMS Water Quality Protection Program long-term status and trends monitoring projects (water quality, coral reef, and seagrass) and the web-enabled

[47] http://www.epa.gov/aboutepa/about-epa-region-4-southeast.

data management program.[48] The monitoring programs have generated an impressive amount of data on the condition of the Florida Keys National Marine Sanctuary's water quality, seagrass and coral/benthic habitat communities. Data generated from these programs have documented periodic oceanographic events such as algal blooms, seagrass die-offs, and coral diseases, and provided the foundational data for the development of nutrient numeric criteria. Data from these long-term data sets informs resource managers' understanding of the living marine resources within the Florida Keys National Marine Sanctuary. The long-term status and trend collected by the Coral Reef Environmental Monitoring Program is tracking the ongoing Stony Coral Tissue Loss Disease that continues to decimate 20+ reef building corals species of the Florida Reef Tract. To date, the South Florida program has provided more than $1.5 million to support coral research to hinder or halt the disease destroying corals reefs vital to Florida's eco-tourism industry and that serve as a natural mitigation barrier from storms and hurricanes.

- Support of the Everglades Regional Environmental Monitoring and Assessment Program (REMAP). REMAP is an extensive assessment of the Everglades' health conducted by EPA Region 4 since 1993 that measures current and changing conditions for water quality and ecological resources. Data is used by federal and state agencies, tribes, agriculture, the public, non-governmental organizations and the National Academies of Sciences to understand whether conditions are getting better or worse and to assess restoration progress. The data also helps to explain the effectiveness of control programs for phosphorus and mercury. The 2014 sampling of 119 Everglades locations represented the tenth sampling event over the last 20 years. The final assessment report for the 2014 sampling event will be completed in FY 2020. This report will address key questions related to water management and soil loss, track the effectiveness of restoration efforts such as the Restoration Strategies Program to control phosphorus, efforts to restore Everglades' habitat, and efforts to control mercury so fish consumption advisories to protect human health are no longer necessary.

- Continuation of EPA's National Environmental Policy Act and water quality coordination with the Jacksonville U.S. Army Corps of Engineers District and South Florida Water Management District for the ongoing planning and implementation activities associated with Comprehensive Everglades Restoration Plan[49] (CERP) implementation. CERP is the largest ecosystem restoration effort in the world.

- Continued implementation of the Florida Keys Wastewater and Stormwater Master Plan to provide Advanced Wastewater Treatment or Best Available Technology services to all homes and businesses in the Florida Keys through the EPA and State co-chaired FKNMS Water Quality Protection Program. The goal is to remove from service all non-functioning septic tanks, cesspits, and non-compliant wastewater facilities. 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.

[48] Florida Keys National Marine Sanctuary Water Quality Protection Program. http://ocean.floridamarine.org/fknms_wqpp/pages/wqpp.html/.
[49] For more information: http://www.evergladesrestoration.gov/.

- Restoration of residential canals in the Florida Keys. Of the 502 canals evaluated, 131 exhibited poor water quality. Local governments are implementing the Monroe County Canal Management Master Plan developed with funds through the South Florida Geographic Initiative. Local governments have leveraged $7.1 million to implement weed barriers, organic removal, culvert installation, backfilling, and pumping technologies at eight canal demonstration pilot sites to improve water quality and habitat.[50] Monroe County is seeking alternative technologies to restore canals. In April 2019, the Governor of Florida announced that the state Department of Economic Opportunity will launch a Canal Restoration Work Program to establish a definitive timeline and milestones for canal restoration.

- Support of studies related to phosphorus enrichment and chlorophyll increases resulting in dying seagrass beds and increasing macro algae blooms in North Biscayne Bay. EPA specifically will fund the development of a sediment and water quality model for the Bay; expand the State's ecological and water monitoring network; and provide for a strategic outreach campaign to implement best management practices to address land-based sources of pollution.

- Enhancement of water quality and seagrass monitoring in the Caloosahatchee Estuary that has been heavily impacted by harmful algal blooms in recent years. EPA funding will be leveraged with a $1 million grant from Florida to support the restoration of seagrass habitat in the upper Caloosahatchee River.

- Support of CWA Section 404 implementation, including wetlands conservation, permitting, dredge and fill and mitigation banking strategies with U.S. Army Corps of Engineers.

- Continuation of collaborative efforts through interagency workgroups including: South Florida Ecosystem Restoration Task Force and Working Group; Florida Bay Program Management Committee; and Florida Keys National Marine Sanctuary Water Quality Protection Program Steering Committee.

- Continuation of work with the State of Florida on Everglades Water Quality Restoration Strategies to address phosphorus pollution. Part of this work will be tracking progress on the National Pollutant Discharge Elimination System permits and consent orders within the Everglades, including discharge limits for phosphorus and corrective actions that are consistent with state and federal law and federal court consent decree requirements.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

[50] For more information: http://www.monroecounty-fl.gov/index.aspx?NID=598.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$1,639.0 / -0.1 FTE) This program change reduces funding for the South Florida Geographic Program by building on program efficiencies and emphasizing core work.

Statutory Authority:

Florida Keys National Marine Sanctuary and Protection Act of 1990; National Marine Sanctuaries Program Amendments Act of 1992; Clean Water Act; Water Resources Development Act of 1996; Water Resources Development Act of 2000; National Environmental Policy Act.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$8,381.7***	***$5,922.0***	***$0.0***	***-$5,922.0***
Total Budget Authority	$8,381.7	$5,922.0	$0.0	-$5,922.0
Total Workyears	1.8	1.8	0.0	-1.8

Program Project Description:

EPA collaborates with agencies and non-governmental organizations to implement the seven-point *Bay Delta Action Plan* (2012)[51] designed to protect and restore water quality, aquatic life, and ecosystem processes in the San Francisco Bay/Sacramento-San Joaquin Delta. EPA assists the State Water Resources Control Board with the comprehensive update of the Bay Delta Water Quality Control Plan.[52]

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. EPA will encourage the State of California and local entities to continue to make progress in restoring the San Francisco Bay from within core water programs.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$5,922.0 / -1.8 FTE) This funding change proposes to eliminate the San Francisco Bay Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

Clean Water Act. Further Consolidated Appropriations Act, 2020, Pub. L. 116-94.

[51] EPA Bay Delta Action Plan (2012), found at: http://www2.epa.gov/sfbay-delta/bay-delta-action-plan.
[52] State Water Board Bay Delta Water Quality Control Plan (webpage updated in 2018), found at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/.

Geographic Program: Puget Sound

Program Area: Geographic Programs
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$27,936.8***	***$33,000.0***	***$0.0***	***-$33,000.0***
Total Budget Authority	$27,936.8	$33,000.0	$0.0	-$33,000.0
Total Workyears	5.0	5.7	0.0	-5.7

Program Project Description:

The Puget Sound Program works with partners to implement the Puget Sound Action Agenda, the long-term plan for Puget Sound basin protection and restoration. In addition, the Puget Sound Program funds assistance agreements with the federally recognized tribes in Puget Sound, tribal consortia, and the North West Indian Fisheries Commission.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. EPA will encourage state, tribal, and local entities to continue to make progress in restoring the Puget Sound from within core water programs.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$33,000.0 / -5.7 FTE) This funding change proposes to eliminate the Puget Sound Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

Clean Water Act. Further Consolidated Appropriations Act, 2020, Pub. L. 116-94.

Great Lakes Restoration
Program Area: Geographic Programs
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$292,571.0***	***$320,000.0***	***$320,000.0***	***$0.0***
Total Budget Authority	$292,571.0	$320,000.0	$320,000.0	$0.0
Total Workyears	63.9	68.5	68.5	0.0

Program Project Description:

The Great Lakes are the largest system of surface freshwater on Earth, containing 20 percent of the world's surface freshwater and 95 percent of the United States' surface freshwater. The watershed includes two nations, eight U.S. states, two Canadian provinces, and 35 tribes.

Through a coordinated interagency process led by the Environmental Protection Agency (EPA), the implementation of the Great Lakes Restoration Initiative (GLRI) is helping to restore the Great Lakes ecosystem. This restoration effort provides environmental and public health benefits to the region's 30 million Americans and restores the economic health of the region. This interagency collaboration accelerates progress, avoids potential duplication of effort, and saves money. In accordance with the Clean Water Act, EPA and its partners are accomplishing this restoration through the implementation of five-year GLRI Action Plans. Implementation of GLRI Action Plan III, covering FYs 2020 through 2024, began in October 2019.

EPA and its partners have achieved significant results since the GLRI started in 2010, including:

- Three Areas of Concern (AOCs) delisted and eight others that have had the cleanup restoration actions necessary for delisting completed (prior to GLRI, only one Great Lakes AOC was delisted);
- 75 Beneficial Use Impairments (BUIs), at 24 AOCs in the eight Great Lakes states, have been removed, more than seven times the total number of BUIs removed in the preceding 22 years;
- Over 4,000,000 cubic yards of contaminated sediment have been remediated;
- 153,000 acres of invasive species control activities implemented;
- Approximately 8,500,000 pounds of Asian Carp have been removed from the Illinois River, reducing the potential for Asian Carp to invade the Great Lakes;
- Loadings of over 1,100,000 pounds of phosphorus were reduced through implementation of conservation practices (phosphorus is a major driver of harmful algal blooms in Great Lakes priority watersheds);
- More than 370,000 acres of habitat have been protected, restored, or enhanced; and

- About 3,700 educators and educational institutions were given hands-on training in Great Lakes based education and stewardship – benefiting hundreds of thousands of students annually.

Under the GLRI, funds are first appropriated to EPA. After annual evaluation and prioritization consistent with the GLRI Action Plan, EPA then provides a substantial portion of those funds to its partner federal agencies. Agencies undertake projects themselves, and also fund projects performed by other entities such as states, tribes, municipalities, counties, universities, and nongovernmental organizations. GLRI funding can supplement each agency's base funding. In an effort to conserve GLRI dollars and encourage significant local involvement in and support for GLRI-funded projects, any GLRI grant issued directly by EPA from the FY 2021 appropriation will require that the grant recipient provide a "cost-share" amount, including in-kind work, constituting at least 10 percent of the cost of the project being funded by the grant. For example, if the expected total cost of the project to be funded by the EPA grant is $500,000.00, the grant recipient must contribute at least $50,000.00 to the project. This cost-share requirement can be waived in the event of demonstrated financial hardship on the part of the grant recipient.

EPA's Great Lakes National Program Office (GLNPO) was assigned oversight of the Great Lakes and Lake Champlain Invasive Species Program at the end of calendar year 2018 as a result of passage of the Vessel Incidental Discharge Act of 2018. To fulfill this statutory mandate, EPA is collaborating with the U.S. Fish and Wildlife Service (USFWS), U.S. Geological Survey (USGS), National Oceanic and Atmospheric Administration (NOAA), and the United States Coast Guard, and will collaborate with other applicable federal, state, local, and tribal agencies.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, the GLRI will continue to support programs and projects which target the most significant environmental problems in the Great Lakes. Emphasis will continue to be placed on: 1) cleaning up and delisting AOCs; 2) reducing phosphorus contributions that contribute to harmful algal blooms and other water quality impairments; and 3) invasive species prevention. GLRI Action Plan III targets GLRI restoration within the Focus Areas, objectives, and performance goals described below.

Toxic Substances and Areas of Concern Objectives:

- **Remediate, restore and delist AOCs**. EPA, USFWS, U.S. Army Corps of Engineers (USACE), USGS, NOAA and other GLRI partners will continue accelerating the pace of U.S. BUI removals. EPA and its federal partners will work with and fund stakeholders to implement management actions necessary to remove the BUIs (indicators of poor environmental health) that will ultimately lead to the delisting of the remaining U.S. AOCs. Agencies target collective efforts under the GLRI to maximize removal of BUIs and delisting of AOCs. Agencies will support BUI removal through sediment remediation under the Great Lakes Legacy Act (part of the GLRI) and other restoration activities. FY 2021 targets are:
    - Two AOCs (18 AOCs cumulative since 1987) where all management actions necessary for delisting have been implemented;
    - Eight BUIs (101 BUIs cumulative since 1987) removed in AOCs; and

- Two AOCs (24 AOCs cumulative since 1987 – more than 75 percent of the 31 total AOCs) with complete and approved lists of management actions necessary for delisting.

- **Share information on the risks and benefits of consuming Great Lakes fish, wildlife, and harvested plant resources with the people who consume them.** Federal agencies and their state and tribal partners will continue to help the public make informed decisions about healthy options for safe fish consumption. Expansion of successful pilot programs will increase the availability and accessibility of safe fish consumption guidelines to vulnerable populations that consume Great Lakes fish. Additional emphasis will be placed on the safe consumption of wildlife and harvested plant resources.

- **Increase knowledge about 1) "Chemicals of Mutual Concern" identified pursuant to the Great Lakes Water Quality Agreement Annex 3; and 2) other priority chemicals that have negatively impacted, or have the potential to negatively impact, the ecological or public health of the Great Lakes.** Federal agencies will coordinate with appropriate state and tribal partners to begin to fill critical monitoring and data gaps for priority chemicals in the Great Lakes. Monitoring data from this process will provide information on the magnitude and extent of these chemicals in the Great Lakes and help in evaluation of associated ecological, economic and recreational consequences.

Invasive Species Objectives:

- **Prevent introductions of new invasive species.** Federal agencies and their partners will continue to prevent new invasive species (including Asian Carp) from establishing self-sustaining populations in the Great Lakes ecosystem. Federal agencies and their partners will work to increase the effectiveness of existing surveillance programs by increasing detection abilities. Federal agencies will continue to support state and tribal efforts to develop and implement Aquatic Nuisance Species Management Plans which will be used for annual "readiness exercises" and actual responses to new detections of invasive species. GLRI partners will be able to use risk assessments in combination with updated "least wanted" lists to focus prevention activities. Increasing the ability and frequency of Great Lakes states to quickly address new invasions or range expansion of existing invasive species will be a key GLRI strategy. FY 2021 target: Eight rapid responses or exercises conducted.

- **Control established invasive species.** Federal agencies and their partners will bring an enhanced focus to the quality of acreage to be restored as they restore sites degraded by aquatic, wetland and terrestrial invasive species. Federal agencies will implement control projects in national forests, parks and wildlife refuges and will partner with states and neighboring communities to promote larger scale protection and restoration through applicable control programs. GLRI funding will help the Great Lakes Sea Lamprey Control Program to locate and address strategic barriers while also advancing new control technologies. FY 2021 target: Invasive species control on 6,000 acres (171,000 acres cumulative since 2010).

- **Develop invasive species control technologies and refine management techniques.** Federal agencies and their partners will continue to develop and enhance technologies to control non-native phragmites, sea lamprey, and red swamp crayfish so that on-the-ground land managers

can field test these new approaches. Federal agencies also will develop and enhance invasive species "collaboratives" to support rapid responses and to communicate the latest control and management techniques for non-native species such as Hydrilla, Dreissenid mussels, Hemlock wooly adelgid, and emerald ash borer. Federal agencies and their partners will support a Great Lakes telemetry network to track aquatic invasive species movements (*i.e.*, grass carp) and refine rapid response actions.

Nonpoint Source Pollution Impacts on Nearshore Health Objectives:

- **Reduce nutrient loads from agricultural watersheds**. EPA, federal agencies, and their partners will continue working on farms and in streams to reduce nutrient loads from agricultural watersheds, emphasizing utilization of conservation systems and work in priority watersheds, particularly the Lower Fox River (WI), Saginaw River (MI), Maumee River (OH), and Genessee River (NY). This work will reduce the most significant loadings from nutrient runoff. Federal agencies and their partners will improve the effectiveness of existing programs, encourage the adoption of technologies and performance-based approaches to reduce runoff and soil losses, expand demonstration farm networks to increase adoption of nutrient management practices, promote practices for slowing down and filtering stormwater runoff, and emphasize long-term and sustainable nutrient reductions. EPA and its federal partners will target resources and activities at locations that are the most significant cause of harmful algal blooms. FY 2021 targets:
    - Reduce 300,000 pounds (1,900,000 pounds cumulative since 2010) of phosphorus from conservation practice implementation throughout Great Lakes watersheds; and
    - 170,000 acres (2,370,000 acres cumulative since 2010) receiving technical or financial assistance on nutrient management in priority watersheds.

- **Reduce untreated stormwater runoff.** EPA and its federal partners will continue to accelerate implementation of green infrastructure projects to reduce the impacts of polluted urban runoff on nearshore water quality at beaches and in other coastal areas. These projects will capture or slow the flow of untreated runoff and filter out sediment, nutrients, toxic contaminants, pathogens and other pollutants prior to entering Great Lakes tributaries and nearshore waters. Federal agencies and their partners also will continue to support watershed management projects that slow and intercept runoff, including installation of tributary buffers, restoration of coastal wetlands, and re-vegetation and re-forestation of areas near Great Lakes coasts and tributaries. FY 2021 targets:
    - 50,000,000 gallons (400,000,000 gallons cumulative since 2015) of untreated stormwater runoff captured or treated; and
    - Seven miles (40 miles cumulative since 2015) of Great Lakes shoreline and riparian corridors restored or protected.

- **Improve effectiveness of nonpoint source control and refine management efforts.** EPA and its federal partners will continue to adaptively manage to maximize nonpoint source-control efforts. Strategies will include: conducting edge-of-field monitoring studies in agricultural priority watersheds to test the effectiveness of innovative practices such as bioreactors; application of previously supported tools and lessons learned to optimize project results; and development of new strategies, such as nutrient recovery and manure transformation technologies. FY 2021 targets:

• 30 nutrient monitoring and assessment activities conducted; and
• Ten nutrient or stormwater runoff reduction practices or tools developed or evaluated.

Habitats and Species Objectives:

- **Protect and restore communities of native aquatic and terrestrial species important to the Great Lakes.** EPA and its federal partners will implement protection, restoration and enhancement projects focused on open water, nearshore, connecting channels, coastal wetland and other habitats in order to protect and restore native species. They will build upon and shore-up past investments while advancing protection and restoration in new areas important to targeted species. Projects will be largely based on priorities in regional-scale conservation strategies and will include:
  • Removing dams and replacing culverts to create fish habitat and reconnect migratory species to Great Lakes tributaries;
  • Restoring habitat necessary to sustain populations of migratory native species; and
  • Protecting, restoring, and managing existing wetlands and high-quality upland areas to sustain diverse, complex, and interconnected habitats for species reproduction, growth, and seasonal refuge.

  FY 2021 targets:
  • 12,000 acres (406,000 acres cumulative since 2010) of coastal wetland, nearshore, and other habitats restored, protected, or enhanced.
  • 200 miles (5,900 miles cumulative since 2010) of connectivity for aquatic species.

Increase resiliency of species through comprehensive approaches that complement on-the-ground habitat restoration and protection. EPA and its federal partners will maintain, restore, and enhance the habitats of native fish and wildlife species to increase the resiliency and overall health of these species. Agencies will maximize habitat improvements for aquatic and terrestrial species through collaborative conservation and monitoring at local and regional scales. Project benefits are expected to include avoiding species extinction, identification of key habitats and of limiting factors to species recovery and increasing or protecting population levels. GLRI agencies and their partners will continue to support protection of native species that have cultural, subsistence, and economic value.

FY 2021 target: One species (two species cumulative since 2018) benefited where actions have been completed to significantly protect or promote recovery of populations.

Foundations for Future Restoration Actions Objectives:

- **Educate the next generation about the Great Lakes ecosystem.** EPA and its federal partners will promote Great Lakes-based environmental education and stewardship for students and other interested community members (*e.g.*, courses at parks, nature centers, on board vessels, museums, and zoos). With an emphasis on educating K-12 youth, GLRI partners will support experience-based learning opportunities. GLRI agencies and their partners also will continue to develop Great Lakes-literate educators to maximize the number of youths impacted using principles and concepts in the Great Lakes Literacy curriculum. These activities will support the overall goal of impacting youth to foster Great Lakes stewardship, promote conservation, and expose and prepare under-represented youth for higher education opportunities in natural resource management.

- **Conduct comprehensive science programs and projects.** EPA and its federal partners will continue to investigate the most significant ecological problems in the Great Lakes. Great Lakes monitoring will include: contaminants in Great Lakes fish, water quality and the lower food web in the offshore waters, and nutrient and harmful algal blooms in priority areas. Federal agencies and their partners will identify and address science priorities to support implementation of the GLRI and the Great Lakes Water Quality Agreement. They will continue to: develop new tools for monitoring and forecasting; measure project effectiveness; prioritize management activities; and consider environmental and health outcomes.

GLRI Funding Allocations. EPA leads the cooperative process by which funding allocations are determined for programs and projects of GLRI agencies. Under Clean Water Act Section 118, EPA provides the appropriate authorizing and appropriating committees of the Senate and the House of Representatives a yearly detailed description of the progress of GLRI and amounts transferred to participating Federal departments and agencies.
GLRI Funding Allocations. EPA leads the cooperative process by which funding allocations are determined for programs and projects of GLRI agencies.

Summary of FY 2014 - 2021 Allocations by Focus Area

Focus Area Allocations (Dollars in Thousands)								
Focus Area	**FY 2014**	**FY 2015**	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**[a]
Toxic Substances and AOC	$105,000	$120,200	$106,600	$107,500	$107,500	$107,500	$107,500	$107,500
Invasive Species	$54,600	$53,600	$56,400	$62,200	$56,900	$56,900	$56,900	$56,900
Nonpoint Source Pollution Impacts on Nearshore Health[b]	$59,300	$51,000	$51,700	$47,900	$51,000	$51,700	$51,700	$50,900
Habitat and Species[d]	$60,600	$49,000	$54,200	$49,500	$50,000	$50,200	$50,200	$49,400
Foundations for Future Restoration Actions[ed]	$20,500	$26,200	$31,100	$32,900	$34,600	$33,700	$33,700	$35,300
To be allocated [e]							$20,000	$20,000
TOTAL	$300,000	$300,000	$300,000	$300,000	$300,000	$300,000	$320,000	$320,000

[a] Based on allocations approved by the Regional Working Group.

[b] Nearshore Health and Nonpoint Source Pollution in FY 2010-2014.

[c] Habitat and Wildlife Protection and Restoration in FY 2010-2014.

[d] Accountability, Education, Monitoring, Evaluation, Communication, and Partnerships in FY 2010 – 2014.

[e] The Regional Working group has not determined allocations for additional funding provided in FY 2020 and requested for FY 2021.

Summary of FY 2014 - 2021 Allocations* by Agency

(Dollars in Thousands)

Agency	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
DHS-USCG	$1,278	$2,006	$1,274	$1,580	$500	$1,661	$1,250	$1,300
DOC-NOAA	$35,170	$24,818	$30,740	$12,027	$24,629	$16,967	$9,939	$7,343
DOD-USACE	$28,655	$48,389	$33,369	$55,940	$43,559	$60,336	$11,795	$11,555
DOI-BIA	$3,950	$4,750	$6,203	$10,904	$11,617	$9,842	$15,000	$15,000
DOI-NPS	$3,177	$3,142	$3,799	$4,379	$3,940	$3,822	$3,831	$3,947
DOI-USFWS	$49,038	$41,393	$48,118	$41,794	$52,902	$45,897	$32,247	$32,065
DOI-USGS	$19,832	$23,433	$22,960	$26,817	$25,724	$21,603	$7,653	$7,640
DOT-FHWA	$965	$0	$0	$0	$0	$0	$0	$0
DOT-MARAD	$1,791	$1,291	$2,106	$800	$675	$803	$1,000	$750
HHS-ATSDR/CDC	$1,739	$1,738	$1,692	$593	$590	$605	$605	$605
USDA-APHIS	$1,246	$1,246	$1,089	$1,262	$1,176	$1,312	$1,378	$1,378
USDA-NRCS	$24,280	$23,281	$19,062	$22,072	$25,096	$20,697	$22,239	$22,374
USDA-USFS	$6,401	$6,290	$10,822	$11,355	$10,153	$11,646	$9,931	$9,894
Multi-agency	$0	$0	$0	$0	$0	$0	$58,552	$67,379
IA Totals:	$177,521	$181,776	$181,234	$189,522	$200,560	$195,191	$175,420	$181,231
EPA and Misc IAs	$122,479	$118,224	$118,766	$110,478	$99,440	$104,809	$124,580	$118,769
To be allocated							$20,000	$20,000
Totals:	$300,000	$300,000	$300,000	$300,000	$300,000	$300,000	$320,000	$320,000

* Final allocations for FY 2014 – FY 2017. Allocations for FY 2018 and FY 2019 are as reported in the October 2019 GLRI Financial Management Updates. Allocations for FY 2020 and FY 2021 are based on budgets approved by GLRI Regional Working Group agencies and the current allocation does not include the additional funding received in FY 2020 and requested for FY 2021.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- There is no change in program funding.

Statutory Authority:

Clean Water Act Section 118.

Homeland Security

Homeland Security: Communication and Information

Program Area: Homeland Security
Goal: Greater Certainty, Compliance, and Effectiveness
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$4,003.8***	***$3,818.0***	***$3,677.0***	***-$141.0***
Total Budget Authority	$4,003.8	$3,818.0	$3,677.0	-$141.0
Total Workyears	11.2	11.3	11.3	0.0

Program Project Description:

This program supports EPA's coordination and communication activities related to national security and homeland security. The White House, Congress, and the Department of Homeland Security (DHS) have defined responsibilities for EPA in several areas, including critical water infrastructure protection and response to chemical, biological, radiological, and nuclear events, through a series of statutes, presidential directives, and national plans. The EPA's Office of Homeland Security (OHS) provides technical, policy, and intelligence advice to senior agency leadership related to National and Homeland Security. OHS also leads and coordinates EPA's engagement with the White House, National Security Council, and other federal departments and agencies on the development of new homeland security policy and requirements. As the EPA Federal Intelligence Coordination Office, OHS coordinates analytical intelligence support capacity across the Agency to meet EPA requirements and EPA whole-of-government obligations.

OHS focuses on coordination and integration of chemical, biological, and radiological preparedness and response programs as they relate to protection of air and water quality and the prevention of land contamination through external engagement with federal departments and agencies and internal coordination with EPA program offices with Homeland Security responsibilities. In addition, OHS works closely with the Water Program to coordinate and integrate water security efforts internally and externally with stakeholders regarding physical threats and contamination and cyber threats to operations. OHS coordinates with regional, state, and local Fusion Centers and Joint Terrorism Task Forces to focus on integrating EPA regional offices with the information sharing environment and DHS intelligence sharing network. OHS also advances implementation of the EPA Insider Threat, Suspicious Activity Reporting, Operational Security, Counterintelligence, and Committee on Foreign Investment in the U.S. Programs.

In addition, this program utilizes several mechanisms to support its ability to implement EPA's broad range of homeland security responsibilities, ensure consistent development and implementation of homeland security policies and procedures, avoid duplication, and build a network of partnerships. OHS provides leadership to ensure coordination and integration of EPA's homeland security programs engaged in prevention, protection, mitigation, response, and recovery efforts under the National Preparedness System. OHS regularly convenes meetings of the

Homeland Security Executive Steering Committee, composed of senior executives from EPA programs and regional offices; the Homeland Security Collaborative Network, a cross-agency leadership group, to discuss emerging threats, policies, and intelligence related to national and homeland security; and the Regional Homeland Security Coordinators to ensure regional homeland and national security needs are being addressed.

Homeland security information technology efforts are closely coordinated with the agency-wide information security and infrastructure activities, which are managed in the Information Security and Information Technology (IT)/Data Management programs. These IT support programs also enable contact among localities, EPA program and regional offices, and laboratories in emergency situations.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness, in the *FY 2018 - 2022 EPA Strategic Plan*.

In FY 2021, OHS will:

- Promote a coordinated approach to EPA's homeland security activities and support the alignment of resources with government-wide homeland security priorities and requirements.

- Promote a coordinated approach to communicating classified and sensitive information to EPA programs, laboratories, and regional offices via secure communications systems to support timely intelligence and information sharing to enable safe and effective operational preparedness and response.

- Support federal, state, tribal, and local efforts to prevent, protect, mitigate, respond to, and recover from the impacts of natural disasters, acts of terrorism, and other emergencies by providing leadership and coordination across EPA's program offices and regions.

- Ensure appropriate agency representation in various White House and other federal national security and homeland security policy activities. These efforts include serving as EPA's representative for homeland security, national disaster response, and mitigation and recovery policy in monthly meetings of the Domestic Resilience Group, chaired by the National Security Council, and in weekly meetings for other national homeland security policy committees. In addition, OHS serves as EPA's representative in monthly meetings of the Recovery Support Function Leaders Group, chaired by the Federal Emergency Management Agency (FEMA), and the Mitigation Framework Leadership Group, also chaired by FEMA, and on other interagency workgroups.

- Focus on filling critical policy, knowledge, and technology gaps that may be essential for an effective EPA response, including working with our interagency partners to define collective capabilities and resources that may contribute to closing common homeland security gaps,

including emerging chemical threats and cybersecurity concerns for critical water infrastructure.

- Provide EPA end-users with relevant, accurate, reliable, objective, and timely intelligence bearing on matters of environmental policy and regulation and domestic threats and counterintelligence, where EPA functions to preserve or assist in the restoration of human health and the environment.

- Continue phased implementation of Executive Order 13587 - *Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information*[53] to meet the main pillars of classified information protection with a focus on the implementation of an Insider Threat Program to address and mitigate threats to national security.

- Track emerging national/homeland security issues, through close coordination with the U.S. Intelligence Community, to anticipate and avoid crisis situations and target the Agency's efforts proactively against threats to the United States.

EPA's FY 2021 resources support national cybersecurity efforts through monitoring across the Agency's IT infrastructure to detect, remediate, and eradicate malicious activity/software from EPA's computer and data networks. EPA will continue to enhance internal Computer Security Incident Response Capability to ensure rapid identification and reporting of suspicious activity and will increase training and awareness of cybersecurity threats. EPA personnel are active participants in the United States Computer Emergency Readiness Team, a DHS-led group of experts from incident response and security response teams. Indicators and warnings are shared between EPA incident responders and their cleared counterparts in other agencies and with the Intelligence Community.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$299.0) This change is an increase due to the recalculation of base payroll costs.

- (-$102.0) This program change streamlines activities related to communication, policies, and procedures to support and coordinate homeland security efforts across the Agency.

- (-$338.0) This program change refocuses IT efforts coordinating homeland security across the Agency. The Agency will refocus on core functions that improve foundational capabilities and close gaps in IT security architecture.

[53] For more information, please see: https://obamawhitehouse.archives.gov/the-press-office/2011/10/07/executive-order-13587-structural-reforms-improve-security-classified-net.

Statutory Authority:

Resource Conservation and Recovery Act §§ 1001, 2001, 3001, 3005; Safe Drinking Water Act ; Clean Water Act §§ 101, 102, 103, 104, 105, 107; Clean Air Act §§ 102, 103, 104, 108; Toxic Substances Control Act §§ 201, 301, 401; Federal Insecticide, Fungicide, and Rodenticide Act §§ 136a-136y; Bio Terrorism Act of 2002 §§ 303, 305, 306, 307; Homeland Security Act of 2002; Post-Katrina Emergency Management Reform Act; Defense Against Weapons of Mass Destruction Act; Food Safety Modernization Act § 208.

Homeland Security: Critical Infrastructure Protection

Program Area: Homeland Security
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$444.4***	***$840.0***	***$1,361.0***	***$521.0***
Science & Technology	$7,957.5	$9,053.0	$7,732.0	-$1,321.0
Total Budget Authority	$8,401.9	$9,893.0	$9,093.0	-$800.0
Total Workyears	19.4	22.6	21.0	-1.6

Program Project Description:

The Critical Infrastructure Protection Program supports EPA's efforts to coordinate and provide technical expertise to enhance the protection of the Nation's critical water infrastructure from terrorist threats and all-hazard events through effective information sharing and dissemination. This program provides water systems with current information on methods and strategies to build preparedness for natural and man-made threats.

FY 2021 Activities and Performance Plan:

Work in this program supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018-2022 EPA Strategic Plan.* In FY 2021, EPA will build the capacity to identify and respond to threats to critical national water infrastructure by:

- Providing timely information on contaminant properties, water treatment effectiveness, detection technologies, analytical protocols, and laboratory capabilities.

- Supporting effective communication conduits to disseminate threat and incident information and to serve as a clearinghouse for sensitive information.

- Promoting information sharing between the water sector and environmental professionals, scientists, emergency services personnel, law enforcement, public health agencies, the intelligence community, and technical assistance providers. Through this exchange, water systems can obtain up-to-date information on current technologies in water security, accurately assess their vulnerabilities to terror acts, and work cooperatively with public health officials, first responders, and law enforcement officials to respond effectively in the event of an emergency.

- Providing water utilities, of all sizes, access to a comprehensive range of important materials, including the most updated information, tools, training, and protocols designed to enhance the security, preparedness, and resiliency of the water sector.

- Ensuring that water utilities receive timely and informative alerts about changes in the homeland security advisory level or about regional and national trends in certain types of water-related incidents. For example, should there be types of specific, water-related threats or incidents that are recurring, EPA, in coordination with the Department of Homeland Security and other appropriate agencies, needs to alert the utilities of the increasing multiple occurrences or "trends" of these incidents.

Effective information sharing protocols allow the water sector to improve its understanding of the latest water security and resiliency protocols and threats. They also reduce risk by enhancing the water sector's ability to prepare for an emergency.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$118.0) This change is an increase due to the recalculation of base payroll costs.

- (+$403.0 / +2.2 FTE) This program change is an increase to carry out EPA's mission as the Sector-Specific Agency for drinking water and wastewater infrastructure security. Funding is critical to protect water infrastructure from natural disasters and terrorist threats.

Statutory Authority:

Safe Drinking Water Act, §§ 1431-1435; Clean Water Act; Public Health Security and Bioterrorism Emergency and Response Act of 2002; Emergency Planning and Community Right-to-Know Act, §§ 301-305.

Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security
Goal: Greater Certainty, Compliance, and Effectiveness
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$5,755.6***	***$5,355.0***	***$4,986.0***	***-$369.0***
Science & Technology	$410.0	$443.0	$500.0	$57.0
Building and Facilities	$4,259.1	$6,676.0	$6,176.0	-$500.0
Hazardous Substance Superfund	$979.3	$1,017.0	$915.0	-$102.0
Total Budget Authority	$11,404.0	$13,491.0	$12,577.0	-$914.0
Total Workyears	8.8	9.2	9.2	0.0

Total workyears in FY 2021 include 9.2 FTE to support Homeland Security working capital fund (WCF) services.

Program Project Description:

Environmental Programs and Management resources for the Homeland Security: Protection of EPA Personnel and Infrastructure Program ensure that EPA maintains a robust physical security and preparedness infrastructure, ensuring that its numerous facilities are secured and protected in line with the federally-mandated Interagency Security Committee standards.

In order to secure and protect EPA's personnel and physical infrastructure, the Agency operates a federally mandated Personal Identity Verification (PIV) program, which adheres to the requirements as set forth in Homeland Security Presidential Directive-12 (HSPD-12).[54] This program ensures the Agency complies with government-wide standards for the issuance of secure and reliable forms of identification to federal employees and contractors who require access to federally controlled facilities and networks. Additionally, EPA initiates and adjudicates personnel background investigations, processes fingerprint checks, determines individual eligibility to access classified National Security Information (NSI), and maintains personnel security records for all federal and non-federal employees.

The NSI Program manages and safeguards EPA's classified information for its federal workforce and contractors. The Program ensures federal mandates are followed to protect NSI, conduct federally mandated training, and conduct NSI inspections.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 – 2022 EPA Strategic Plan*. As part of the nationwide protection of buildings and critical infrastructure, EPA performs vulnerability assessments on facilities each

[54] For additional information, please refer to: https://www.dhs.gov/homeland-security-presidential-directive-12.

year. Through this program, the Agency also recommends security risk mitigations, oversees access control measures, determines physical security measures for new construction and leases, and manages the lifecycle of security equipment.

In FY 2021, EPA will continue to partner with GSA on the Enterprise Physical Access Control System (ePACS), which was deployed in FY 2019. ePACS supports the Agency's modernization of its security infrastructure in compliance with HSPD-12 and ensures that the Agency is undertaking every effort to enhance safety, security, and efficiency by more effectively controlling access into all EPA-controlled physical space and networks. ePACS provides EPA the ability to produce and maintain secure and reliable forms of identification, as required per HSPD-12, for all EPA employees and contractors. In addition, the Agency will continue to utilize GSA's Managed Service Office, *USAccess*, for PIV card enrollment and issuance. *USAccess* is a shared services solution which is in line with OMB's Federal IT Shared Services Strategy and the President's Management Agenda.[55]

EPA is in compliance with 5 CFR 1400, which requires that federal and non-federal positions are re-designated for both risk and sensitivity and that personnel have appropriate background investigations commensurate with their position's risk and sensitivity designation. EPA will continue to manage the personnel security, suitability, fitness, and NSI programs and conduct background investigations following appropriate federal guidance, ensuring that personnel are properly investigated for the positions they encumber and that classified material and activity is properly handled. As federal guidelines and policies change, or are introduced, the systems supporting background investigations and the NSI Program will be updated and enhanced (as needed).

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$369.0) This program change reduces funding for physical security and preparedness infrastructure. The Agency will focus on performing the highest priority annual facility assessments.

Statutory Authority:

Intelligence Reform and Terrorism Prevention Act of 2004; Privacy Act of 1974; REAL ID Act of 2005; Homeland Security Act of 2002; Americans with Disabilities Act; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

[55] For additional information, please refer to: https://www.whitehouse.gov/wp-content/uploads/2018/03/Presidents-Management-Agenda.pdf.

Indoor Air and Radiation

Indoor Air: Radon Program
Program Area: Indoor Air and Radiation
Goal: A Cleaner, Healthier Environment
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$2,642.6***	***$3,136.0***	***$0.0***	***-$3,136.0***
Science & Technology	$16.7	$143.0	$0.0	-$143.0
Total Budget Authority	$2,659.3	$3,279.0	$0.0	-$3,279.0
Total Workyears	9.1	9.0	0.0	-9.0

Program Project Description:

Title III of the Toxic Substances Control Act (TSCA) authorizes EPA to undertake a variety of activities to address the public health risk posed by exposure to indoor radon. Under the statute, EPA studies the health effects of radon, assesses exposure levels, sets an action level, provides technical assistance, and advises the public of steps they can take to reduce exposure. For over 30 years, EPA's radon program has provided important guidance and significant funding to help states establish their own programs.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$3,136.0 / -9.0 FTE) This funding change proposes to eliminate the Indoor Air: Radon Program in the EPM account.

Statutory Authority:

Title III of the Toxic Substances Control Act (TSCA); Clean Air Act.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$10,880.5***	***$7,992.0***	***$2,470.0***	***-$5,522.0***
Science & Technology	$2,794.7	$1,781.0	$1,047.0	-$734.0
Hazardous Substance Superfund	$1,768.6	$1,985.0	$2,122.0	$137.0
Total Budget Authority	$15,443.8	$11,758.0	$5,639.0	-$6,119.0
Total Workyears	57.4	53.8	25.0	-28.8

Program Project Description:

EPA has general and specific duties to protect human health and the environment from harmful and avoidable exposure to radiation under multiple statutes. This includes the Atomic Energy Act; Clean Air Act; Comprehensive Environmental Response, Compensation and Liability Act; Energy Policy Act; Nuclear Waste Policy Act; Public Health Service Act; Safe Drinking Water Act; Uranium Mill Tailings Radiation Control Act; Waste Isolation Pilot Plant Land Withdrawal Act; Marine Protection, Research, and Sanctuaries Act; and Clean Water Act.

EPA's Radiation Protection Program carries out these responsibilities through its federal guidance and standard-setting activities, including: regulatory oversight and implementation of radioactive waste disposal standards at the Department of Energy's (DOE) Waste Isolation Pilot Plant (WIPP);[56] the regulation of airborne radioactive emissions; and the development and determination of appropriate methods to measure radioactive releases and exposures under Section 112 of the Clean Air Act.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan*. EPA will meet its statutory obligation to implement its regulatory oversight responsibilities for DOE activities at the Waste Isolation Pilot Plant (WIPP) facility, as mandated by the Congress in the WIPP Land Withdrawal Act of 1992. EPA also will review and update regulation or guidance, as necessary.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

[56] For additional information, please see: http://www.epa.gov/radiation/wipp/background.html.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$172.0) This change is an increase due to the recalculation of base payroll costs.

- (-$5,694.0 / -24.6 FTE) This program change reduces support to activities in the Radiation: Protection Program to focus agency resources on priority activities, including implementation of waste disposal standards at the WIPP.

Statutory Authority:

Atomic Energy Act of 1954; Clean Air Act; Energy Policy Act of 1992; Nuclear Waste Policy Act of 1982; Public Health Service Act; Safe Drinking Water Act; Uranium Mill Tailings Radiation Control Act (UMTRCA) of 1978; Waste Isolation Pilot Plant Land Withdrawal Act of 1992; Marine Protection, Research, and Sanctuaries Act; Clean Water Act.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$2,078.1***	***$2,196.0***	***$2,350.0***	***$154.0***
Science & Technology	$2,545.0	$3,089.0	$4,167.0	$1,078.0
Total Budget Authority	$4,623.1	$5,285.0	$6,517.0	$1,232.0
Total Workyears	26.3	33.3	31.5	-1.8

Program Project Description:

EPA generates policy guidance and procedures for the Agency's radiological emergency response under the National Response Framework (NRF) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The Agency maintains its own Radiological Emergency Response Team (RERT) and is a member of the Federal Radiological Preparedness Coordinating Committee (FRPCC) and the Federal Advisory Team for Environment, Food and Health (the "A-Team"). EPA continues to respond to radiological emergencies; conducts essential national and regional radiological response planning and training; and develops response plans for radiological incidents or accidents.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan*. In FY 2021, EPA will continue to evaluate its resources and streamline activities across radiological emergency response activities and assets to focus on essential preparedness work. The RERT will maintain essential readiness to support federal radiological emergency response and recovery operations under the NRF and NCP. EPA will participate in interagency training and exercises to maintain the RERT's ability to fulfill EPA's responsibilities.

Evaluation of Response Plans

In FY 2021, EPA will continue to work with interagency partners under the FRPCC to revise federal radiation emergency response plans and develop radiological emergency response protocols and standards as resources dictate. The Agency will continue to implement the Protective Action Guidance[57] and use guidance addressing lessons learned from incidents and

[57] For additional information, please see: https://www.epa.gov/sites/production/files/2017-01/documents/epa_pag_manual_final_revisions_01-11-2017_cover_disclaimer_8.pdf.

exercises to ensure the effective delivery of EPA support in coordination with other federal and state response agencies.

Coordinating Preparedness Efforts

EPA will continue essential planning and participation in interagency table-top and field exercises, including radiological anti-terrorism activities with the Nuclear Regulatory Commission (NRC), the Department of Energy (DOE), the Department of Defense (DoD), and the Department of Homeland Security (DHS). The Agency also will provide technical support on priority issues to federal and state radiation, emergency management, solid waste and health programs responsible for radiological emergency response and preparedness programs.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$359.0) This change is an increase due to the recalculation of base payroll costs.

- (-$205.0 / -1.1 FTE) This program change decreases technical support for stakeholders that are responsible for radiological emergency response.

Statutory Authority:

Homeland Security Act of 2002; Atomic Energy Act of 1954; Clean Air Act; Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA); Public Health Service Act (PHSA); Robert T. Stafford Disaster Relief and Emergency Assistance Act; Safe Drinking Water Act (SDWA).

Reduce Risks from Indoor Air
Program Area: Indoor Air and Radiation
Goal: A Cleaner, Healthier Environment
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$10,931.6***	***$11,627.0***	***$0.0***	***-$11,627.0***
Science & Technology	$216.7	$136.0	$0.0	-$136.0
Total Budget Authority	$11,148.3	$11,763.0	$0.0	-$11,763.0
Total Workyears	34.7	37.2	0.0	-37.2

Program Project Description:

Title IV of the Superfund Amendments and Reauthorization Act of 1986 (SARA) authorizes EPA to conduct and coordinate research on indoor air quality, develop and disseminate information, and coordinate risk reduction efforts at the federal, state, and local levels. EPA utilizes a range of strategies, including partnerships with non-governmental, professional, federal, state and local organizations, to educate and prepare individuals, school districts, industry, the health care community, and others to take action to reduce health risks from poor indoor air quality in homes, schools, and other buildings.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$11,627.0 / -35.8 FTE) This funding change proposes to eliminate the Reduce Risks from Indoor Air Program in the EPM account.

Statutory Authority:

Title III of the Toxic Substances Control Act (TSCA); Clean Air Act; and Title IV of the Superfund Amendments and Reauthorization Act of 1986 (SARA).

Information Exchange

Children and Other Sensitive Populations: Agency Coordination

Program Area: Information Exchange / Outreach
Goal: A Cleaner, Healthier Environment
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$5,903.7***	***$6,173.0***	***$2,704.0***	***-$3,469.0***
Total Budget Authority	$5,903.7	$6,173.0	$2,704.0	-$3,469.0
Total Workyears	17.1	18.4	9.9	-8.5

Program Project Description:

The Program coordinates and advances the protection of children's environmental health across EPA by: assisting with developing regulations; improving risk assessment and science policy; implementing community-level outreach and education programs; and tracking indicators of progress on children's health. In addition, the work of the Program is directed by EPA's recently reaffirmed *Policy on Evaluating Health Risks to Children*,[58] Executive Order 13045 *Protection of Children's Health from Environmental Health Risks and Safety Risks*, statutory authorities addressing children's environmental health, and other existing guidance.[59] The Program supports the President's Task Force on Environmental Health Risks and Safety Risks to Children, co-chaired by EPA and the U.S. Department of Health and Human Services Deputy Secretary. The Program coordinated the development of the *Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Effects*,[60] which was finalized in December 2018.

In FY 2019, the Program accomplished the following: contributed to the development of 80 regulations, scientific assessments and/or policies including the Lead and Copper Rule under the Safe Drinking Water Act, and additional actions under the Food Quality Protection Act, Clean Water Act, Clean Air Act, and Toxic Substances Control Act, among others; advanced the state of understanding by writing and presenting eleven scientific papers and presentations; and coordinated three in person plenary meetings of the Children's Health Protection Advisory Committee[61] and launched review of charge questions to improve the Agency's risk communication related to the protection of children's environmental health.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.4, Ensure Safety of Chemicals in the Marketplace in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, the Program will:

[58] For more information, please refer to: https://www.epa.gov/sites/production/files/2018-10/documents/childrens_health_policy_reaffirmation_memo.10.11.18.pdf.

[59] For more information, please refer to: https://www.epa.gov/children/history-childrens-environmental-health-protection-epa.

[60] For more information, please refer to: https://www.epa.gov/sites/production/files/2018-12/documents/fedactionplan_lead_final.pdf.

[61] For more information, please refer to: https://www.epa.gov/children/childrens-health-protection-advisory-committee-chpac.

- Continue to serve as co-lead for the interagency efforts of the President's Task Force on Environmental Health Risks and Safety Risks to Children alongside the Department of Health and Human Services. This effort will focus on co-chairing the Senior Steering Committee and coordinating cross-federal activities related to topics such as asthma disparities and implementation of the *Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts.* Each of the four goals of the Federal Lead Action Plan has specific objectives and associated activities which are tracked by member agencies of the Task Force.[62] They are as follows: Goal 1: Reduce children's exposure to lead sources; Goal 2: Identify lead-exposed children and improve their health outcomes; Goal 3: Communicate more effectively with stakeholders; and Goal 4: Support and conduct critical research to inform efforts to reduce lead exposures and related health risks. This work supports the FY 2020 – 2021 Agency Priority Goal: Reduce childhood lead exposures and associated health impacts.

- Identify both potential health benefits and/or health risks to children during the development of agency regulations and policies with targeted participation on regulatory workgroups.

- Coordinate in-person plenary meetings of the Children's Health Protection Advisory Committee.

- Support and administer the proposed Healthy Schools Grant Program to provide funding to identify, prevent, reduce, and resolve environmental hazards in public, private not-for-profit, and faith-based pre-primary, primary, and secondary schools, including preventing childhood lead exposure, reducing asthma triggers, promoting integrated pest management, and reducing or eliminating childhood exposure to toxics in schools across all environmental media.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$231.0) This change is an increase due to the recalculation of base payroll costs.

- (-$3,700.0 / -8.5 FTE) This net program change concentrates EPA's efforts on the development of agency regulations and policies with potential health risks to children by streamlining other activities including Pediatric Environmental Health Specialty Units, regionally selected community-based projects addressing local children's environmental health issues, and other children's health efforts.

[62] For more information, please refer to: https://ptfceh.niehs.nih.gov/about/index.htm.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Toxic Substances Control Act (TSCA); Safe Drinking Water Act (SDWA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Food Quality Protection Act (FQPA).

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$8,597.1***	***$8,580.0***	***$0.0***	***-$8,580.0***
Total Budget Authority	$8,597.1	$8,580.0	$0.0	-$8,580.0
Total Workyears	9.2	9.2	0.0	-9.2

Program Project Description:

The Environmental Education (EE) Program provides guidance and financial support to both rural- and urban-focused grassroots and nonprofit organizations, local educational institutions, universities, community colleges, and state and local environmental agencies. Financial support from EE received by these entities is via the competitive grants process and cooperative agreements. EE also administers the Presidential Environmental Education Awards Program.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. EPA will continue to find ways to streamline education activities and leverage funding outside the Agency for environmental stewardship activities via existing cooperative agreements and at the state and local level.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$8,580.0 / -9.2 FTE) This funding change proposes to eliminate the Environmental Education Program.

Statutory Authority:

National Environmental Education Act (NEEA); Clean Air Act (CAA), § 103; Clean Water Act (CWA), § 104; Solid Waste Disposal Act (SWDA), § 8001; Safe Drinking Water Act (SDWA), § 1442; Toxic Substances Control Act (TSCA), § 10; Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), § 20.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$17,090.3***	***$15,184.0***	***$12,328.0***	***-$2,856.0***
Hazardous Substance Superfund	$1,424.8	$1,328.0	$1,293.0	-$35.0
Total Budget Authority	$18,515.1	$16,512.0	$13,621.0	-$2,891.0
Total Workyears	27.8	30.2	30.2	0.0

Program Project Description:

EPA's Environmental Information Exchange Network (EN) is a standards-based, secure approach for EPA and its state, tribal, and territorial partners to exchange and share environmental data over the internet. Capitalizing on advanced technology, data standards, open-source software, shared services for the E-Enterprise business strategy, and reusable tools and applications, the EN offers its partners tremendous capabilities for managing and analyzing environmental data more effectively and efficiently, leading to improved decision-making.

The Central Data Exchange (CDX)[63] is the largest component of the EN Program and serves as the point of entry on the EN for environmental data transactions with the Agency. CDX provides a set of core shared services that promote a leaner and more cost-effective service framework for the Agency by avoiding the creation of duplicative applications. It enables faster and more efficient transactions for internal and external EPA clients, resulting in reduced burden. Working in concert with CDX is EPA's System of Registries, which is a system of shared data services designed to enhance efficiency, reduce burden on the regulated community, and improve environmental outcomes.

These shared data services catalog entities routinely referenced by EPA and EN partners, from commonly regulated facilities and substances to the current list of federally recognized tribes. They identify the standard or official names for these assets, which, when integrated into EPA and partner applications, foster data consistency and data quality as well as enable data integration.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.4, Streamline and Modernize in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA will continue to support core functions for the EN information technology (IT) systems, which is in line with the President's Management Agenda for IT modernization and data, accountability, and transparency.[64]

[63] For more information on the Central Data Exchange, please visit: http://www.epa.gov/cdx/.
[64] For additional information, please refer to: https://www.whitehouse.gov/omb/management/pma/.

In FY 2021, the EN Program will continue to be a pivotal component of the E-Enterprise for the Environment strategy that supports business process change agencywide. The E-Enterprise strategy – jointly governed by states, tribes, and EPA – rethinks how government agencies deliver environmental protection. Under this strategy, the Agency is streamlining business processes and systems to reduce reporting burden on states and regulated facilities, and to improve the effectiveness and efficiency of environmental programs for EPA, states, and tribes. In FY 2019, the Agency developed an identity management service that eliminated redundant and time-consuming user registrations across environmental programs and partners. As a result, the E-Enterprise Portal transforms the EN to a more open platform of services and makes environmental data reporting, sharing, and analysis faster, simpler, and less expensive.

EPA aims to reduce burden and avoid costs when improving IT. The Agency has provisioned 70 Virtual Exchange Services (VES) or virtual nodes to facilitate large-scale data transactions supporting 19 states and over 88 tribal partners, with another 20 anticipated by the end of FY 2020. The VES electronic signature service supports 62 partner exchanges to date and six more are expected in FY 2020. EPA estimates implementation of these services resulted in cost avoidance of approximately $2.3 million for the 19 partner states, who otherwise would have built and managed exchange services independently. EPA will continue to carry out the baseline support for the adoption and onboarding of VES and associated services for EPA and its partners.

In FY 2021, EPA will continue to maintain the EPA Federal Regulation Finder, a public-facing digital service that was deployed to the E-Enterprise Portal[65] in Q2 of FY 2020. The EPA Federal Regulation Finder integrates multiple shared services into a discovery tool that helps industry and the public to more easily identify potentially applicable regulations. It integrates three catalogs: a substance catalog (Substance Registry Services [SRS]); an Enterprise Vocabulary; and a catalog of federal statutes and regulations (Laws and Regulations Services) to enable a user to search for laws and regulations by substance or keyword. In FY 2021, enhancements to the EPA Federal Regulation Finder may include expanding this tool to allow users to search in the North American Industrial Classification System and establishing additional shared data services, such as zip codes, countries, and counties, so that EPA systems no longer must manage these data, instead relying on the centralized services.

Multiple performance efforts also use exchange services and registries (shared data services) to improve data quality in EPA, state, and tribal program data, and to reduce reporting burden on the regulated community. EPA will continue to promote the adoption of the Tribal Identification (TRIBES) shared service by tracking its use by EPA systems that collect tribal names. In FY 2019, EPA increased the number of EPA systems using TRIBES services by 58 percent, from 12 to 19 systems.

EPA also tracks the number of registry webpages users and web service hits as one measure of usage. For example, the SRS website is visited by approximately 50,000 users per month; many of these users visit SRS to understand regulatory information about chemicals. SRS also receives between 20,000 and 140,000 web service hits per month (depending on reporting cycles), mostly by EPA systems that have incorporated the web services into their online reporting forms.

[65] For additional information, please refer to: https://www.e-enterprise.gov/workbench.

Priorities for EPA registries include improving registry technologies by moving them into an open-source platform so they are cloud-ready. In FY 2021, EPA will maintain the registries at FY 2020 levels, and selectively move them into open-source platforms. EPA will expand the number of EPA and partner systems that integrate registry services into their online reports and systems, reducing burden and improving data quality. This includes updating EPA's dataset registry to allow EPA scientists, external partners, and others to share information and make information easier to find in the cloud.

In FY 2021, EPA will continue to work with the Department of Homeland Security's Customs and Border Protection (CBP) to maintain systems that support the importation process of products that are of dual interest to EPA and CBP. EPA will support mission essential activities of EPA and CBP data exchanges in FY 2021. Such electronic reporting will aid enforcement coordinators by automating a currently manual review process and allowing them to focus on key high-value monitoring and targeting activities for noncompliant imports.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$659.0) This change is an increase due to recalculation of base payroll costs.

- (-$3,515.0) This net program change streamlines quality assurance of registries; refocuses modernization efforts; and reduces the collection and exchange of environmental data with states, tribes, and regulated entities.

Statutory Authority:

Federal Information Security Management Act (FISMA); Clean Air Act (CAA); Clean Water Act (CWA); Toxic Substances Control Act (TSCA); Federal Insecticide Fungicide and Rodenticide Act (FIFRA); Resource Conservation and Recovery Act (RCRA); Government Performance and Results Act (GPRA); Government Management Reform Act (GMRA); Clinger-Cohen Act (CCA).

Executive Management and Operations
Program Area: Information Exchange / Outreach
Goal: More Effective Partnerships
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$51,243.2***	***$47,259.0***	***$43,784.0***	***-$3,475.0***
Total Budget Authority	$51,243.2	$47,259.0	$43,784.0	-$3,475.0
Total Workyears	290.5	272.9	235.6	-37.3

Total workyears in FY 2021 include 2.0 FTE to support Executive Management and Operations working capital fund (WCF) services.

Program Project Description:

The Executive Management and Operations Program supports various offices that provide direct executive and logistical support to EPA's Administrator. In addition to the Administrator's Immediate Office (IO), the Program supports the Office of Congressional and Intergovernmental Relations (OCIR), Office of Administrative and Executive Services (OAES), Office of the Executive Secretariat (OEX), the Office of Public Affairs (OPA), and the Office of Public Engagement (OPE).

The Program also supports EPA's Regional Administrators' offices. The Program's management, coordination, and policy activities link the Agency's engagement with outside entities, including: Congress, state and local governments, nongovernmental organizations, national and community associations, and the public.

Within the Program, key functions include: responding to congressional requests for information; coordinating and providing outreach to state and local governments and rural communities; and supporting press and other communications activities. The Program also supports administrative management services involving correspondence control and records management systems, human resources management, budget formulation and execution, and information technology management services.

In July 2019, EPA completed implementation of centralized FOIA processing, which will provide greater efficiencies, improved responsiveness and transparency consistent with the statute's intent. OEX assumed sole responsibility for and control over the centralized organization, processes and procedures. During FY 2019, OEX closed 731 FOIA requests, nearly as many as FY 2016, FY 2017 and FY 2018 combined. At its height, the backlog of open requests was more than 1,500 with 510 new requests received during the FY. Net backlog at the conclusion of FY 2019 was 1,184 open requests.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 2/Objective 2.1, Enhance Shared Accountability in the *FY 2018 - 2022 EPA Strategic Plan*.

In FY 2021, the Program will continue providing management, leadership, and direction to all of EPA's programs and activities and develop the guidance necessary to ensure achievement of the Agency's core statutory responsibilities. In FY 2021, resources of the Program will primarily support critical needs for staff, including travel and workforce support.

OCIR serves as EPA's principal point of contact for Congress, regions, states, and local governments and as the coordination point for interaction with other agency offices and officials. In FY 2021, OCIR will continue to regularly review and evaluate its processes for responding to congressional and intergovernmental correspondence and FOIA requests; prepare for hearings or briefings; provide technical assistance; and coordinate with EPA's program offices, regional offices, states, local officials, and associations. In FY 2019, OCIR prepared for 12 congressional hearings and responded to 675 congressional and gubernatorial letters. In addition, OCIR is advancing the agencywide metric on increasing the number of grant commitments met. OCIR is comprised of two main components: the Office of Congressional Affairs (OCA) and Office of Intergovernmental Relations (OIR). Interactions with Congress are managed out of the Office of Congressional Affairs. The Office of Intergovernmental Relations manages interactions with state and local governments and serves as the liaison for the Agency with national associations for state and local officials. In FY 2021, OCA will prepare EPA officials for hearings, oversee responses to written inquiries and oversight requests from members of Congress, and coordinate and provide technical assistance and briefings on legislative areas of interest to members of Congress and their staff. OIR will continue to inform state and local governments of regulatory and other EPA activities. Additionally, OIR will lead the Agency's efforts to support productive working relationships with states through a renewed focus on more effective partnerships.

The Office of Public Affairs (OPA) facilitates the exchange of information between EPA and the public, media, Congress, and state and local governments; broadly communicates EPA's mission; assists in public awareness of environmental issues; and informs EPA employees of important issues that affect them. Annually, OPA issues nearly 1,500 press releases; responds to approximately 8,000 media inquiries; and oversees more than 150 audio-visual productions, 500 graphic productions, 2,700 event photographs, and 40 portraits. In addition, in terms of digital media, OPA receives over 160 million impressions on the internet, including www.epa.gov and EPA social media accounts, and posts nearly 100 unique EPA homepage internet news banners. Also, to facilitate communications with EPA employees nationwide, OPA annually posts over 200 intranet banners; issues 48 issues of a weekly e-newsletter - *This Week @ EPA* - with a total of 240 articles; and sends more than 100 agencywide employee Mass Mailers from EPA's Administrator and other senior leaders. In FY 2021, OPA will continue to inform the media of agency initiatives and deliver timely, accurate information. The Office will continue to update the Agency's internet site to provide stakeholders with transparent, accurate, and comprehensive information on EPA's activities and policies. OPA will continue using social media, multimedia and new media tools to provide stakeholders with information. The Office also will work with EPA's programs and regional offices to improve employee communication; external

communication on relevant environmental and human health risks; collaboration and engagement with internal and external stakeholders; updates to the Agency's intranet site; and the use of other communication tools.

As the central administrative management component of the Administrator's Office (AO), the OAES provides advice, tools, and assistance to the AO's programmatic operations. In FY 2021, OAES will continue to conduct the following activities: human resources management, budget and financial management, information technology and security, and audit management.

In FY 2021, OEX will continue to provide critical administrative support to the Administrator, Deputy Administrator, senior agency officials, and staff to comply with the statutory and regulatory requirements under the Federal Records Act, FOIA, and related statutes and regulations. OEX will continue to manage the AO's correspondence, records management, Privacy Act implementation and FOIA activities. Responsibilities include: processing correspondence for the Administrator and Deputy Administrator, reviewing and preparing documents for their signature, and operating the Correspondence Management System, which provides paperless workflow, tracking and records management capabilities to more than 3,000 EPA employees; managing the Administrator's primary email account; serving as custodian of the Administrator's, Deputy Administrator's, and Immediate Office records and overseeing the records management program for all AO staff offices; and reviewing and issuing ethics determinations for gifts received by the Administrator and Deputy Administrator. The Office also manages the privacy program for the AO and monitors, reviews and audits AO systems of records. Finally, OEX manages FOIA-related operations for the AO.

In FY 2021, OPE will continue providing advice to the Administrator and senior staff on activities surrounding different stakeholder groups, including generating and distributing outreach plans for most regulatory actions. Such plans often include: meeting regularly with stakeholder groups to communicate the Administration's agenda at EPA, providing advance notification communications to relevant stakeholder groups on upcoming regulatory actions, facilitating in-state visits by the Administrator and/or senior staff to collect regulatory feedback, communicating key dates to stakeholders pertaining to opportunities to comment on EPA rulemakings, and organizing conference calls on regulatory topics with impacted stakeholders.

Performance Measure Targets:

(PM ST1) Percentage of grant commitments achieved by states, tribes, and local communities.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					No Target Established	No Target Established	No Target Established	TBD	Percent
Actual					N/A	N/A			
Numerator									Commit-ments
Denominator									

(PM ST2) Number of alternative shared governance approaches used to address state, tribal, and local community reviews.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					No Target Established	3	20	20	Alternative Approaches
Actual					0	14			

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$2,032.0) This change is an increase due to the recalculation of base payroll costs.

- (-$5,507.0 / -37.3 FTE) This program change reflects EPA's efforts to focus on carrying out the Agency's core mission, our shared responsibilities with states, localities, tribal nations, and regulatory relief.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Environmental Research, Development, and Demonstration Authorization Act (ERDDAA).

Small Business Ombudsman
Program Area: Information Exchange / Outreach
Goal: Greater Certainty, Compliance, and Effectiveness
Objective(s): Create Consistency and Certainty

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$1,906.9***	***$1,824.0***	***$1,983.0***	***$159.0***
Total Budget Authority	$1,906.9	$1,824.0	$1,983.0	$159.0
Total Workyears	6.4	4.6	4.6	0.0

Program Project Description:

The Small Business Ombudsman Program includes the Asbestos and Small Business Ombudsman (ASBO),[66] as well as the Small Business Advocacy Chair and other small business activities located in the Office of Policy's Office of Regulatory Policy and Management.[67] The Program provides a comprehensive suite of resources, networks, tools, and forums for education and advocacy on behalf of small businesses and leads EPA's implementation of the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act. For example, in FY 2019, ASBO provided a newsletter and worked with state partners to coordinate a comprehensive environmental compliance and education training conference.

The ASBO serves as the Agency's principal advocate for small business regulatory issues through its partnership with EPA Regional Small Business Liaisons, state Small Business Environmental Assistance Programs (SBEAPs)[68] nationwide, the U.S. Small Business Administration Office of Advocacy, and hundreds of small business trade associations. These partnerships provide the information and perspective EPA needs to help small businesses achieve their environmental goals.

Overall, the core functions of the Small Business Ombudsman Program include assisting EPA's program offices with analysis and consideration of the impact of their regulatory actions on small businesses; engaging small entity representatives, and other federal agencies in evaluating the potential impacts of rules; operating and supporting the Program's hotline and homepage; and supporting internal and external small business activities. The Program helps small businesses learn about new actions and developments within EPA and helps the Agency learn about the concerns and needs of small businesses. Based on the Agency's overall small business regulatory and environmental compliance assistance efforts, EPA has earned a grade of "A" in the last 13

[66] For more information, please see: https://www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman.
[67] For more information, please see: https://www.epa.gov/aboutepa/about-office-policy-op#ORPM.
[68] For more information, please see: https://nationalsbeap.org/.

Small Business Administration (SBA) Office of the National Ombudsman Annual Reports to Congress.[69]

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Create Consistency and Certainty in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, the Program will:

- Improve environmental protection by working with EPA program offices and state SBEAPs to share information and leverage resources, provide compliance assistance resources and enhance the compliance assistance tool box available to the small business community.

- Enhance engagement with state SBEAP partners through a new, expanded cooperative agreement, which supports collaboration on a national level with state SBEAPs and EPA. This upcoming ASBO funded cooperative agreement will support the expansion of the SBEAP website (www.nationalsbeap.org) and other SBEAP communication tools, including a new compliance assistance web-resource, dedicated to non-English speaking small businesses. Additionally, this cooperative agreement will allow for financial support to fund a state SBEAP in hosting and managing the National SBEAP annual training event. This annual event is an important collaboration and face-to-face opportunity for EPA and state SBEAP programs to listen to and support one another in their mission to assist small business regulatory compliance assistance.

- Institute an updated monitoring method for the state SBEAP programs throughout the country. In the past ASBO has requested each state SBEAP complete an annual reporting form, which collected small business assistance and budget data, including common outputs and outcomes for program success, from all state programs. A new, less burdensome data collection (beta) process will be established to help monitor and periodically report on the effectiveness of state SBEAPs in assisting small businesses on environmental regulatory compliance.

- Explore options for reinvigorating and formalizing the collaboration of regional EPA contacts to engage in localized small business program developments, regulatory updates, training support and compliance assistance under the ASBO Program.

- Expand communication and outreach to ASBO's stakeholders with a newly developed ASBO resource guide and updated online communication resources. These new or updated communication tools will target internal EPA customers, which require assistance in considering small business impacts in the rule development process. The tools also will target external customers, such as national trade associations, state SBEAPs and the general small business community. This will help clarify the services that the program provides to support small entity environmental compliance.

[69] For more information, please see: https://www.sba.gov/sites/default/files/2019-04/SBA_ombudsman_Annual_Report_to_Congress_2017.PDF.

- Strengthen the Agency's collaboration to listen to and follow up on small business industry issues, as defined by small business trade associations, during the annual EPA Deputy Administrator Small Business Meeting. This meeting is typically organized and hosted by ASBO for the Deputy Administrator. ASBO plans to survey participants for this meeting (along with other ASBO hosted events) to better meet the needs and improve meeting outcomes for small entity engagement.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$72.0) This change is an increase due to the recalculation of base payroll costs.

- (+$87.0) This program change is a slight increase to maintain communication with small businesses about new actions and developments within EPA.

Statutory Authority:

Small Business Regulatory Enforcement Fairness Act of 1996, Pub. L. 104-121, as amended by Pub. L. 110-28; Small Business Paperwork Relief Act, 44 U.S.C. 35; 42 U.S.C. § 7661f; 15 U.S.C. §§ 2641-2656.

Small Minority Business Assistance
Program Area: Information Exchange / Outreach
Goal: Greater Certainty, Compliance, and Effectiveness
Objective(s): Create Consistency and Certainty

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$1,411.3***	***$987.0***	***$1,080.0***	***$93.0***
Total Budget Authority	$1,411.3	$987.0	$1,080.0	$93.0
Total Workyears	6.1	7.6	7.6	0.0

Program Project Description:

EPA's Office of Small and Disadvantaged Business Utilization (OSDBU) manages the Agency's Small Business Contracting Program mandated under Section 15(k) of the Small Business Act, 15 U.S.C. § 644(k). As prescribed under that section, the Program provides expertise in ensuring small business prime and subcontracting opportunities to expand EPA's competitive supplier base in furthering the Agency's mission. Under the Program, OSDBU provides EPA's contracting community statutorily required counseling and training on all aspects of governing small business requirements throughout the federal acquisition cycle. It also engages in 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. In accordance with Section 15(k), OSDBU further hosts and participates in an average of one small business outreach and training conference each month, providing needed technical assistance to hundreds of small businesses across the country.

In implementing the many statutory responsibilities required under Section 15(k), OSDBU reviews acquisition strategies to maximize small business procurement opportunities; provides expertise in conducting market research for EPA acquisitions; performs contract bundling reviews to avoid unnecessary or unjustified limitations on small business utilization; reviews purchase card transactions within the statutory threshold; and evaluates large prime contractor subcontracting plans. In addition, OSDBU reviews unsolicited proposals for agency acquisitions and assists small businesses in resolving payment issues under EPA acquisitions. It further provides a broad range of training, outreach, and technical assistance to new and prospective small business awardees. Historically, data reported in the Federal Procurement Data Systems indicates that EPA awards an average of 40 percent of total acquisition dollars to small businesses annually – far exceeding the government-wide goal of 23 percent.

EPA has earned an "A" on SBA's last 10 government-wide Small Business Procurement Scorecards[70] for the Agency's record of excellence in affording small business contracting opportunities. EPA also received a special Certificate of Recognition from the U.S. Small Business

[70] For more information, please see: https://www.sba.gov/sites/default/files/2019-06/EPA.pdf.

Administration for being one of only a handful of federal agencies to achieve that record.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Create Consistency and Certainty in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, the Program will:

- Expand EPA's electronic tools and mechanisms for identifying the projected contracting spend of individual offices to more effectively align small business contracting opportunities and structure agencywide small business vehicles to achieve greater efficiencies, costs savings, and value consistent with the President's Management Agenda Cross-Agency Goal 7 for Category Management. In FY 2019, OSDBU crafted a strategy for ensuring the maximum practicable utilization of small businesses in agency acquisitions of common goods and services within the Category Management framework. Building on that strategy, in FY 2021, OSDBU will continue efforts to support the implementation of the government-wide Category Management initiative by training EPA's Small Business Specialists to serve as designated experts in each of EPA's primary categories of common contracting spend.

- Strengthen EPA's small business subcontracting program by providing contracting officer training on maximizing small business subcontracting opportunities and by developing a monitoring program to ensure large business compliance with their required small business subcontracting plans. EPA fully implemented the newly enacted provisions of Section 15(k)(20), which require each agency OSDBU to review all subcontracting plans to "ensure that the plan provides the maximum practicable opportunity for small business concerns." In addition to dedicating resources to conduct the reviews, in FY 2019, OSDBU standardized the review procedures. The training and compliance monitoring program planned for FY 2021 will further assist in expanding the utilization of small businesses on the subcontracting level.

- Issue a comprehensive small business contracting manual that will streamline, standardize, and simplify EPA's small business contracting processes and procedures to strengthen operational efficiency, effectiveness, and compliance with governing statutory requirements. The manual will serve as a centralized and authoritative repository of internal EPA small business contracting requirements, guidance, processes, and procedures. It will be accessible electronically agencywide.

- Leverage existing and emerging collaborative tools, resources and technology to provide important small business technical assistance required under Section 15(k) of the Small Business Act, including releasing a new small business resource guide and electronic information to educate a broad and diverse spectrum of small businesses. In addition to supporting small businesses seeking to do business with the federal government, the planned access to additional information also will assist EPA in maintaining a qualified small business industrial base to help meet the Agency's mission needs.

- Continue to build on successes in refining OSDBU's Small Business Contracting

Dashboard issued in FY 2018, by working with a contractor to develop an automated process to report granular real-time small business goal accomplishments to inform the Agency's acquisition planning and strategies. In FY 2019, OSDBU explored available vendor solutions for more granular reporting. During FY 2021, OSDBU will collaborate with EPA's contracting office to engage contractor support to develop the automated reporting process.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$290.0) This change is an increase due to the recalculation of base payroll costs.

- (–$197.0) This program change reflects the fact that EPA will prioritize activities to maintain compliance with its statutory obligations under the Small Business Act.

Statutory Authority:

15 U.S.C § 644(k).

State and Local Prevention and Preparedness
Program Area: Information Exchange / Outreach
Goal: A Cleaner, Healthier Environment
Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$12,588.0***	***$13,594.0***	***$10,862.0***	***-$2,732.0***
Total Budget Authority	$12,588.0	$13,594.0	$10,862.0	-$2,732.0
Total Workyears	53.3	63.1	46.9	-16.2

Program Project Description:

The State and Local Prevention and Preparedness Program establishes a structure composed of federal, state, local, and tribal partners who work together with industry to protect emergency responders, local communities, facility workers, the environment, and property from chemical accident risks through accident prevention and emergency response programs, community and facility engagement, and improved safety systems. This framework provides the foundation for community and facility chemical hazard response planning, and reduction of risk posed from chemical facilities.

Under Section 112(r) of the 1990 Clean Air Act (CAA) Amendments, chemical facilities that store more than a certain amount of listed extremely hazardous substances are required to implement a Risk Management Plan (RMP) program. These facilities, known as RMP facilities, take preventive measures; report data; mitigate and/or respond to chemical releases; and work with communities, response, and planning groups to increase understanding of risks.[71]

The Emergency Planning and Community Right–to-Know Act (EPCRA) of 1986 was created to help communities plan for chemical emergencies and to inform the public about chemicals in their community. Under EPCRA, facilities are required to report about the chemicals they produce, use, and store to state and local governments. States, tribes, and local governments use this information to prepare communities for potential releases from these facilities through the development of local emergency response plans.[72]

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination, in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, the State and Local Prevention and Preparedness Program will perform the following activities:

[71] For additional information, please refer to: https://www.epa.gov/rmp.
[72] For additional information, please refer to: https://www.epa.gov/epcra.

- Inspect RMP and EPCRA facilities to ensure compliance with accident prevention and preparedness regulations, and work with chemical facilities to reduce chemical risks and improve safety. There are approximately 12,000 chemical facilities that are subject to the RMP regulations. Of these, approximately 1,800 facilities have been designated as high-risk based upon their accident history, quantity of on-site dangerous chemicals stored, and proximity to large residential populations.[73] EPA prioritizes inspections at high-risk facilities.

- Provide basic and advanced RMP and EPCRA inspector training for federal and state inspectors.

- Maintain the RMP national database, which is the Nation's premier source of information on chemical process risks and contains hazard information on all RMP facilities. Industry electronically submits updated RMPs to this secure database.

- Develop limited updates to the Computer-Aided Management of Emergency Operations (CAMEO) software suite (*i.e.,* the CAMEO Chemicals, CAMEO*fm,* Areal Locations of Hazardous Atmospheres and Mapping Application for Response, Planning, and Local Operational Tasks applications), which provides free and publicly available information for firefighting, first aid, emergency planning, and spill response activities.

- Implement provisions of the final RMP Reconsideration rule, including drafting and revising facility guidance, training EPA regional and delegated state agency inspectors on revised rule provisions, and revising the RMP database to accept modified submissions.

EPA is proposing to develop a new program that would authorize EPA to collect and use fees for compliance assistance which can assist RMP facilities in complying with EPA regulations. This fee and service will be voluntary.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$964.0) This change is an increase due to the recalculation of base payroll costs.

- (-$3,696.0 / -16.2 FTE) This net program change reduces resources for technical support and outreach. This change will eliminate grant support for certified RMP inspectors in FY 2021.

[73] Located in the EPA RMP database.

Statutory Authority:

The Emergency Planning and Community Right-to-Know Act (EPCRA); the Clean Air Act (CAA) § 112(r).

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$12,136.9***	***$12,155.0***	***$8,065.0***	***-$4,090.0***
Total Budget Authority	$12,136.9	$12,155.0	$8,065.0	-$4,090.0
Total Workyears	32.0	37.0	20.8	-16.2

Program Project Description:

EPA's success in carrying out its mission to protect human health and the environment is contingent on collecting timely, accurate, and relevant information. The Toxics Release Inventory (TRI) Program[74] supports EPA's mission by annually publishing for the public: release, other waste management (e.g., recycling), and pollution prevention data on over 650 toxic chemicals from approximately 21,000 industrial and federal facilities. The Program collaborates with other environmental programs on additional sector analyses, such as with the food sector concerning reducing food waste, to describe relevant trends in toxic chemical releases and waste management practices, and to support innovative approaches by industry and other partners to reduce pollution. The TRI Program is a premiere source of cross-media toxic chemical release data for communities, non-governmental organizations, industrial facilities, academia, and government agencies at the local, state, tribal, federal, and global levels.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.4, Ensure Safety of Chemicals in the Marketplace in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA will continue to focus on the collection of chemical release and other waste management data and making the data available to governments and the public.

EPA will continue to provide reporting facilities with an online reporting application, *TRI-MEweb*, to facilitate the electronic preparation and submission of TRI reports through EPA's Central Data Exchange (CDX).[75] In addition, the TRI data collected by EPA are shared with states, tribes, and territories that have an active node on CDX and are partners of the TRI Data Exchange (TDX).[76] EPA will continue to maintain the TDX used by states, tribes, and territories. The Agency also will continue to support the TRI Processing System (TRIPS) database, which is the repository for TRI data. Maintaining these data includes data quality activities and transmitting the data to

[74] For additional information, please visit: http://www.epa.gov/tri/.
[75] To access the CDX, please visit: https://cdx.epa.gov/.
[76] For additional information, please visit: https://www.epa.gov/toxics-release-inventory-tri-program/tri-data-exchange.

EnviroFacts[77] and other databases in support of the public's access to TRI data. In FY 2021, additional activities include continued streamlining of the application and database using the EPA Lean Management System (ELMS) process to include feedback from users (*i.e.*, communities, academia, industry, states, and tribes) and the Program.

In FY 2021, the Program intends to collect performance data by conducting at least 600 data quality checks that ensure the accuracy and completeness of the reported data and thereby improve the Program's analyses of chemical releases and wastes. The Program will continue to publish the annual *TRI National Analysis*[78], which describes relevant trends in toxic chemical releases as well as trends in other waste management practices and innovative approaches by industry to reduce pollution.

Further, in advancing EPA's commitments as outlined in the FY 2020-2021 Agency Priority Goal Per- and Polyfluoroalkyl Substances (PFAS) Action Plan, by September 30, 2021, EPA will meet several of the designated Priority Action milestones to establish a framework to understand and address PFAS. The TRI Program will continue to determine whether data and information are available on PFAS to fulfill the statutory listing criteria and to publish a notice-and-comment rulemaking should such data and information support the listing of those chemicals.[79]

As part of EPA's Toxic Substances Control Act (TSCA) Program, EPA is working to evaluate the health and environmental risks of 10 chemicals identified by the Agency in December 2016, as well as a further 20 high-priority chemicals designated in December 2019 and two other chemicals pursuant to a manufacturer request. TSCA requires that additional chemicals will be selected for evaluation in the future, maintaining 20 EPA-initiated evaluations on an on-going basis. Many chemicals identified for evaluation also are likely to be TRI chemicals, and the TRI database has provided information to support EPA's risk evaluation work. During FY 2021, as more TRI chemicals undergo risk evaluation by EPA, the TRI Program will support those risk evaluations by providing EPA risk assessors with information from the TRI database that can be used to identify conditions of use, and evaluate and estimate occupational, general population, and subpopulation exposures.

Since electronic systems that collect and disseminate TRI data largely have been developed already, the focus will be on operations and maintenance of *TRI-MEweb*, TRIPS, and the streamlining of business processes that contribute to quality control processes and the annual *TRI National Analysis*. By leveraging Agency cloud services, the TRI systems will improve system performance, reliability, efficiencies, portability, and administrative services (security, upgrades, patches etc.) further reducing O&M cost. This also will improve integration/consistency with other cloud-based systems and applications and will provide quicker data processing and enhance TRI's analytical capabilities by using applications such as *Qlik*. Emphasis also will be placed on optimizing search and data transfers within *EnviroFacts*, the system that provides public access to the statutorily required data submitted by industry. Use of enterprise infrastructure and services as

[77] *EnviroFacts* may be accessed at: https://enviro.epa.gov/.
[78] To access the TRI National Analysis, please visit: https://www.epa.gov/trinationalanalysis. EPA publishes each National Analysis approximately six months after that year's data are reports; the National Analysis on RY 2018 data will be made available in early 2020.
[79] Additional information may be found on pp. 18-19 of EPA's *PFAS Action Plan*, which may be accessed at: https://www.epa.gov/sites/production/files/2019-02/documents/pfas_action_plan_021319_508compliant_1.pdf.

well as a commitment to continuous service improvement will allow the Program to meet statutory requirements for industry reporting and public access to TRI as efficiently as possible.

As required by the Emergency Planning and Community Right-to-Know Act (EPCRA), the Agency will respond to EPCRA chemical petitions regarding TRI within 180 days after receipt.[80] Petitions may request the addition or deletion of chemicals. Petitions also may address industry sector coverage. The quantity and complexity of petitions are unknown until submitted to EPA.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$635.0) This change is an increase due to the recalculation of base payroll costs.

- (-$3,781.0 / -14.1 FTE) This program change: reduces funding for certain TRI trend and comparative analyses, communication initiatives, and tool enhancements; refocuses the TRI program to key Agency focus areas, such as supporting Agency PFAS work and the TSCA Program; and reflects streamlining of the TRI Program as TRI information can increasingly be accessed remotely via databases and web tools. This program change also is a reduction in contractual costs for producing TRI annual reports as a result of the TRI Electronic Reporting Rule.

- (-$944.0 / -2.1 FTE) This net program change reduces resources for operations and maintenance for TRI tools in *EnviroFacts*, Data Processing Center operations, Help Desk activities, and security upgrades. In addition, enhancements for TRI-MEweb and TRIPS are eliminated, while facilitating the planned streamlining of the TRI Program, as TRI information can increasingly be accessed remotely via databases and web tools.

Statutory Authority:

Emergency Planning and Community Right-to-Know Act (EPCRA) § 313; Pollution Prevention Act of 1990 (PPA) § 6607.

[80] Additional information on current petitions may be found at: https://www.epa.gov/toxics-release-inventory-tri-program/toxics-release-inventory-laws-and-regulatory-activities.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$13,780.0***	***$13,072.0***	***$14,099.0***	***$1,027.0***
Total Budget Authority	$13,780.0	$13,072.0	$14,099.0	$1,027.0
Total Workyears	76.5	74.6	72.0	-2.6

Program Project Description:

EPA is responsible for protecting human health and the environment in Indian country under federal environmental statutes. Under the Agency's 1984 Indian Policy,[81] EPA works with federally recognized tribes (tribes) on a government-to-government basis, in recognition of the federal government's trust responsibility to tribes, to implement federal environmental programs. In the 1984 Indian Policy, "EPA recognizes tribes as the primary parties for setting standards, making environmental policy decisions, and managing programs for reservations consistent with agency standards and regulations," therefore, EPA assists tribes in developing the programs to make such decisions. In the absence of a program delegation to a tribe, the Agency directly implements the Program. This program also supports the Categorical Grant: Tribal General Assistance Grants Program.

EPA's American Indian Environmental Office leads agencywide efforts to ensure environmental protection in Indian country. Please see http://www.epa.gov/tribal for more information.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 2/Objective 2.1, Enhance Shared Accountability in the *FY 2018 – 2022 EPA Strategic Plan*. Overall, the Agency has made steady progress towards strengthening human health and environmental protection on tribal lands. EPA will further its priority of strengthening tribal partnerships and continue to work toward its goal of building tribal capacity through a number of mechanisms in FY 2021. In addition, the Agency continues the direct implementation assessment effort to better understand EPA's direct implementation responsibilities and activities on a program-by-program basis in Indian country.

Capacity Building: EPA will continue to provide assistance and to support mechanisms for tribes to pursue developing and implementing federal environmental programs, including the "treatment in a manner similar to a state" (TAS) process and the use of the Direct Implementation Tribal Cooperative Agreement (DITCA) authority. The Agency will continue to provide technical and

[81] EPA Policy for the Administration of Environmental Programs on Indian Reservations, available at https://www.epa.gov/tribal/epa-policy-administration-environmental-programs-indian-reservations-1984-indian-policy.

financial assistance to ensure tribal governments have the opportunity to build the capacity to meaningfully participate and engage in environmental protection activities. To date, EPA has approved 83 TAS regulatory program delegations to tribes, including 20 approvals for compliance and enforcement authority. EPA had 17 DITCAs with tribes in place in FY 2020.

Indian Environmental General Assistance Program (GAP) Capacity Building Support: GAP grants to tribal governments help build the basic components of a tribal environmental program. The Agency manages GAP grants according to its *Guidance on the Award and Management of General Assistance Agreements for Tribes and Intertribal Consortia*.[82] In FY 2021, EPA will continue to administer GAP financial assistance to build tribal capacity and address environmental issues in Indian country. EPA's work in FY 2021 also will continue to enhance EPA-Tribal partnerships through development and implementation of EPA-Tribal Environmental Plans (ETEPs) and a continued focus on tracking and reporting measurable results of GAP-funded activities.

GAP Performance Measurement:
In FY 2020, EPA will complete an evaluation of the program implementation under the 2013 GAP guidance and anticipates developing revised Guidance for tribal consultation. Once revised Guidance is finalized, in FY 2021, EPA will adjust the performance management application to align with the revised Guidance and begin compiling and analyzing data. The IT-based performance application will provide a data-driven basis for supporting funding decisions, funding priorities and contribute to program accountability.

Tribal Consultation: In working with the tribes, EPA follows its *Policy on Consultation and Coordination with Indian Tribes.* [83] The Consultation Policy builds on EPA's 1984 Indian Policy and establishes clear agency standards for a consultation process promoting consistency and coordination. 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. In FY 2021, EPA will continue to support the agency's web-based Tribal Consultation Opportunities Tracking System, a publicly accessible database used to communicate upcoming and current EPA consultation opportunities to tribal governments. The system provides a management, oversight, and reporting structure that helps ensure accountability and transparency.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$1,138.0) This change is an increase due to the recalculation of base payroll costs.

[82] Please refer to https://www.epa.gov/tribal/2013-guidance-award-and-management-general-assistance-agreements-tribes-and-intertribal for further information.
[83] Please refer to: https://www.epa.gov/tribal/forms/consultation-and-coordination-tribes.

- (-$111.0 / -2.6 FTE) This program change reduces contract program support for some tribal capacity building efforts.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

International Programs

International Sources of Pollution
Program Area: International Programs
Goal: More Effective Partnerships
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$7,011.4***	***$6,553.0***	***$10,628.0***	***$4,075.0***
Total Budget Authority	$7,011.4	$6,553.0	$10,628.0	$4,075.0
Total Workyears	35.5	32.4	20.7	-11.7

Program Project Description:

The United States works with international partners to address international sources of pollution, as well as the impacts of pollution from the United States on other countries and the global environment. International sources of pollution impact air, water, food crops and food chains, and can accumulate in foods such as fish. Healthy environments, ecosystems, and communities provide the foundation for economic development, food security, and sustainable growth.

EPA's work with international partners and organizations is essential to addressing transboundary pollution adversely impacting the United States. Strengthening environmental protection abroad so that it is on par with practices in the U.S. helps build a level playing field for industry and promotes opportunities for technologies and innovation. EPA's international programs also play an important role in fulfilling national security and foreign policy objectives.

An important example of work under the Program is EPA's engagement in the Group of Seven (G7) and the Group of Twenty (G20) through environment ministerial meetings, which negotiate outcomes on key EPA issues such as food waste, marine litter, resource efficiency, and air quality. In addition, EPA's engagement with the World Health Organization has helped advance recognition of the critically important role of environmental factors, including air pollution and toxic chemicals, in the global burden of non-communicable diseases (NCDs) and of the role that sound environmental laws can play in reducing these risks.

FY 2021 Activities and Performance Plan:

Work in the Program directly supports Goal 2/Objective 2.1, Enhance Shared Accountability in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA will continue to engage both bilaterally and through multilateral institutions to improve international cooperation to prevent and address the transboundary movement of pollution. Specifically, EPA will engage with key priority countries to address air pollution that contributes significant pollution to the domestic and international environment. For example, a number of Asian countries are implementing national air quality monitoring, planning, and control strategies with advice and lessons learned from the United States. Environmental policies adopted and implemented overseas will improve

competitiveness for U.S. businesses, drive demand for U.S. emissions control technologies, and expand exports of U.S. environmental goods and services while improving air quality conditions in the United States.

US-Mexico Canada Trade Agreement (USMCA):

In FY 2021, EPA will continue its participation in the North American Commission for Environmental Cooperation (CEC), which provides regional and international leadership to advance environmental protection, human health and sustainable economic growth in North America. EPA also will continue work on implementation of the Environment Chapter of the USMCA trade agreement, utilizing both redirected base resources and additional investment. EPA activities will include monitoring and verifying provisions pertaining to global and national environmental requirements in the agreement and providing subject matter expertise.

Marine Litter

EPA will continue to engage multilaterally and bilaterally to prevent and reduce marine litter, an increasingly prominent global issue that can negatively impact domestic water quality, tourism, industry and public health in the U.S. Since 80 percent of marine litter comes from land-based sources of waste, countries with inadequate waste management contribute to the pollution in our shared oceans. EPA will build on groundbreaking efforts in the G7, the G20, and the United Nations Environment Assembly (UNEA) to support and advance comprehensive approaches including technology innovation and sharing of best practices. EPA will continue to work with other federal agencies to advance sound policy approaches for global action on marine litter.

In FY 2021, EPA will share tools and technical assistance related to expanding Trash Free Waters to key contributing countries in Asia and build on past projects in Latin America and the Caribbean. Technical support may include: developing action plan(s) to reduce leakage of trash to the environment and identifying steps to implement relevant and applicable waste collection / management systems and modest implementation projects where possible.

Food Waste

In FY 2021, EPA will continue to build cooperation with the United Nations and the Office of Management and Budget to ensure that on methodologies used to track international progress on reducing food waste accurately reflect U.S. progress. With the additional requested funds, the Agency also will scope pilot projects to reduce food waste that is an increasing portion of landfill waste in rapidly urbanizing developing country cities. These projects are aimed at exporting U.S. technology and innovative strategies to improve the environment. For example, EPA will bring together experts from the US government, non-governmental organizations (NGOs), academia, and the private sector to promote programs, best practices and technologies related to food loss and waste.

Chemicals:

EPA also will maintain efforts to reduce environmental threats to U.S. citizens from global contaminants impacting air, water, and food. EPA will continue technical and policy assistance for global and regional efforts to address international sources of harmful pollutants, such as mercury. Since 70 percent of the mercury deposited in the U.S. comes from global sources[84], both domestic efforts and international cooperation are important to address mercury pollution. EPA will continue to work with international partners and key countries to fully implement obligations under the Minamata Convention on Mercury in order to protect the U.S. population from mercury emissions originating in other countries, including from artisanal and small-scale gold mining. EPA will continue to play a leadership role in the Lead Paint Alliance to increase the number of countries that establish effective laws to limit lead in paint, which remains a priority health concern following successful efforts to eliminate lead in gasoline worldwide.

Performance Measure Targets:

(PM PAM1) Number of EPA actions to address international marine litter priorities.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target								6	Actions
Actual									

Work under this program supports performance results in the Surface Water Protection Program under the EPM appropriation and, in the RCRA: Waste Minimization & Recycling Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$82.0) This change is an increase due to the recalculation of base payroll costs.
- (+$3,055.0 / +3.0 FTE) This increase supports EPA's participation in international fora, the development and sharing of tools through technical assistance, and the implementation of bilateral agreements to reduce ocean pollution and plastic.
- (+$661.0 / +0.5 FTE) This increase supports EPA's work on food waste reduction methodologies and scoping projects that focus on U.S. best practices and technologies to reduce food waste with key international partners.
- (+$465.0 / +3.0 FTE) This increase supports work on implementation of the Environment Chapter of the US-Mexico-Canada (USMCA) trade agreement, including monitoring and verification on provisions pertaining to global and national environmental requirements, coordination with other agencies, and provision of subject matter expertise.

[84] For more information, please see: https://www.epa.gov/international-cooperation/minamata-convention-mercury and www.mercuryconvention.org.

- (+$450.0) This increase restores EPA's contribution to the Commission for Environmental Cooperation in FY 2021.

- (-$638.0 / -18.2 FTE) This reduction supports the continued reprioritization of agency activities. The program will focus efforts on the highest priority international issues.

Statutory Authority:

In conjunction with the National Environmental Policy Act (NEPA) § 102(2)(F): Clean Air Act § 103(a); Clean Water Act § 104(a)(1)-(2); Safe Drinking Water Act (SDWA) § 1442(a)(1); Resource Conservation and Recovery Act (RCRA) § 8001(a)(1); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) §§ 17(d), 20(a); Toxic Substances Control Act (TSCA) §10(a); Marine Protection, Research, and Sanctuaries Act (MPRSA) § 203(a)(1); E.O. 13547; E.O. 13689.

Trade and Governance

Program Area: International Programs
Goal: More Effective Partnerships
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$5,716.8***	***$5,365.0***	***$0.0***	***-$5,365.0***
Total Budget Authority	$5,716.8	$5,365.0	$0.0	-$5,365.0
Total Workyears	14.4	15.3	0.0	-15.3

Program Project Description:

Since the 1972 Trade Act mandated the U.S. Trade Representative engage in interagency consultations, EPA has played a key role in trade policy development. Specifically, EPA is a member of the Trade Policy Staff Committee and the Trade Policy Review Group - interagency mechanisms that provide advice, guidance, and clearance to the Office of the U.S. Trade Representative in the development of U.S. international trade and investment policy. Trade influences the nature and scope of economic activity and therefore the levels of pollutant emissions and natural resource use. EPA's role in trade negotiations is to ensure that agreements have provisions that are consistent with the Administration's environmental protection goals while not putting the United States at an economic disadvantage.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. EPA will continue its participation in the North American Commission for Environmental Cooperation (CEC) and other international forums, as appropriate, through the International Sources of Pollution program project.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$5,365.0 / -15.3 FTE) This funding change proposes to eliminate the Trade and Governance Program.

Statutory Authority:

In conjunction with the National Environmental Policy Act (NEPA) § 102(2)(F): Clean Air Act § 103(a); Clean Water Act § 104(a)(1)-(2); Safe Drinking Water Act (SDWA) § 1442(a)(1); Resource Conservation and Recovery Act (RCRA) § 8001(a)(1); Federal Insecticide Fungicide and Rodenticide Act (FIFRA) §§ 17(d), 20(a); Toxic Substances Control Act (TSCA) §10(a); Marine Protection, Research, and Sanctuaries Act (MPRSA) § 203(a)(1); E.O. 12915; E.O. 13141; E.O. 13277.

US Mexico Border
Program Area: International Programs
Goal: More Effective Partnerships
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$3,236.0***	***$2,693.0***	***$0.0***	***-$2,693.0***
Total Budget Authority	$3,236.0	$2,693.0	$0.0	-$2,693.0
Total Workyears	12.5	12.4	0.0	-12.4

Program Project Description:

The two thousand-mile border between the United States and Mexico is one of the most complex and dynamic regions in the world, where the benefits of international programs are perhaps most apparent. This region accounts for three of the ten poorest counties in the U.S., with an unemployment rate 250-300 percent higher than the rest of the country.[85] In addition, over 430 thousand of the 14 million people in the region live in 1,200 colonias,[86] which are unincorporated communities characterized by substandard housing and unsafe drinking water or wastewater systems. The adoption of the Border Programs has gone a long way to protect and improve the health and environmental conditions along a border that extends from the Gulf of Mexico to the Pacific Ocean.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. Projects historically funded along the border between the United States and Mexico may be eligible for funding under the Clean Water and Drinking Water State Revolving Funds.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$2,693.0 / -12.4 FTE) This funding change proposes to eliminate the U.S. Mexico Border Program.

[85] http://www.nnirr.org/drupal/sites/default/files/unm_the_us_mexico_border_region_at_a_glance.pdf
[86] Ibid

Statutory Authority:

In conjunction with the 1983 Agreement between the United States of America and the Mexican United States on Cooperation for the Protection and Improvement of the Environment in the Border Area (La Paz Agreement) and National Environmental Policy Act (NEPA) § 102(2)(F): Clean Air Act § 103(a); Clean Water Act § 104(a)(1)-(2); Safe Drinking Water Act (SDWA) §§ 1442(a)(1); Resource Conservation and Recovery Act (RCRA) § 8001(a)(1); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) §§ 17(d), 20(a); Toxic Substances Control Act (TSCA) § 10(a); Marine Protection, Research, and Sanctuaries Act (MPRSA) § 203(a)(1).

IT/ Data Management/ Security

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$7,649.5***	***$7,593.0***	***$14,012.0***	***$6,419.0***
Hazardous Substance Superfund	$598.9	$693.0	$5,082.0	$4,389.0
Total Budget Authority	$8,248.4	$8,286.0	$19,094.0	$10,808.0
Total Workyears	18.7	13.1	12.8	-0.3

Program Project Description:

Digital information is a valuable national resource and a strategic asset that enables EPA to fulfill its mission to protect human health and the environment. The Information Security Program's mission is to protect the confidentiality, availability, and integrity of EPA's information assets. The information protection strategy includes, but is not limited to: policy, procedure, and practice management; information security awareness, training, and education; governance and oversight; risk-based weakness management; operational security management; and incident detection, response, and recovery.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. Cybersecurity is a serious challenge to our nation's security and economic prosperity. Effective information security requires vigilance and the ability to adapt to new challenges every day. As reported to the Department of Homeland Security (DHS), in FY 2019, EPA experienced 194 confirmed incidents against its systems. As a result, the Agency has identified significant gaps in its ability to detect, respond to, protect against, and recover from attacks, which increase the risk to compromise agency information.

In response to DHS's *Cybersecurity Risk Management Assessment*, EPA will continue to leverage capabilities through the Continuous Diagnostics and Mitigation (CDM) Program. EPA will focus on closing existing gaps by identifying and alerting unauthorized hardware and software into the Agency's networks and systems, checking outbound traffic for unauthorized exfiltration, and assessing systems with a Security Content Automation Protocol. In addition to protecting EPA information assets, CDM will help the Agency identify and respond to federal-wide cybersecurity threats and incidents quicker and more efficiently.

EPA's cost to implement new and maintain existing CDM capabilities as mandated by the Office of Management and Budget (OMB) is estimated to be over $12 million in FY 2021 across all appropriations. In accordance with OMB Memorandum M-20-04 "Fiscal Year 2019-2020

Guidance on Federal Information Security and Privacy Management Requirements",[87] EPA also is developing a plan for the Agency's Security Operations Center to improve incident detection and response capabilities, which will be implemented by the end of FY 2020.

With available resources, EPA will work to close non-CDM capability gaps essential to adequately protect agency information assets. Such efforts include analyzing malicious email attachments, detecting and mitigating effects of insider threats and advanced persistent threats, and conducting program responsibilities, such as governance, oversight, and risk management. Additionally, the Agency practices Coordinated Vulnerability Disclosure, a standard process to decrease the harm or time an adversary can use to deny or disrupt services to its networks by working with internal stakeholders, private industry, and federal organizations to communicate vulnerabilities discovered or encountered.

Cybersecurity Risk Management Assessment metrics developed by the National Institute of Standards and Technology and industry best practices help prioritize action to adequately protect agency information assets and provide visibility on vulnerabilities. While EPA's cybersecurity posture is expected to remain at risk in FY 2021, the Agency will continue to conduct risk assessments and alternative analyses to determine which protections EPA must maintain or implement. The Agency is evaluating alternatives for Security Operations as a Service and cloud security options such as Cloud Access Security Brokers Services for possible implementation.

In FY 2021, the Information Security Program will continue to collect Federal Information Security Modernization Act (FISMA) metrics and evaluate related processes, tools, and personnel to continue to identify areas of weakness and opportunities for improvement. The Program will collect phishing test results and evaluate the effectiveness of awareness efforts. With these data, the Agency will identify strategies and prioritize areas to mitigate risks. The Agency will expand strategies for identifying and leveraging common controls while managing system boundaries to reduce compliance costs.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$185.0) This change is an increase due to recalculation of base payroll costs.

- (+$6,234.0 / -0.3 FTE) This program change supports mandatory cybersecurity requirements,[88] including CDM funding that will be used to close existing gaps by improving audit capabilities, ensuring accountability, and adding protections directly associated with the information.

[87] For more information, please refer to: https://www.whitehouse.gov/wp-content/uploads/2019/11/M-20-04.pdf.
[88] Including those found in Federal Information Security Modernization Act of 2014 and Federal Information Security Cybersecurity Act of 2015.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Cybersecurity Act of 2015; Federal Information Security Modernization Act (FISMA); Government Performance and Results Act (GPRA); Government Management Reform Act (GMRA); Clinger-Cohen Act (CCA).

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$78,748.7***	***$80,223.0***	***$79,064.0***	***-$1,159.0***
Science & Technology	$3,092.6	$3,072.0	$2,890.0	-$182.0
Hazardous Substance Superfund	$13,755.5	$13,792.0	$13,874.0	$82.0
Total Budget Authority	$95,596.8	$97,087.0	$95,828.0	-$1,259.0
Total Workyears	391.4	459.4	469.9	10.5

Total workyears in FY 2021 include 172.0 FTE to support IT/Data Management working capital fund (WCF) services.

Program Project Description:

The work performed under the Information Technology/Data Management (IT/DM) Program supports human health and the environment by providing critical IT infrastructure and data management. The Program ensures analytical support for interpreting and understanding environmental information; exchange and storage of data, analysis, and computation; rapid, secure, and efficient communication; and access to scientific, regulatory, policy, and guidance information needed by the Agency, regulated community, and the public.

This Program supports the maintenance of EPA's IT and Information Management (IT/IM) services that enable citizens, regulated facilities, states, and other entities to interact with EPA electronically to get the information they need on-demand, to understand what it means, and to share environmental data. The IT/DM Program also provides support to other IT development projects and essential technology to EPA staff, enabling them to conduct their work effectively and efficiently in the context of federal IT requirements, including the Federal Information Technology Acquisition Reform Act (FITARA); Technology Business Management (TBM); Capital Planning and Investment Control; and the Open, Public, Electronic, and Necessary Government Data Act.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. EPA is committed to enhancing the power of information and delivering on-demand data to relevant parties. An example of this includes continued progress on enterprise data architecture and establishing the role of a Chief Data Officer as required by the Foundations for Evidence-Based Policymaking Act. The Agency's increased investment in TBM will enable EPA to make sound, data-driven IT investment decisions by incorporating critical IT expenditure data into EPA Chief Information Officer (CIO) portfolio reviews.

In FY 2021, EPA will strengthen further its IT acquisition review process as part of the implementation of federal Common Baseline Controls for FITARA. FITARA controls include an established communication and engagement strategy for the CIO with the Agency's programs and regional offices to ensure their IT plans are well designed, directly drive EPA long-term performance goals, and follow best practices. These controls also enable the CIO to engage closely with key IT stakeholders across EPA and to foster plans to refresh IT skills within the Agency.

The Agency will continue to focus on improving customer experiences to allow EPA, its partners, and the public to acquire, generate, manage, use, and share information as a critical resource. In line with the President's Management Agenda for IT modernization and for data, accountability, and transparency,[89] EPA will improve how it supports and manages the lifecycle of information and information products.

The FY 2021 President's Budget request includes additional resources to support upgrading the Agency's enterprise-wide records management system. The IT/DM Program will provide policies/procedures for digitization; IT architecture; and system development, implementation, and operations and maintenance support, as well as contribute to efforts to digitize hardcopy records and transition to centralized records/digitization centers. Work done with these additional resources support the long-term performance goal in the *FY 2018 – 2022 EPA Strategic Plan*: By September 30, 2022, reduce unused office and warehouse space by 850,641 square feet.

Further, the President's Budget request includes additional resources and FTE to support the cross-agency effort to reduce and better predict harmful algal blooms (HABs). The Program will provide data standards and geo-referencing expertise for EPA's research, predicative modeling and monitoring tools and analyses, and policy approaches to target and reduce nutrient pollution that causes HABs and impacts water quality across the country. Work done with these additional resources will support performance results for nutrient and HABs reductions.

In FY 2021, the following IT/DM activities will continue:

- **Data Management and Collection**: Data management and collection efforts include support for a variety of essential enterprise information management programs. The National Records Management Program will continue providing policies/procedures, coordination, and support to help fulfill EPA's statutory obligations to maintain records. The Discovery Services Program will continue supporting the search/collection of agency information needed to help respond to requests for information from external stakeholders. EPA will continue to coordinate and oversee the Agency's Information Collection Request (ICR) development and approval process, helping to ensure data collections are submitted timely and approved by the Office of Management and Budget (OMB) as required by the Paperwork Reduction Act. The Section 508 Program will develop training for different stakeholder communities. This program will assess documentation for all public-facing EPA systems/applications via an independent third party and acquire a compliance tool to improve reporting to OMB.

[89] For additional information, please refer to: https://www.whitehouse.gov/wp-content/uploads/2018/03/Presidents-Management-Agenda.pdf.

- **Mission Software and Digital Services Capabilities:** The FY 2021 President's Budget includes funding to continue to enhance the Agency's software development and architecture capability, including application development and deployment approaches and technical platforms. This program continues EPA's adoption of transformative technologies and practices, including cloud computing, agile development methodologies, and shared software development services.

- **Geospatial:** The Agency will continue to support the essential capabilities of GeoPlatform, a shared technology enterprise for geospatial information and analysis. By implementing geospatial data, applications, and services, the Agency can integrate and interpret multiple data sets and information sources to support environmental decisions. GeoPlatform will continue to publish internal and public mapping tools, which will better inform the public about EPA's programs to protect the environment and public health. As of December 2019, EPA has over 5,200 GeoPlatform mapping applications created or modified for public and internal use, and since calendar year 2014 the number of users has increased tenfold to over 9,000 users.

- **Information Access and Analysis**: EPA will focus on providing core support to agency infrastructure and tools that will drive better environmental decision making with data from across the Agency. EPA will partner with other agencies, states, tribes, and academic institutions to propose innovative ways to use, analyze, and visualize data. EPA's One EPA Web will continue to manage content and support internal and external users with information on EPA business, support employees with internal information, and provide a clearinghouse for the Agency to communicate initiatives and successes. EPA will continue to support Envirofacts and data visualization applications, which receive over 50 million annual application interface requests.

- **Information Technology and Infrastructure**: EPA will adjust the schedule for replacement or upgrades to align with resources and will continue to maintain and provide: desktop computing equipment, network connectivity, e-mail and collaboration tools, hosting services, remote access, telephone services, web and network services, and other IT-related equipment. In FY 2021, the Agency will continue efforts to consolidate EPA's data centers and computer rooms and to optimize operations within EPA's remaining data centers. In addition, the Agency will continue to modernize IT/IM infrastructure, applications, and services to empower a mobile workforce using innovative and agile solutions.

Performance Measure Targets:

Work under this program supports performance results in the Facilities Infrastructure and Operations Program under the EPM appropriation and the Surface Water Protection Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$6,405.0) This change is an increase due to recalculation of base payroll costs.

- (+$4,000.0) This program change is an increase for the Electronic Records focus area to continue progress towards upgrading the Agency's enterprise-wide records management system and enhancing the digitization of paper records, including those in support of implementing the Toxic Substances Control Act, Federal Insecticide, Fungicide, and Rodenticide Act, and Pesticide Registration Improvement Act. This investment can ultimately reduce costs and space needs and support ongoing program needs for information.

- (+$1,179.0 / +1.0 FTE) This program change is an increase to support data delivery as part of the multi-office Harmful Algal Bloom Reductions focus area. Within this total, $179.0 thousand is provided for salary and benefits costs.

- (-$12,743.0 / -13.5 FTE) This net program change modifies the timeline for development of new technologies to address agency needs such as new assistive technology tools, ability to re-platform legacy applications, and replace end of service IT equipment that provides basic workforce support across the Agency.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Federal Information Technology Acquisition Reform Act; Federal Information Security Modernization Act (FISMA); Government Performance and Results Act (GPRA); Government Management Reform Act (GMRA); Clinger-Cohen Act (CCA); Rehabilitation Act of 1973 § 508.

Legal/ Science/ Regulatory/ Economic Review

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$4,527.9***	***$4,835.0***	***$5,104.0***	***$269.0***
Total Budget Authority	$4,527.9	$4,835.0	$5,104.0	$269.0
Total Workyears	22.8	23.8	23.8	0.0

Program Project Description:

This program supports EPA's Administrative Law Judges (ALJ) and the Environmental Appeals Board (EAB).

Administrative Law Judges

The ALJ preside in hearings and issue initial decisions in cases initiated by EPA's enforcement program concerning environmental, civil rights, and government program fraud related violations. The Fifth Amendment of the Constitution of the United States of America guarantees the regulated community the right to due process of the law. By adjudicating disputed matters, the ALJ furthers the Agency's mission to protect human health and the environment.

The ALJ provides the constitutionally guaranteed legal process and review for hearings and issues initial decisions in cases brought by the Agency's enforcement program against those accused of violations under various environmental, civil rights, and anti-fraud statutes. The right of affected persons to appeal those decisions is conferred by various statutes, regulations, and constitutional due process rights. The ALJ also offers an opportunity for alternative dispute resolution.

Environmental Appeals Board

The EAB is a four-member appellate tribunal established by regulation in 1992 to hear appeals and issue final decisions in environmental adjudications (primarily enforcement- and permit-related) under all major environmental statutes that EPA administers. The EAB promotes the rule of law and furthers the Agency's mission to protect human health and the environment. The EAB decides petitions for reimbursement under the Comprehensive Environmental Response, Compensation and Liability Act Section 106(b), hears appeals of pesticide licensing and cancellation proceedings under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and serves as the final approving body for proposed settlements of enforcement actions initiated at EPA. The EAB issues decisions consistent with the Administrative Procedure Act (APA) and the applicable environmental statutes and under the authority delegated by the Administrator and pursuant to regulation.

The EAB adjudicates administrative appeals in a fair and timely manner in accord with the APA, ensuring consistency in the application of legal requirements. The EAB also resolves disputes efficiently, avoiding protracted federal court review. In over ninety percent of matters decided by the EAB, no further appeal is taken to federal court, providing a final resolution to the dispute. The EAB also offers an opportunity for alternative dispute resolution.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.1, Compliance with the Law in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, the ALJ will convene formal hearings in the location of the alleged violator or violation, as required by statute. In FY 2021, the ALJ will continue to implement its modernized filing and case management system to reduce mailing delays and costs. In FY 2021, the EAB will continue to implement its streamlined procedures for adjudicating permit appeals under all statutes and will continue to expedite appeals in Clean Air Act New Source Review cases and in FIFRA licensing proceedings.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$393.0) This change to is an increase due to the recalculation of base payroll costs.

- (-$124.0) This net program change reflects a reduction for managing an electronic filing and case docketing system.

Statutory Authority:

Administrative Procedure Act (APA); Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Clean Water Act (CWA); Clean Air Act (CAA); Toxic Substance Control Act (TSCA); Solid Waste Disposal Act (SWDA); Resource Conservation and Recovery Act (RCRA); Safe Drinking Water Act (SDWA); Emergency Planning and Community Right-to-Know Act (EPCRA); Marine Protection, Research, and Sanctuaries Act (MPRSA); Mercury-Containing and Rechargeable Battery Management Act (MCRBMA); the Act to Prevent Pollution From Ships (APPS).

Alternative Dispute Resolution
Program Area: Legal / Science / Regulatory / Economic Review
Goal: More Effective Partnerships
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$667.4***	***$870.0***	***$0.0***	***-$870.0***
Hazardous Substance Superfund	$573.3	$710.0	$0.0	-$710.0
Total Budget Authority	$1,240.7	$1,580.0	$0.0	-$1,580.0
Total Workyears	4.3	5.9	0.0	-5.9

Program Project Description:

EPA's General Counsel and Regional Counsel Offices provide environmental Conflict Prevention and Resolution Center (CPRC) services and workplace conflict prevention. EPA utilizes CPRC as a method for preventing or resolving conflicts prior to engaging in formal litigation. CPRC includes the provision of legal counsel, facilitation, mediation, and consensus building advice and support. This program oversees a strategically-sourced contract for these services that provides mediation, facilitation, public involvement, training, and organizational development support to all headquarters and regional programs.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021.

Performance Measures Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$870.0 / -4.5 FTE) This funding change proposes to eliminate the CPRC Program. Programs across the Agency may pursue ADR support services and training individually.

Statutory Authority:

Administrative Dispute Resolution Act (ADRA) of 1996; Negotiated Rulemaking Act of 1996; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

Civil Rights Program

Program Area: Legal / Science / Regulatory / Economic Review
Goal: Greater Certainty, Compliance, and Effectiveness
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$8,972.5***	***$8,814.0***	***$9,780.0***	***$966.0***
Total Budget Authority	$8,972.5	$8,814.0	$9,780.0	$966.0
Total Workyears	44.6	54.4	48.3	-6.1

Program Project Description:

The Civil Rights Program enforces federal civil rights laws that prohibit discrimination by recipients of federal financial assistance and protect employees and applicants for employment from discrimination.

The Office of Civil Rights (OCR), which has responsibility for Title VII Equal Employment Opportunity (EEO) complaints, affirmative employment analysis, and reasonable accommodations, accomplished the following in FY 2019: 1) submitted the annual Management Directive 715 (MD-715) report to the Equal Employment Opportunity Commission (EEOC); 2) provided MD-715 barrier analysis training to OCR staff and EEO Officers; 3) achieved a timeliness rate of 91 percent for Title VII investigations; 4) achieved 59 percent participation rate for Alternative Dispute Resolution (ADR); 5) trained and onboarded a new cadre of collateral duty EEO counselors; 6) processed over 650 Reasonable Accommodation (RA) requests; and 7) issued a new Special Emphasis Program Managers (SEPMs) manual which provided updated guidance and policies on effective implementation of civil rights affirmative employment goals to our SEPMs. OCR also relaunched the Deputy Civil Rights Official cadre which comprises of Senior Executive Service managers in each program and region who have lead responsibility for ensuring and advancing compliance with civil rights regulations, programs, and procedures.

OCR provides policy guidance and technical assistance internally on EEO and is responsible for carrying out the following functions:

- Employment Complaints Resolution including Title VII of the Civil Rights Act of 1964 and Executive Order 13672[90] - address complaints of employment discrimination;

- Affirmative Employment Analysis and Accountability - provide leadership, direction, and advice to managers to assist them in carrying out equal opportunity and civil rights responsibilities and report under the EEO Commission's Management Directive 715 (MD-

[90] For more information, please see: https://www.eeoc.gov/eeoc/history/50th/thelaw/11478_11246_amend.cfm.

715)[91] which provides guidelines for identifying triggers and conducting barrier analysis related to EEO within EPA's workforce; and

- Reasonable Accommodation - carry out EPA's responsibilities under the Rehabilitation Act of 1973 which requires the Agency to provide reasonable accommodation for individuals with disabilities, unless it would cause undue hardship for the Agency.

The External Civil Rights Compliance Office (ECRCO) carries out the external enforcement of several civil rights laws, including Title VI of the Civil Rights Act of 1964, that prohibit discrimination on the basis of race, color, national origin (including limited-English proficiency), disability, sex, and age, in programs or activities that receive federal financial assistance from EPA. ECRCO investigates and resolves external complaints, develops policy, conducts proactive compliance initiatives and compliance reviews, and provides technical assistance to recipients and outreach to communities.

During FY 2019, ECRCO developed and refined internal performance measures and successfully reduced the backlog of complaints under investigation and pending Jurisdictional Reviews. Currently, ECRCO has a total of two (2) "backlog" complaints pending – down from 17 at the end of FY 2018. All new complaints accepted for investigation in FY 2019 were resolved within 180 days of acceptance. By the end of FY 2020, ECRCO will have no backlog complaints under investigation. In addition, by the end of the first quarter of FY 2019, ECRCO had eliminated its backlog of pending Jurisdictional Reviews – down from four at the end of FY 2018. Furthermore, all new complaints received during the second, third, and fourth quarters of FY 2019, received Jurisdictional Reviews within the 20-day regulatory timeframe.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 – 2022 EPA Strategic Plan*.

Office of Civil Rights (Internal)

The Civil Rights Program is developing strategic plans for its internal, employment-related functions, including specific goals, implementation steps, and benchmarks that will serve as internal performance measures to ensure accountability for all of the functions. In FY 2021, EPA's Civil Rights Program will continue its strategic planning process with an emphasis on process improvement, internal performance measures, technology resources, and strategic human capital planning. These actions are consistent with measures called for in the EPA Report "Developing a Model Civil Rights Program at the EPA."[92]

[91] Equal Employment Opportunity Commission, *Equal Employment Opportunity Management Directive 715, October 1, 2013.*
[92] For more information, please see: http://intranet.epa.gov/civilrights/pdfs/training/ecfr-developing-a-model-civil-rights-program.pdf.

Title VII

In FY 2021, EPA will dedicate most of its financial resources to the processing of discrimination complaints, including EEO counseling, investigations, and drafting Final Agency Decisions. The Program will focus on process improvements to: 1) ensure prompt, effective, and efficient EEO complaint docket management; 2) enhance the EEO compliance program through strategic policy and training development; and 3) continue to strengthen the Alternative Dispute Resolution (ADR) Program. The Program will continue to:

- Conduct the recruitment process for collateral-duty EEO counselors, providing training and onboarding.
- Evaluate methods implemented to improve the timeliness of Final Agency Decisions, with a goal of meeting the EEOC's target of 60 days.
- Strengthen the ADR Program by providing training and marketing specific to both employees and management.
- Implement cross agency training for supervisors and staff to increase global understanding of the EEO process, and relevant roles and responsibilities.
- Assess how services are provided nationally to ensure their availability and efficient delivery.

Affirmative Employment Analysis and Accountability (AEAA)

In FY 2021, the Program will continue to focus on process improvements to: 1) ensure prompt, effective, and efficient development of critical and required reports, such as MD-715; 2) enhance the Affirmative Employment function through development of strategic policy, training and the engagement of critical internal EPA partners; and 3) evaluate accomplishments. The Program will continue to:

- Evaluate effectiveness of measures taken as a result of work completed under OCR's national priorities.
- Ensure the collection of applicant-flow data for career development opportunities within the Agency.
- Revitalize the Agency's Special Emphasis Program through an evaluation of its structure, resources, and effectiveness.
- Work with EEO Officers and other agency stakeholders to improve the process for developing the MD-715.
- Increase the availability of data from the AEAA Program through visual management (e.g., dashboards) and increased use of technology to demonstrate progress.
- Provide effective training and tools for managers in carrying out their responsibilities under MD-715 and the Diversity and Inclusion Strategic Plan.

Reasonable Accommodations (RA) Program

In FY 2021, the Program will continue to focus on process and technological improvements to ensure prompt, effective, and efficient RA request docket management. The Program also will

enhance the RA compliance function through development of strategic policy; training, and the engagement of critical internal EPA partners. The Program will continue to:

- Evaluate the procedures for providing Personal Assistant Services (PAS) to determine their effectiveness; as necessary, revise procedures.
- Update reasonable accommodation processes and templates to improve the timeliness, efficiency, and consistency of communications and to avoid release of sensitive personally identifiable information.
- Begin delivering more advanced RA training for both employees and management and incorporate aspects of PAS.
- Apply a user-based approach to the RA Program to enhance customer service ensuring customer expectations and needs are being met.

External Civil Rights, including Title VI

In FY 2021, the Program will look to update its Strategic Plan and reinvigorate its efforts to improve its process for and support of complaint docket management through investigations, informal resolution agreements and mediation consistent with EPA's nondiscrimination regulation and its revised Case Resolution Manual. The current External Compliance Program Strategic Plan focuses on three key goals: Enhance Strategic Docket Managements; Develop a Proactive Compliance Program; and Strengthen ECRCO's Workforce to Promote a High Performing Organization. The Program will continue to place an emphasis on providing technical assistance and partnering with states; reviews; outreach to communities; strategic policy development; and prioritizing its workforce planning and training.

In FY 2021, ECRCO will continue to track internal performance measures to ensure: 1) all complaints pending under investigation have any "preliminary findings" issued within 180 days of acceptance for investigation; 2) all cases resolved through informal resolutions are resolved in a timely manner; and 3) all Jurisdictional Reviews are processed within 20 days. Also, beginning in FY 2020 and continuing through FY 2021, the Program will continue to deploy and refine an electronic case and document management system to manage the external civil rights complaint docket; refine its Case Resolution Manual that was reissued in FY 2020, including more specific guidance on ECRCO's Informal Resolution Process; provide guidance to recipients of EPA funds regarding their regulatory obligation to have in place a nondiscrimination program; and implement a contract to provide language assistance services to limited-English proficient customers throughout EPA. In FY 2021, ECRCO will continue the work launched in FY 2020 to focus internal performance measures on the Informal Resolution Process to ensure timely resolution and minimize any legal vulnerabilities while maximizing accountability and transparency. Specific initiatives include:

- Deployment of additional proactive technical assistance pilots to work collaboratively with states to build upon and strengthen each state's nondiscrimination program in light of the federal civil rights laws.
- Refinement of Chapter II of the Civil Rights Toolkit deployed in FY 2020 to share guidance regarding EPA recipients' nondiscrimination program responsibilities.

- Deployment of Chapter III of Civil Rights Toolkit to share guidance and promising practices with EPA recipients related to "Risk Communication" on environmental civil rights issues.
- Continued implementation of the Program's Functional Competency Framework which strengthens the Agency's workforce by promoting the development of a highly effective, performance-based organization, including individual development plans that include customized training objectives.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$1,691.0) This change is an increase due to the recalculation of base payroll costs.

- (-$725.0 / -6.1 FTE) This net program change reduces the Civil Rights Program through streamlining support for processing investigations for Title VI and Title VII complaints, enhancement of mandatory reporting, and improvements in the overall management of complaints and reporting processes.

Statutory Authority:

Title VI of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; Rehabilitation Act of 1973 § 504; the Age Discrimination Act of 1975, Federal Water Pollution Control Act Amendments of 1972 § 13; Title VII of the Civil Rights Act of 1964; Equal Pay Act of 1963; Rehabilitation Act of 1973 §§ 501, 504, 505, 508; Americans with Disabilities Act of 1990; ADA Amendments Act of 2008; Age Discrimination in Employment Act (ADEA) of 1967; Genetic Information Nondiscrimination Act (GINA).

Integrated Environmental Strategies
Program Area: Legal / Science / Regulatory / Economic Review
Goal: Greater Certainty, Compliance, and Effectiveness
Objective(s): Streamline and Modernize

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$10,760.9***	***$10,152.0***	***$14,200.0***	***$4,048.0***
Total Budget Authority	$10,760.9	$10,152.0	$14,200.0	$4,048.0
Total Workyears	44.5	48.0	54.0	6.0

Program Project Description:

The Integrated Environmental Strategies (IES) Program advances the Agency's mission of protecting human health and the environment while promoting economic growth from the national level to the community level. The IES Program provides tools and resources to transform EPA into a more effective organization. Nationally, IES is focused on: 1) streamlining EPA's permitting processes; 2) working with industrial sectors to identify and develop sensible approaches to better protect the environment and public health; 3) collaborating with federal, state, municipal partners, communities, businesses, and other stakeholders to implement locally-led, community-driven approaches to environmental protection through technical assistance, policy analysis, and training; and 4) applying process improvement techniques and standards to EPA's activities.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.4, Streamline and Modernize in the *FY 2018 - 2022 EPA Strategic Plan*. This program demonstrates new approaches to streamline and reduce unnecessary burdens and to help communities meet their environmental and economic needs. In FY 2021, the Program will focus on permit streamlining, sector strategies, community-driven environmental protection, and Opportunity Zones.

Permit Streamlining

One way that EPA implements its statutory authority is through various permitting programs. These programs are based on a set of processes that vary across EPA program and regional offices. The Agency is focused on working across EPA program offices and with state and tribal co-regulators to streamline EPA's permitting processes in support of the President's Memorandum, "Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing."[93] This work supports the long-term performance goal in the *FY 2018 – 2022 EPA Strategic Plan* to reach all permitting-related decisions within six months and the FY 2020 – 2021 Agency Priority Goal (APG) to accelerate permitting-related decisions. Between June 2018 through the end of FY 2019,

[93] For more information, please see: https://www.govinfo.gov/content/pkg/FR-2017-01-30/pdf/2017-02044.pdf.

EPA had reduced the backlog of new permit applications by over 65 percent (from 149 to 52, excluding Clean Air Act New Source Review and Title V Operating Permits)[94] through a series of targeted Lean events to improve the efficiency and effectiveness of permitting programs, achieving the target of the FY 2018-2019 APG. In addition, EPA also reduced its number of existing permit renewals in backlog by 13 percent (from 479 to 417).[95] In FY 2021, EPA will continue to improve its role in addressing cross-cutting permitting and policy issues and, in partnership with state permitting offices, will continue to streamline our review of state-issued permits. The Program will continue to facilitate and support the sharing and implementation of permitting best practices and approaches of environmental co-regulators to achieve efficient and effective permitting. In FY 2021, EPA will continue to coordinate with lead agencies on One Federal Decision and FAST-41 infrastructure project streamlining. In FY 2019, EPA served as either a participating or cooperating agency on over 40 major infrastructure projects.

Smart Sectors

EPA's Smart Sectors[96] is a partnership program that provides a platform for EPA to collaborate with regulated sectors of the economy to develop sensible approaches to protect the environment and public health. Since inception of the program the Agency has focused on 13 sectors. In FY 2019, EPA conducted site visits covering the operations of seven sectors, and participated in more than 700 substantive meetings with a variety of sectors. In FY 2019, and continuing in FY 2020, the Smart Sectors Program has created a Sector Snapshot[97] for each participating sector and will be making them available on EPA's website. In addition, each EPA regional office has launched their own Smart Sector initiative focusing on sectors important to that region. In FY 2021, Smart Sectors will continue to update the Sector Snapshot for each participating sector, providing environmental and economic data and highlighting best practices. The Smart Sectors Program also 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. EPA also will continue working to reduce recordkeeping and reporting burden where appropriate.

Community-Driven Environmental Protection

The IES Program delivers technical assistance, training, and tools to economically distressed communities and coordinates the Agency's work with communities to increase efficiency, effectiveness, and accountability. In FY 2019, the Program delivered direct technical assistance to

[94] The FY 2018-2019 APG includes reporting for backlog new permit applications under the following programs: National Pollutant Discharge Elimination Systems (NPDES), Underground Injection Control (UIC), Resource Conservation Recovery Act (RCRA) Subtitle C, and Approvals to Store, Decontaminate or Dispose of Polychlorinated Biphenyls (PCBs) under Toxic Substances Control Act (TSCA).

[95] The FY 2020-2021 APG for EPA permits in backlog has been expanded to include backlogged applications to renew existing permits as well as pending new applications. In addition, the APG includes reporting of backlogged permits issued under the Clean Air Act. For the FY 2020-2021 APG, EPA will report backlog for the following permit categories: NPDES, UIC, RCRA Subtitle C, New Source Review, Title V, and Approvals to Store, Decontaminate or Dispose of PCBs under TSCA.

[96] For additional information, please refer to: https://www.epa.gov/smartsectors.

[97] The sector snapshots tool is a new, interactive, web-based application that provides environmental and economic information about several industries participating in EPA's Smart Sectors program. The sector snapshots application employs a novel approach by assembling a range of environmental and economic data from different publicly-available sources to provide an integrated, easy–to–understand picture for each sector over the last 20 years. For additional information, please refer to: https://www.epa.gov/smartsectors/sector-snapshots.

more than 30 communities: over 60 percent of these communities included Opportunity Zones. In FY 2020, the Program is developing new technical assistance approaches specifically focused on enabling communities to take advantage of the Opportunity Zones incentive, attracting private investment.

In FY 2021, EPA requests an additional $5.1 million (including 12.0 FTE) to support Opportunity Zone efforts. The new resources will strengthen efforts in economically distressed communities to leverage public and private sector investments to support improved economic development and environmental outcomes. Additional FTE located in EPA's regional offices will provide technical assistance for revitalization projects in Opportunity Zones by 1) assessing actions EPA can take to prioritize federal investment in these areas; 2) working to minimize regulatory and administrative burden that discourages investment; 3) helping local applicants identify and apply for EPA and other federal resources; 4) coordinating EPA's regional efforts; and 5) measuring results. The additional resources will significantly expand EPA's capacity to hold additional community workshops and trainings; assist states in adopting policies and programs that support community revitalization and environmental protection in Opportunity Zones; and work directly with up to 60 communities to help leverage Opportunity Zone incentives and resources to support revitalization. In FY 2021, the Program will continue to lead, along with the Office of Environmental Justice, the application of community-driven solutions to local environmental challenges, focusing on the Administration's priorities, such as leveraging private investment and aligning federal investments to maximize benefits to deserving communities. Technical assistance and training are the cornerstone of EPA's cooperative approach to addressing environmental challenges in communities, particularly communities that are economically distressed. In FY 2021, EPA will continue to emphasize technical assistance and training, with the objective of helping tribal, state, and local governments increase their capacity to protect the environment while growing their economies, creating jobs, and using public and private sector investments and other resources more efficiently. Where appropriate, EPA will partner with other agencies to help achieve locally led, community-driven approaches to protecting air, land, and water, while at the same time supporting economic revitalization.

In FY 2021, the Program will continue analyses on emerging trends, innovative practices, and tools that support clean air, land, and water outcomes. EPA will continue to develop tools to help interested communities incorporate innovative approaches to infrastructure and land development policies. This assistance helps deliver on multiple economic, community, and human health goals embedded in EPA's core mission, including managing stormwater, reducing combined sewer overflows, improving local air and water quality, cleaning up and reusing previously developed sites, and supporting revitalization and redevelopment in economically distressed communities including those located in Opportunity Zones.

Process Improvement and EPA's Lean Management System (ELMS)

In FY 2018, EPA introduced the EPA Lean Management System (ELMS), which uses Lean principles, practices, and tools, and has enhanced the Agency's performance management framework. ELMS is a means to promote continuous improvement, and paired with routine monitoring, measurement, and engagement, it supports EPA employees in identifying and solving problems and sustaining improvement. As part of ELMS, the Agency's senior leaders hold

monthly business meetings to discuss performance results and actions needed to make improvements.

The Agency is deploying ELMS to support the accomplishment of the Agency's priorities by increasing efficiencies and making operational process improvements. Routine monitoring, measurement, and engagement, enable the Agency to identify problems while they are still small, solve problems before they become too big, and sustain improvements over time to carry out their work more efficiently and effectively. The Office of Continuous Improvement (OCI) is providing training and technical assistance to EPA offices on deploying visual management and using Lean and other business process improvement principles and tools to streamline and standardize processes, analyze root causes of problems, and assess progress monthly towards performance measures.

Through the deployment of visual management, standard work, and problem solving tools, in FY 2019, EPA completed initial ELMS deployment to 4,522 EPA staff and implemented 66 process improvements, exceeding its target of 50 and. A process is considered improved when it achieves a 25 percent improvement over the baseline. Examples of process improvements include:

- EPA Region 5 Great Lakes National Program Office reduced their funding timeframes for Great Lakes Restoration Initiative Grants from 34 days to 14 days with more than three months of sustained improvement (59 percent improvement).
- EPA Region 9 Land Division streamlined the tribal grants process, reducing from 136 steps to 56 steps (59 percent improvement).
- EPA Region 7 Air and Radiation Division improved the quality of draft Title V Operating Permits from a 14 percent first time quality rate to an 84 percent first time quality rate and is continuing to improve (500 percent improvement).
- EPA's Office of the Chief Financial Officer and Office of Compliance improved the Superfund Cost Recovery process by decreasing the number of days to complete a cost recovery request from 30 days to five days (83 percent improvement).

The Agency expects each EPA regional or program office to report at least 10 process improvements by FY 2022. Additionally, the expectation is for an increase in process improvements to be documented in FY 2020 as ELMS expands across the Agency. Related to improving the permit process, the Agency is deploying ELMS to support states with improving their environmental permitting processes. EPA deployed ELMS to Maryland Department of Environment (MDE) in June 2019 and is slated to support numerous other states in FY 2020.

Performance Measure Targets:

(PM OZ1) Percentage of communities receiving direct technical assistance that have opportunity zones.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target							60	70	Percent
Actual									
Numerator									Communities
Denominator									

(PM PE2) Number of new permit applications in backlog.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target						No Target Established	33	0	Permits
Actual					111	65			

(PM PE3) Number of existing permit applications in backlog.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target							313	209	Permits
Actual						417			

(PM OP1) Number of operational processes improved.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					25	50	72	72	Operational Processes
Actual					N/A	66			

FY 2021 Change from the Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$207.0) This change is an increase due to the recalculation of base payroll costs.

- (+$5,144.0 / +12.0 FTE) This program change supports EPA's Opportunity Zones focus area and will support states, communities, and investors in implementing the Opportunity Zone initiative to facilitate community revitalization and environmental protection. The additional resources support community-based engagement, training, and technical assistance to advance revitalization efforts in Opportunity Zones.

- (-$1,303.0 / -6.0 FTE) This net program change reduces the Integrated Environmental Strategies Program through streamlining of the community work and climate adaptation efforts within the Program.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$51,526.8***	***$47,978.0***	***$50,263.0***	***$2,285.0***
Hazardous Substance Superfund	$515.0	$543.0	$608.0	$65.0
Total Budget Authority	$52,041.8	$48,521.0	$50,871.0	$2,350.0
Total Workyears	258.2	257.4	242.8	-14.6

Total workyears in FY 2021 include 5.5 FTE funded by TSCA fees and 1.0 FTE to support Legal Advice working capital fund (WCF) services.

Program Project Description:

The Legal Advice: Environmental Program provides legal representational services, legal counseling, and legal support for all EPA's environmental activities. The legal support provided by this program is essential to the Agency's core mission. The personnel assigned to this program represent essential expertise in the critical fields that the Agency relies on for all decisions and activities in furtherance of its mission to protect human health and the environment.

This program provides counsel on every major action the Agency takes. It plays a central role in all statutory and regulatory interpretation of new and existing rules and all rule and guidance development under EPA's environmental authorities. This program provides essential legal advice for every petition response, every judicial response, and every emergency response. When the Agency acts to protect the public from pollutants or health-threatening chemicals in the air we breathe, in the water we drink, or in the food we eat, this program provides counsel on the Agency's authority to take that action; it then provides the advice and support necessary to finalize and implement that action. When that action is challenged in court, this program in coordination with the Department of Justice, defends it.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Create Consistency and Certainty and the long-term performance goal in the *FY 2018-2022 EPA Strategic Plan*. In FY 2019, EPA began to develop a revised methodology to consider the scope for tracking the long-term measure.

This program provides legal representation in more than 350 defensive judicial cases each year. It is projected that the number of cases in FY 2021 will exceed this number. The Program will continue to provide legal representation in judicial and administrative litigation for core Agency environmental programs and for Agency priorities. The Program also will provide counseling outside of the litigation context in the highest priority issues arising under all the legal environmental statutes administered by EPA.

In FY 2021, the Agency will continue to focus on its core mission to apply the most effective approaches by implementing EPA's environmental programs under the Resource Conservation and Recovery Act, Leaking Underground Storage Tanks, Clean Air Act, Clean Water Act, Toxic Substances Control Act (TSCA), Federal Insecticide Fungicide and Rodenticide Act, Food Quality Protection Act, Safe Drinking Water Act, and other statutes. This strategy will help ensure that human health and the environment are protected, including clean air, water, and land, and safe chemicals and pesticides.

Legal counseling resources also continue to be in high demand to support the Agency's response to states seeking assistance developing or implementing environmental programs, industrial facilities seeking permits requiring them to undertake new economic activity, and citizens seeking actions to protect local environmental quality, among other things. The Program will prioritize resources after supporting judicial and administrative litigation to counsel Agency clients on these matters.

The following examples illustrate this program's important role in implementing the Agency's core mission:

- On June 19, 2019, EPA finalized the Affordable Clean Energy Rule which replaced the Clean Power Plan.

- EPA is providing critical legal advice and litigation defense in support of EPA's implementation of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, which modernized and substantially overhauled TSCA.

Performance Measure Targets:

(PM RG1) Percentage of legal deadlines met by EPA.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					No Target Established	No Target Established			Percent
Actual					N/A	N/A			
Numerator									Legal Deadlines
Denominator									

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$3,257.0) This change is an increase due to the recalculation of base payroll costs.

- (-$972.0 / -17.8 FTE) This program change reduces legal support. EPA will focus on counseling and legal advice to the highest Agency priorities and focus on litigation support to help ensure that human health and the environment are protected.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

Legal Advice: Support Program
Program Area: Legal / Science / Regulatory / Economic Review
Goal: Greater Certainty, Compliance, and Effectiveness
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$14,926.0***	***$14,478.0***	***$18,082.0***	***$3,604.0***
Total Budget Authority	$14,926.0	$14,478.0	$18,082.0	$3,604.0
Total Workyears	76.4	85.7	90.4	4.7

Total workyears in FY 2021 include 3.5 FTE funded by TSCA fees and 10.7 FTE to support Legal Advice working capital fund (WCF) services.

Program Project Description:

The Legal Advice: Support Program provides legal representational services, legal counseling, and legal support for all activities necessary for EPA's operations. It provides legal counsel and support on issues including, but not limited to: appropriations, claims, contracts, employment law, grants, information law, intellectual property law, real property, and all aspects of civil rights law.

For example, if an EPA program office needs guidance on how to respond to a Freedom of Information Act (FOIA) request, whether it may spend money on a certain activity, or what to do when a plaintiff files a tort claim against the Agency, this program provides answers, options, and legal advice. This program also supports EPA in maintaining high ethical standards and complying with all laws and policies that govern the Agency's operations.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018-2022 EPA Strategic Plan*. In FY 2021, EPA will continue to address and manage information requests, as well as provide legal support for work under the Civil Rights statutes and employment law. There also is an ongoing need for a high level of involvement in questions related to contracts, ethics, grants, finance, appropriations, and employment.

In addition to the increase in employee and labor relations matters, litigation and appeals under FOIA have continued to increase steadily in both number and complexity. In FY 2021, EPA will continue to focus on responding to the increased number of complex and challenging information requests. Targeted legal counseling will be provided to ensure appropriate responses for FOIA requests.

In FY 2021, the Agency will continue to progress toward its long-term performance goal to reduce its FOIA backlog by FY 2022. By the end of FY 2019, EPA reduced its FOIA backlog to 2,128, this was 409 (or 16 percent) below the baseline that was set at 2,537 in April 2018, short of the 25 percent targeted reduction.

This program will continue its efforts in meeting FOIA's requirements and increasing transparency by:

- Providing various trainings for Agency FOIA professionals to ensure that EPA is effectively and efficiently responding to the public's FOIA requests. In FY 2021, EPA will continue to provide FOIA training for the Agency's supervisors to ensure that supervisors fully understand the relevant legal requirements. EPA also will improve the FOIA intake and assignment process, process FOIA appeals, and provide FOIA legal counseling, all to enhance EPA's FOIA response timeliness and accuracy.

- Implementing the Agency's FOIA regulations by updating EPA's FOIA Policy and Procedures; issuing guidance;[98] and providing project management, coordination, and legal counseling services for EPA's most complicated and challenging FOIA request projects.

Performance Measure Targets:

(PM FO1) Percentage reduction in overdue FOIA requests from the April 2018 baseline.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					No Target Estab-lished	25	50	75	Percent
Actual					-9	16			
Numerator					-224	409			Requests
Denominator					2,537	2,537			

Work under this program supports the FOIA long-term performance goal under Goal 2/Objective 2.2, Increase Transparency and Public Participation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$2,372.0) This change is an increase due to the recalculation of base payroll costs.

- (+$1,232.0 / -7.4 FTE) This net program change is an increase to focus on high priority FOIA cases and provide legal counseling and support for EPA's operations and a reduction in other legal support.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

[98] On June 26, 2019. EPA brought its FOIA regulations into compliance with 2007, 2009, and 2016 amendments to the FOIA. *Freedom of Information Act Regulations Update* (the "Rule"), 84 Fed. Reg. 30028 (June 26, 2019). EPA's FOIA regulations were last updated in 2002 and were significantly out of compliance with the amended statute.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$1,224.3***	***$808.0***	***$0.0***	***-$808.0***
Total Budget Authority	$1,224.3	$808.0	$0.0	-$808.0
Total Workyears	1.4	1.7	0.0	-1.7

Program Project Description:

The Regional Science and Technology (RS&T) Program provides assistance to programs implementing the Resource Conservation and Recovery Act; Toxic Substances Control Act; Clean Water Act; Safe Drinking Water Act; Clean Air Act; and Comprehensive Environmental Response, Compensation and Liability Act. The RS&T Program performs laboratory analysis, field monitoring, and sampling analysis in order to provide credible scientific data on environmental pollutants and conditions to the Agency's decision makers.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. The Agency continues to work toward establishing a comprehensive enterprise-wide laboratory approach.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$808.0 / -1.7 FTE) This funding change proposes to eliminate the Regional Science and Technology Program.

Statutory Authorities:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$12,616.7***	***$13,094.0***	***$17,294.0***	***$4,200.0***
Total Budget Authority	$12,616.7	$13,094.0	$17,294.0	$4,200.0
Total Workyears	60.2	74.0	74.0	0.0

Program Project Description:

The Regulatory/Economic, Management and Analysis Program is responsible for reviewing the Agency's regulations to ensure that they are developed in accordance with the governing statutes, executive orders, and Agency commitments and are based on sound technical, economic and policy assumptions. Further, the Program ensures consistent and appropriate economic analysis of regulatory actions, conducts analyses of regulatory and non-regulatory approaches, and considers interactions between regulations across different environmental media. The Program establishes compliance with Executive Order (EO) 13771 by ensuring that the costs and cost savings of EPA's actions are fully and appropriately estimated. The Program also ensures the Agency's regulations comply with additional statutory and EO requirements, including the Congressional Review Act, the Regulatory Flexibility Act (as amended by the Small Business Regulatory Enforcement Fairness Act), and EOs 12866 and 13563 regarding the Office of Management and Budget (OMB) regulatory review. EPA recently built a prototype economy-wide model and assessed under what circumstances economy wide impacts should be assessed. The Program also includes the Agency's newly appointed Chief Statistical Officer charged with implementing major elements of the *Foundations for Evidence Based Policy Act*.[99]

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Create Consistency and Certainty in the *FY 2018 - 2022 EPA Strategic Plan*. The Program assists the Administrator and senior Agency staff in implementing new regulatory policy priorities, including EO 13771[100] (Reducing Regulation and Controlling Regulatory Costs), EO 13777[101] (Enforcing the Regulatory Reform Agenda), EO 13783[102] (Promoting Energy Independence and Economic Growth), EO 13790[103]

[99] For more information, please see: https://www.congress.gov/115/plaws/publ435/PLAW-115publ435.pdf.
[100] For more information, please see: https://www.epa.gov/laws-regulations/executive-order-13771-reducing-regulation-and-controlling-regulatory-costs.
[101] For more information, please see: https://www.federalregister.gov/documents/2017/03/01/2017-04107/enforcing-the-regulatory-reform-agenda.
[102] For more information, please see: https://www.whitehouse.gov/presidential-actions/presidential-executive-order-promoting-energy-independence-economic-growth/.
[103] For more information, please see: https://www.whitehouse.gov/presidential-actions/presidential-executive-order-promoting-agriculture-rural-prosperity-america/.

(Promoting Agriculture and Rural Prosperity in America), and EO 13891[104] (Promoting the Rule of Law through Improved Agency Guidance Documents).

In FY 2021, EPA will continue its efforts to assess and review the costs and benefits to businesses, jobs, communities, government entities, and the broader economy associated with each economically significant regulatory action to maximize the net benefits of policies protecting human health and the environment. EPA will collect data and build models to assess regulatory proposals and their impacts on costs, benefits and economic performance. Planned key program activities include:

- Continue to work on a model of the U.S. economy. This model is ideally suited to assess how regulations affect the economy, including distributional impacts, costs, and broader macro-economic performance. EPA also will have the model peer reviewed, available for public comment and demonstrated in some regulatory analyses. This model will provide critical evidence-based analyses to inform decision making.

- Continue to build a model to assess the benefits of national regulations that change water quality. This effort will provide important evidence-based data and analyses, consistent with economic science best practices to inform decision making.

- Continue to manage EPA's implementation of EOs, including development and management of the annual regulatory budget, analyzing potential areas of cost savings, ensuring EPA continues to meet or exceed the goal of repealing two regulations for each new regulation issued, pursuant to EO 13771, and maintaining a website that provides information about regulatory and deregulatory actions.

- Review economic analyses prepared by EPA to ensure compliance with OMB Circular A-4 on Regulatory Analysis, EO 12866, and other related requirements. Provide the Administrator and the public with high-quality analysis of the costs, benefits, and impacts on jobs, businesses, and communities to better inform decision-making and ensure transparency about the consequences of regulation.[105]

- Continue to work on development of new regulations to support greater consistency and transparency in consideration of economic costs and benefits in the regulatory development process and implementation of Agency programs.

- Continue to work on an updated EPA's Guidelines for Preparing Economic Analyses to our Science Advisory Board for peer review. The updated guidelines will help ensure that analyses provide a complete accounting of the impacts of regulatory actions, including distributional consequences. The guidelines also will help ensure that evidence-based economic analysis will be done consistently across EPA programs and in accordance with best economic methods.

[104] For more information, please see: https://www.federalregister.gov/documents/2019/10/15/2019-22623/promoting-the-rule-of-law-through-improved-agency-guidance-documents.

[105] For more information, please see: https://www.epa.gov/environmental-economics/guidelines-preparing-economic-analyses.

- Apply the best economy-wide modeling tools to assess the economic effects of environmental regulatory options, including methods designed to examine the distribution of regulatory burdens. Work to develop open source data and economic models to analyze impacts of environmental regulations. These updated guidelines will help ensure that evidence-based economic analysis will be done consistently across EPA programs and in accordance with best economic methods.

- Pursuant to EPA's Energy Independence Report under EO 13783, conduct more detailed employment analysis of regulations (both the direct and indirect employment impacts) on a regular basis, including developing information and models to help conduct ex post cumulative assessment.

- Continue to develop EPA's semiannual unified Regulatory Agenda, while ensuring EPA complies with requirements under EO 13771.

- Manage EPA's internal Action Development Process and expand and upgrade regulatory planning and tracking tools to facilitate timely decisions and coordination across programs.

- Serve as EPA's liaison with the Office of Information and Regulatory Affairs within OMB.

- Serve as EPA's liaison with the Office of the Federal Register by reviewing, editing, and submitting documents for publication so that the public, states, other agencies, and Congress are informed about EPA's regulatory activities in a timely manner.

- Support EPA's newly appointed Chief Statistical Officer, who will provide technical support and review of projects under EPA's evaluation plan and evidence-based policy agenda; design statistically-sound policy analyses and evaluations, assist in the development of the evaluation plan; and promote culture of evidence-based decision making.

- Lead EPA's implementation of EO 13891, including establishing a new website with links to all EPA guidance documents in effect and the promulgation of a new rule setting forth processes and procedures for issuing guidance documents.

Performance Measure Targets:

(PM RG2) Hours of unnecessary or duplicative reporting burden to the regulated community eliminated.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					2,000,000	2,000,000	2,000,000	2,000,000	Hours
Actual					2,026,627	-5,893,454			

(PM RG3) Number of EO 13771 regulatory actions issued.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					No Target Established	No Target Established	No Target Established	No Target Established	Actions
Actual					3	6			

(PM RG4) Number of EO 13771 deregulatory actions issued.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					No Target Established	No Target Established	No Target Established	No Target Established	Actions
Actual					10	18			

(PM RG5) Total incremental cost of all EO 13771 regulatory and deregulatory actions.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					-40	-50	-2,138	No Target Established	Millions of Dollars
Actual				-22	-75	449			

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$2,787.0) This change is an increase due to the recalculation of base payroll costs.

- (+$1,413.0) This program change increases resources to implement regulatory policy priorities and to assess, review, and improve the Agency's regulations and underlying economic tools in accordance with new Executive Orders.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$3,154.5***	***$3,214.0***	***$4,031.0***	***$817.0***
Total Budget Authority	$3,154.5	$3,214.0	$4,031.0	$817.0
Total Workyears	14.6	18.7	18.7	0.0

Program Project Description:

Congress established EPA's Science Advisory Board (SAB) in 1978, under the Environmental Research, Development, and Demonstration Act, to advise the Administrator on a wide range of highly visible and important scientific matters. The Clean Air Scientific Advisory Committee (CASAC) was established in 1977, under the Clean Air Act Amendments of 1977, to provide independent advice to the EPA Administrator on the technical bases for EPA's National Ambient Air Quality Standards (NAAQS). The SAB and the CASAC, both statutorily-mandated chartered Federal Advisory Committees, draw from a balanced range of non-EPA scientists and technical specialists from academia, states, independent research institutions, and industry. The Program provides management and technical support to these advisory committees. The Committees provide EPA's Administrator independent advice and objective scientific peer review on the technical aspects of environmental issues as well as the science used to establish criteria, standards, regulations, and research planning, as requested.[106]

In FY 2019, the SAB produced two consultations and three scientific peer reviews while CASAC produced one consultation and one scientific peer review. SAB topics included a review of assessments of IRIS chemicals and a review of biogenic carbon emissions from stationary sources. The CASAC work was a review of the PM Integrated Science Assessment and a consultation of the ozone Integrated Review Plan. In FY 2019, EPA organized a Lean event focusing on improving efficiency and effectiveness through a proposed cross-cutting measure. The SAB proposed a seven percent reduction in the time it takes to develop reports and proposed to post Federal Advisory Committee Act (FACA) meeting minutes 90 days after the meeting. These actions are intended to increase transparency and public participation.

[106] For more information, please see: http://www.epa.gov/sab/ and http://www.epa.gov/casac/.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.3, Prioritize Robust Science in the *FY 2018 - 2022 EPA Strategic Plan*. FY 2021 resource levels are an opportunity for EPA's SAB to reprioritize activities. Authorizing legislation and scientific integrity mandate that each peer review meets certain minimum standards for a successful independent review. In FY 2021, the Program will continue federally mandated CASAC reviews of policy assessments, risk exposure assessments, and health and ecological criteria for primary National Ambient Air Quality Standards. The CASAC expects to conduct two such NAAQS reviews in FY 2021. The SAB also anticipates four reviews of supporting science associated with agency rulemakings in FY 2021, six reviews to accommodate additional requests as made by EPA's Administrator or program, and five reviews to assist the Agency in its review of toxic chemicals under the reformed Toxic Substances Control Act. For FY 2021, the SAB and CASAC will continue focusing on efficiency, increasing transparency and public participation, and expect to complete nine advisory reports.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$970.0) This change is an increase due to the recalculation of base payroll costs.

- (-$153.0) This program change reduces the Science Advisory Board Program by streamlining support for conducting peer reviews and assessing Integrated Risk Information System chemicals. This reduction also incorporates implementation of business process improvements to assure logistical support is provided to help the SAB and CASAC adhere to the provisions of FACA.

Statutory Authority:

Environmental Research, Development, and Demonstration Authorization Act (ERDDAA); Federal Advisory Committee Act (FACA); Clean Air Act (CAA).

Operations and Administration

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$33,799.8***	***$30,945.0***	***$29,621.0***	***-$1,324.0***
Leaking Underground Storage Tanks	$70.2	$163.0	$138.0	-$25.0
Hazardous Substance Superfund	$18,593.2	$20,533.0	$22,982.0	$2,449.0
Total Budget Authority	$52,463.2	$51,641.0	$52,741.0	$1,100.0
Total Workyears	261.2	285.7	259.5	-26.2

Program Project Description:

Environmental Programs and Management (EPM) resources in the Acquisition Management Program support EPA's contract activities, which cover planning, awarding, and administering contracts for the Agency. Efforts include issuing acquisition policy and interpreting acquisition regulations; administering training for contracting and program acquisition personnel; providing advice and oversight to regional procurement offices; and providing information technology improvements for acquisition.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, EPA will continue to process contract actions in accordance with Federal Acquisition Regulation (FAR) and guidance from the Office of Management and Budget (OMB) Office of Federal Procurement Policy (OFPP).

Timely procurement processing is crucial to efficient operations. In FY 2019, EPA met its target of 85 percent for procurement action lead times (PALT). The Agency is continuing work toward its long-term performance goal to reduce procurement processing times by achieving 100 percent for PALT by FY 2022. EPA tracks and reviews PALT achievement data on a monthly basis and works with program offices to determine the causes of delays and to improve processing times. As a result of the monthly PALT reviews, EPA has developed additional trainings and resources for the Agency's acquisition community to improve the quality of procurement requests, which is an indicator for the achievement of PALT.

EPA is fully committed to leveraging category management, Spend Under Management (SUM), Best-In-Class (BIC), and strategic sourcing principles in each of its programs and purchasing areas to save taxpayer dollars and improve mission outcomes:

- The OMB Category Management Cross-Agency Priority (CAP) goal focuses on total acquisition spend transitioned from contract vehicles that are unaligned with category management principles to the Spend Under Management (SUM) program. In FY 2019, to further EPA's ability to meet its FY 2020 Category Management CAP goal, the EPA revised its Acquisition Guidance section 8.0.100, *Requirements for Mandatory Use of Common Contract Solutions* to include the policy mandating the use of enterprise-wide contract vehicles, in addition to BIC contract solutions and other OMB-designated contract solutions. Based on this policy change, EPA anticipates greater than 50 percent of total addressable spend will have been transitioned into the SUM program by the end of FY 2021, relative to the end of FY 2018 result of 26 percent.

- In FY 2021, EPA will continue to implement BIC solutions to identify pre-vetted, government-wide contracts as part of the Agency's effort to utilize more mature, market-proven acquisition vehicles.[107] Through BIC solutions, EPA will leverage acquisition experts to optimize spending within the government-wide category management framework and increase the transactional data available for agency level analysis of buying behaviors.

- In FY 2021, EPA also will continue to maximize its Strategic Sourcing Program (SSP), thereby enhancing purchase coordination, improving price uniformity and knowledge-sharing, and leveraging small business capabilities to meet acquisition goals. The SSP allows the Agency to research, assess, and award contract vehicles that will maximize time and resource savings. The SSP serves as a foundation for effective financial and resource management because it simplifies the acquisition process and reduces costs. Long-term implementation of the SSP is transforming the Agency's acquisition process into a strategically driven function, ensuring maximum value for every acquisition dollar spent. In FY 2019, EPA realized a $4.7 million cost avoidance by using data analysis tools to monitor specific, measurable data related to print services, cellular services, shipping, Microsoft software, voice services, office supplies, lab supplies, PCs, and furniture. Since the beginning of the Strategic Sourcing program in FY 2013 through the end of FY 2019, EPA has achieved cost avoidance of $19.4 million. In FY 2021, EPA anticipates approximately $4.3 million in additional savings.

In FY 2021, EPA requests an increase to evaluate options for replacing the EPA Acquisition System (EAS) with an approved government-wide Federal Shared Service Provider (FSSP) for a contract writing system. This investment will support the Agency's long-term performance goal in the *FY 2018 – 2022 EPA Strategic Plan* to increase the adoption of shared services by September 30, 2022. It also is in line with OMB-17-22 "Comprehensive Plan for Reforming the Federal Government,"[108] OMB-19-16 "Centralized Mission Support Capabilities for the Federal Government,"[109] and the President's Management Agenda CAP Goal 5: Sharing Quality

[107] For additional information, please refer to: https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2017/M-17-29.pdf *Best-in-Class Mandatory Solution -Package Delivery Services.*
[108] For more information, please visit: https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2017/M-17-22.pdf.
[109] For more information, please refer to: https://www.whitehouse.gov/wp-content/uploads/2019/04/M-19-16.pdf.

Services.[110] The Agency is focusing on a solution that reduces costs while increasing efficiency by standardizing federal procurement planning, contract award, administration, and close-out processes. Transition preparations include data management strategies, business process reviews, and user engagement to develop a business case and ensure data elements conform with Federal Government Procurement standards.

In FY 2021, EPA will continue to focus on implementing the Financial Information Technology Acquisition Reform Act (FITARA) by competing contracts with multiple vendors or confining the scope of the contract to a limited task, thereby avoiding vendor lock-in, and developing acquisition vehicles that support the Agency in FITARA compliance and implementation.

Performance Measure Targets:

(PM PR1) Percentage of contract actions processed within the Procurement Action Lead Time (PALT) Standards.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					SA: 75 CP: 65 FAA: 80	85	90	95	Percent
Actual					SA: 70 CP: 88 FAA: 76	85			
Numerator					SA: 204 CP: 21 FAA: 3,038	9,269			Actions
Denominator					SA: 1,007 CP: 24 FAA: 4,002	10,906			

Work under this program also supports performance results in the Central Planning, Budgeting and Finance Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$850.0) This change is an increase due to the recalculation of base payroll costs.
- (+$400.0) This program change is an increase to support planning for the migration to a Federal Shared Service Provider contract writing system.
- (-$2,574.0 / -11.2 FTE) This program change streamlines contractor support for: helpdesk services for EPA's Acquisition System; the closeout of contracts; and the Defense Contract Management Agency for Audit Services and the Virtual Acquisition Office (a source for up-to-date government acquisition news, research, and analysis). It also proposes to eliminate funding for Contracts Management Assessment Program Reviews, which enable

[110] For more information, please visit: https://www.whitehouse.gov/wp-content/uploads/2018/03/Presidents-Management-Agenda.pdf.

EPA to self-identify and remedy internal weaknesses, and reduces the Agency's training for its acquisition community.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$72,920.6***	***$71,423.0***	***$76,603.0***	***$5,180.0***
Leaking Underground Storage Tanks	$258.3	$321.0	$450.0	$129.0
Hazardous Substance Superfund	$23,772.7	$21,971.0	$22,462.0	$491.0
Total Budget Authority	$96,951.6	$93,715.0	$99,515.0	$5,800.0
Total Workyears	421.4	456.0	435.3	-20.7

Total workyears in FY 2021 include 1.0 FTE funded by TSCA fees and 1.0 FTE funded by e-Manifest fees.
Total workyears in FY 2021 include 39.0 FTE to support Central Planning, Budgeting, and Finance working capital fund (WCF) services.

Program Project Description:

Activities under the Central Planning, Budgeting, and Finance Program support the management of integrated planning, budgeting, financial management, performance measurement, risk assessments and reporting, and financial systems to ensure effective stewardship of resources. This includes managing and supporting the Agency's financial management systems. Functions include financial payment and support services for EPA; general and specialized fiscal and accounting services for many of EPA's programs; strategic planning and accountability for environmental, fiscal, and managerial results; executing an Enterprise Risk Management program to support effective and efficient mission delivery and decision-making; providing policy, systems, training, reports, and oversight essential for EPA's financial operations; managing the agencywide Working Capital Fund; and managing the Agency's annual budget process. This program supports agency activities to meet requirements of the Government Performance and Results Modernization Act (GPRMA) of 2010; the Digital Accountability and Transparency (DATA) Act of 2014; the Federal Information Technology Acquisition Reform Act (FITARA) of 2015; the Federal Management Financial Integrity Act; the Inspector General Act of 1978, as Amended; and the Foundations for Evidence-Based Policymaking Act of 2018.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. EPA will continue to provide resource stewardship to ensure that all agency programs operate with fiscal responsibility and management integrity, financial services are efficiently and consistently delivered nationwide, and programs demonstrate results. EPA will maintain key planning, budgeting, performance measurement, and financial management activities. EPA will sustain basic operations and maintenance of core agency financial management systems: Compass, PeoplePlus (Time and Attendance), Budget

Formulation System (including a new Performance Module), and related financial reporting systems. In line with the President's Management Agenda, the Agency is reviewing its financial systems for modernization opportunities to support greater efficiencies and effectiveness and targeting legacy systems for replacement.

EPA will continue to modernize and streamline business processes and operations to promote transparency and efficiency. The Program will apply Lean principles and leverage input from customer-focused councils, advisory groups, and technical workgroups to continue improving as a high-performance organization. EPA will standardize and streamline internal business processes and use additional federal and/or internal shared services when supported by business case analysis. The requested resources directly support the long-term performance goal in the *FY 2018 – 2022 EPA Strategic Plan*: By September 30, 2022, increase enterprise adoption of shared services by four.

During FY 2021, EPA will focus on implementation of G-Invoicing, Treasury's Interagency Agreement system. G-Invoicing will integrate into the Agency's accounting system as part of a governmentwide effort to standardize and improve financial management. For EPA, this will involve implementing new versions of the accounting systems software in FY 2020 and FY 2021. Extensive testing and training will be needed.

The goal of G-Invoicing is to align EPA's business processes to deliver the new, more streamlined approach for the end-to-end delivery of financial transactions for IAs. Over the next several years, other federal shared services are planned that will impact financial transactions, and EPA will be working to integrate upcoming new contracts systems. Among other benefits, EPA seeks to adopt accepted and standardized business processes that will deliver greater streamlining and efficiency and achieve improved financial and programmatic oversight. Equally important is the ability to meet increased transparency needs, such as those prescribed in the DATA Act, as well as increased compliance and reporting standards.

In FY 2021, EPA will continue to develop a Central Evaluation Office to advance the goals of the Foundations for Evidence-Based Policymaking Act. Key responsibilities include developing the Agency's learning agenda and evaluation plans that enhance strategic and annual planning. EPA will systematically identify the most important evidence the Agency needs to gather and generate to advance its goals and ensure use of high-quality data, evaluation results, and other information to inform EPA's policy and decision-making. EPA will strengthen its capacity to assess and make strategic investments in data, data quality, evaluation, and other evidence-building activities at an enterprise level.

In FY 2021, the Program will continue to focus on core responsibilities in the areas of strategic planning, performance measurement, assessment and reporting, and enterprise risk management; budget preparation; financial reporting; and transaction processing. As the agency lead in designing and implementing performance measurement and risk management strategies that inform agency decision-making and advance mission results, the Program will focus on driving progress toward the Administrator's priorities by regularly assessing performance results against ambitious targets, monitoring and mitigating risks, and adjusting strategies as needed. This includes: convening regular Performance Reviews to assess progress; promoting an increased use

of data analytics and evidence-based decision-making practices; working collaboratively with agency programs to assess and analyze performance and risk data; and providing technical assistance on agencywide measures of governance to enhance data quality. EPA also will continue to use the performance data and other evidence to answer fundamental business questions and identify opportunities for service improvements.

EPA will continue to follow OMB Circular A-123 guidance, conduct internal control program reviews, and use the results and recommendations from the Office of Inspector General (OIG) to provide evidence of the soundness of EPA's financial management program and identify areas for further improvement. The Agency will collect key operational statistics for its financial management program to further evaluate its operations and for management decision-making. . For example, since FY 2018, through extensive employee outreach and improved communication with human resources, EPA reduced the number of payroll payments made outside of the normal payroll process by 92 percent. EPA also uses its major systems' help desk ticket data to evaluate ticket durations, urgent ticket responses, ticket escalations, and customer experience to determine potential improvements and best practices. In addition, EPA is dedicated to reducing fraud, waste, and abuse, and strengthening internal controls over improper payments. Since the implementation of the Improper Payments Information Act of 2002, EPA has continually reviewed, sampled, and monitored its payments to protect against erroneous payments and complied with reporting requirements.

The Program will continue to support FITARA requirements in accordance with EPA's Implementation Plan.[111] The Chief Information Officer will continue to be engaged throughout the budget planning process to ensure that IT needs are properly planned and resourced in accordance with FITARA.

Performance Measure Targets:

(PM CF1) Number of administrative shared services.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					6	7	8	10	Shared Services
Actual	4	4	4	4	4	7			

(PM CF2) Number of Agency administrative subsystems.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					24	22	22	21	Subsystems
Actual				29	29	29			

Work supporting performance results under this program also can be found in the Facilities Infrastructure and Operations Program under the EPM appropriation and the Human Resources Management Program under the EPM appropriation.

[111] For more information please see: http://www.epa.gov/open/fitara-implementation-plan-and-chief-information-officer-assignment-plan.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$1,040.0) This change is an increase due to recalculation of base payroll costs.

- (+$1,983.0 / 2.0 FTE) This program change is to support the work of a new Central Evaluation Office in OCFO with the purpose of coordinating and implementing the requirements of the Foundations for Evidence-Based Policymaking Act.

- (+$2,157.0 / -11.2 FTE) This net program change is an increase to support the implementation of G-Invoicing (+$1,348.0) and other Financial Management Payment Processing Modernization (+$1,150.0) efforts including upgrading, testing, and integrating with the Agency's current accounting systems, offset from savings from the retirement of legacy financial systems; streamlining efforts in the areas of budget preparation, financial reporting, and transaction processing; and efficiencies that reduce need for staffing.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified as Title 5 App.) (EPA's organic statute).

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$321,500.4***	***$287,595.0***	***$317,345.0***	***$29,750.0***
Science & Technology	$67,856.9	$65,372.0	$67,908.0	$2,536.0
Building and Facilities	$23,017.8	$26,922.0	$33,377.0	$6,455.0
Leaking Underground Storage Tanks	$847.2	$868.0	$796.0	-$72.0
Inland Oil Spill Programs	$577.3	$665.0	$682.0	$17.0
Hazardous Substance Superfund	$82,243.2	$76,473.0	$76,831.0	$358.0
Total Budget Authority	$496,042.8	$457,895.0	$496,939.0	$39,044.0
Total Workyears	329.9	315.4	307.6	-7.8

Total workyears in FY 2021 include 2.1 FTE to support Facilities Infrastructure and Operations working capital fund (WCF) services.

Program Project Description:

Environmental Programs and Management (EPM) resources in the Facilities Infrastructure and Operations Program fund the Agency's rent, utilities, and security. The Program also supports centralized administrative activities and support services, including health and safety, environmental compliance and management, facilities maintenance and operations, space planning, sustainable facilities and energy conservation planning and support, property management, mail, and transportation services. Funding for such services is allocated among the major appropriations for the Agency.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, EPA will continue to invest in the reconfiguration of EPA's workspaces, enabling the Agency to release office space and avoid long-term rent costs, consistent with HR 4465,[112] the *Federal Assets Sale and Transfer Act of 2016*. EPA is implementing a long-term space consolidation plan that will reduce the number of occupied facilities, consolidate space within remaining facilities, and reduce square footage wherever practical. EPA also will continue to work to enhance its federal infrastructure and operations in a manner that increases efficiency.[113]

[112] For additional information, please refer to: https://www.congress.gov/bill/114th-congress/house-bill/4465, *Federal Assets Sale and Transfer Act of 2016*.
[113] For additional information, please refer to: https://www.whitehouse.gov/presidential-actions/executive-order-regarding-efficient-federal-operations/, Executive Order 13834 "Efficient Federal Operations". For information on EPA's FY 2018

EPA is working toward the long-term performance goal in the *FY 2018 – 2022 EPA Strategic Plan* to reduce unused office and warehouse space by 850,641 square feet nationwide by September 30, 2022. This has the potential to provide a cumulative annual rent avoidance of approximately $28 million across all appropriations. This will help offset EPA's escalating rent and security costs. In FY 2019, EPA released 128,150 square feet of unused office and warehouse space. Planned consolidations in FY 2021 will allow EPA to release an expected 319,693 square feet of space. For FY 2021, the Agency is requesting $167.27 million for rent, $8.89 million for utilities, and $28.96 million for security in the EPM appropriation. EPA uses a standard methodology to ensure that rent charging appropriately reflects planned and enacted resources at the appropriation level.

In FY 2021, the Agency will take aggressive action to reconfigure EPA's workplaces with the goal of reducing long-term rent costs. Space consolidation and reconfiguration enables EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace. However, even if modifications are kept to a minimum, each move requires initial Buildings and Facilities funding to achieve long-term cost avoidance.

EPA will continue to manage lease agreements with GSA and private landlords, and maintain EPA facilities, fleet, equipment, and fund costs associated with utilities and building security needs. EPA also will meet regulatory Occupational Safety and Health Administration (OSHA) obligations and provide health and safety training to field staff (e.g., inspections, monitoring, On-Scene Coordinators), and track capital equipment of $25 thousand or more.

In addition, the Agency will continue to utilize GSA's Managed Service Office, *USAccess*, for PIV card enrollment and issuance. *USAccess* is a shared services solution which is in line with OMB's Federal IT Shared Services Strategy and the President's Management Agenda.[114]

Performance Measure Targets:

(PM FA1) Reduction in EPA Space (sq. ft. owned and leased).

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					241,000	163,626	100,821	319,693	Square Feet
Actual					149,278	128,150			

Work under this program also supports performance results in the Central Planning, Budgeting and Finance Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$3,362.0) This change is an increase due to the recalculation of base payroll costs.
- (+$8,665.0) This net change to fixed and other costs is an increase due to the recalculation of rent, utilities, security, and transit subsidy.

performance for efficient Federal operations/management, please visit: https://www.sustainability.gov/images/scorecards/epa-scorecard-fy2018.png.

[114] For additional information, please refer to: https://www.whitehouse.gov/wp-content/uploads/2018/03/Presidents-Management-Agenda.pdf.

- (+$17,723.0 / -2.2 FTE) This net program change increases support for moves and space reconfiguration. Funds will allow the Agency to release space in Regions 3, 6, 9 and headquarters and is necessary for the EPA to operate within the appropriation levels in the President's Budget.

Statutory Authority:

Federal Property and Administration Services Act; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$23,794.8***	***$23,802.0***	***$21,452.0***	***-$2,350.0***
Hazardous Substance Superfund	$2,517.7	$2,580.0	$2,903.0	$323.0
Total Budget Authority	$26,312.5	$26,382.0	$24,355.0	-$2,027.0
Total Workyears	129.9	139.5	115.7	-23.8

Program Project Description:

Environmental Program and Management (EPM) resources in the Financial Assistance Grants and Interagency Agreement (IA) Management Program support the management of grants and IAs, and suspension and debarment activities. Grants comprise approximately 40 percent of EPA's overall budget. Resources in this program ensure that EPA's management of grants and IAs meet the highest fiduciary standards, that the grant and IA funding produces measurable results for environmental programs, and that the suspension and debarment program effectively protects the government's business interest.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 – 2022 EPA Strategic Plan*. Accordingly, EPA will continue to implement activities to achieve efficiencies while enhancing quality and accountability. In FY 2021, EPA will continue investments in modernizing grant and IA information technology/information management (IT/DM) systems in support of the President's Management Agenda.[115]

Work in this program supports the long-term performance goal in the *FY 2018 – 2022 EPA Strategic Plan*: By September 30, 2022, increase enterprise adoption of shared services by four. The Agency will complete activities to align its IA business processes to ensure compatibility with the government-wide mandate to adopt G-Invoicing by June 2021.

In FY 2021, additional resources are requested for the Agency to complete the deployment of EPA's Next Generation Grants System (NGGS) and to retire outdated legacy grants management system. The transition to NGGS has a relatively low deployment time and will require fewer training resources as the system is based on legacy grant system infrastructure already familiar to staff. NGGS relies on a flexible platform that will enable it to adapt to changing technology and

[115] For more information, please visit: https://www.whitehouse.gov/wp-content/uploads/2018/03/Presidents-Management-Agenda.pdf.

business processes and will allow it to easily integrate with other agency systems. Prior to moving forward with the development of NGGS, EPA researched available federal shared service providers for grants systems and was unable to identify an existing solution that would enable the Agency to fulfill its fiduciary responsibilities, and ensure proper accountability, oversight, controls, reporting capability and financial stewardship, of EPA grants.

EPA will continue to focus on reducing the administrative burden on EPA and grants recipients and on improving grants management procedures by: 1) streamlining EPA's grants management policies through a new comprehensive framework to guide policy development, implementation, compliance, and review; 2) using EPA's Lean Management System to refine grants management processes; and 3) moving to a risk-based method of pre- and post-award monitoring for grants to more effectively ensure compliance and also reduce burden.

The Agency will continue to make use of discretionary debarments and suspensions as well as statutory debarments under the Clean Air Act and Clean Water Act to protect the government's business interests. In FY 2021, EPA will focus suspension and debarment activity on the most egregious violations. Congress and federal courts have long recognized federal agencies' inherent authority and obligation to exclude non-responsible parties from eligibility to receive government contracts and non-procurement awards (for example: grants, cooperative agreements, loans, and loan guarantees). A number of recent federal statutes, GAO reports, and OMB directives require that federal agencies administer effective suspension and debarment programs to protect the public's interest and the integrity of federal programs.

Performance Measure Targets:

Work under this program supports performance results in the Central Planning, Budgeting, and Finance Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$1,471.0) This change is an increase due to recalculation of base payroll costs.

- (-$4,221.0 / -21.4 FTE) This program change is a decrease based on the Agency's shift to focus on core grants management operations, which include pre-award reviews; post-award monitoring; compliance; administrative advanced monitoring reviews; management effectiveness reviews; baseline monitoring; and audit follow-up activities on the highest risk awards.

- (+$400.0) This program change is an investment to support migration to a new grants administration management system and to retire outdated legacy software.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Federal Grant and Cooperative Agreement Act; Federal Acquisition Streamlining Act § 2455.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$43,339.9***	***$41,556.0***	***$44,538.0***	***$2,982.0***
Hazardous Substance Superfund	$6,163.7	$6,548.0	$5,704.0	-$844.0
Total Budget Authority	$49,503.6	$48,104.0	$50,242.0	$2,138.0
Total Workyears	201.4	228.2	223.0	-5.2

Program Project Description:

Environmental Programs and Management (EPM) resources for the Human Resources (HR) Management Program support human capital (HC) activities throughout EPA. To help achieve its mission and maximize employee productivity and job satisfaction, EPA continually works to improve business processes for critical HC functions including recruitment, hiring, employee development, performance management, leadership development and workforce planning. This includes personnel and payroll processing through the Human Resources Line of Business. EPM resources also support overall federal advisory committee management and Chief Human Capital Officer Council activities under applicable statutes and guidance, including the Agency's Human Capital Operating Plan.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 – 2022 EPA Strategic Plan*. Effective workforce management is critical to EPA's ability to accomplish its mission. EPA's efforts in HC functions are focused on sustaining the workforce, retaining critical expertise, and capturing institutional knowledge. The Agency is developing and deploying management tools to assist EPA in ensuring the right staff with the appropriate skills are placed in the most suitable positions. These tools also will be valuable as an increasing percentage of the workforce becomes retirement eligible. Currently, 25 percent of EPA's workforce is retirement eligible, increasing to an estimated 50 percent over the next five years. EPA will continue to support efforts to maintain the high-quality of core operations, improve efficiencies and achieve greater effectiveness in mission support functions including HC management.

In FY 2021, the Agency will continue to build upon its performance, learning, and succession management activities. EPA will maintain and operate *FedTalent*, a talent management system provided through the Department of Interior (DOI)'s Interior Business Center (IBC). *FedTalent* serves as a valuable tool to assist with developing, delivering, and tracking high-impact training. EPA will continue to migrate and consolidate training data from more than 15 disparate training

repositories to ensure *FedTalent* is a one-stop-shop for all training needs. Additionally, the Agency is planning to procure and deploy a performance management system to move from paper to an automated process for the start of FY 2021.

In FY 2021, EPA will continue to maintain and operate three other recent workforce planning tools – the Mission Critical Occupations dashboard (to be fully launched in FY 2020) and the Workforce Demographics and Diversity dashboards (both fully deployed and in place). These dashboards provide data visualizations and easy-to-understand information about the current workforce and are essential for succession planning and management because they afford managers a strategic view of retirement eligibility, diversity information, occupational series, and grade levels, as well as the ability to drill down and access data at lower organizational levels. The dashboards assist EPA with succession planning by helping identify workforce gaps due to anticipated retirements and attrition trends.

The Agency will continue the development and piloting of its Talent Enterprise Diagnostics (TED) tool in FY 2020, which advances human capital priorities by enhancing EPA's ability to make strategic workforce decisions. In FY 2021, TED data will continue to serve a crucial role in EPA's Workforce Planning and Succession Management process to identify potential competency gaps across the Agency and to increase management's understanding of where needed skill sets reside within EPA.

EPA is working to develop and maintain a high-caliber and modern information technology (IT) and security workforce though direct hiring authority (DHA) granted by 5 CFR § 337[116] for IT positions. This authority allows EPA to recruit highly skilled candidates in very technical areas of work without regard to the provisions of Title 5. The Agency hired 23 IT specialists leveraging this authority in FY 2019. EPA will continue to leverage the use of the DHA across IT specialist occupation categories in FY 2020 and FY 2021.

EPA will continue to focus on delivering statutorily required services associated with the Employee Counseling Assistance Program, the Federal Worker's Compensation Program, the Drug-free Workplace Program, Unemployment Compensation, and Sign Language Interpreting and Captioning services. Furthermore, the Agency will continue its focus on Labor and Employee Relations (LER) by administering and/or negotiating national labor agreements and providing advice, guidance, and assistance to regional and local level negotiations. EPA also will continue its efforts to strengthen managers' and supervisors' institutional knowledge on LER related matters through training and outreach; provide advisory and counseling support agencywide; and conduct analysis of HC information to assist managers and supervisors.

The Agency is strengthening and improving its HR accountability program through internal assessments with the Office of Personnel Management's HRStat framework. With a focus on efficient, effective, and accountable systems, EPA is meeting all regulatory requirements and looks for opportunities for continuous improvement.

[116] For more information, please refer to: https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=1b430a73f84957c9f1af2dee2ff9d0d5&rgn=div5&view=text&node=5:1.0.1.2.48&idno=5#5:1.0.1.2.48.2.16.1.

EPA has reconstituted an intern program to address the expected retirement wave. The Green Intern program introduces participants to core mission work. This program is supported by formal coaching and training programs aimed at sustaining the workforce, expanding professional development opportunities, and increasing employee productivity. The first intern class began onboarding at the start of FY 2020. EPA also has expanded its outreach to new potential sources for future employees. Specifically, EPA reestablished connections with the Washington Center to bring on rising college seniors to experience working at the Agency; signed a Memo of Understanding with the Society of Hispanic Professional Engineers for promoting a diverse workforce; and initiated participation in the President Management Council's Interagency Rotational Program to create leadership development assignments for GS 13-15 level employees.

The Agency is actively involved with OPM's Chief Human Capital Officer Council and the President's Management Council's Agenda to address the challenges of the 21st Century federal workforce. EPA will continue to collaborate in these forums to maximize the value these communities add to important government-wide issues. FY 2021 priorities include workforce planning, succession planning, and employee engagement. The EPA Workforce Plan is being updated using the dashboards and the TED tool mentioned previously. Succession planning is taking the form of outreach to potential leaders through expanded partnerships. EPA is building on current employee engagement efforts through its Engagement Community of Practice and the creation of an Engagement Officer position.

In FY 2021, EPA's Human Resources Shared Service Centers (HRSSC) in Cincinnati, Ohio and Research Triangle Park, North Carolina will continue to manage recruitment; employee relations and advisory services; develop, implement, and enhance training and employee orientation programs; and provide management guidance on workforce planning and personnel policies. Additionally, the HRSSCs will continue to coordinate and deliver a comprehensive human resource management program. Other specific functions of the HRSSCs encompass employee benefits, retirement counseling, career development, performance management, personnel actions, and quality of life issues.

EPA's advisory committees, which operate as a catalyst for public participation in policy development, implementation, and decision making, have proven effective in building consensus among the Agency's diverse external partners and stakeholders. The Agency will continue its ongoing efforts to modernize the advisory committee administrative processes by implementing an electronic committee membership nomination and appointment process to improve operational efficiency, effectiveness, accuracy, and timeliness.

Performance Measure Targets:

Work under this program supports performance results in the Central Planning, Budgeting, and Finance Program under the EPM appropriation.

FY 2021 Change from Estimated the FY 2020 Enacted Budget (Dollars in Thousands):

- (+$4,221.0) This change is an increase due to the recalculation of base payroll costs.

- (-$1,239.0 / -5.2 FTE) This net program change reduces funding for: operational support for HR programs being utilized agencywide including the Agency's recruitment and diversity and inclusion activities, EPA's Human Resources Council and National Partnership Council, the Leave Bank, and the Workplace Solutions; enhancements and maintenance of EPA's HR IT Systems including HR Line of Business, data management and analysis, troubleshooting, and change requests; support for Federal Advisory Committees not mandated by statute; and centrally-provided, non-mandatory training.

Statutory Authority:

Title 5 of the U.S.C.; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute).

Pesticides Licensing

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$1,823.4***	***$1,605.0***	***$0.0***	***-$1,605.0***
Total Budget Authority	$1,823.4	$1,605.0	$0.0	-$1,605.0
Total Workyears	5.9	4.6	0.0	-4.6

Program Project Description:

The Science Policy and Biotechnology Program provides scientific and policy expertise, coordinates EPA's intra/interagency efforts, and facilitates information-sharing related to core science policy issues concerning pesticides and toxic chemicals. In addition, the Science Policy and Biotechnology Program provides for independent, external scientific peer review through the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Scientific Advisory Panel, a federal advisory committee, and the newly-formed Science Advisory Committee on Chemicals.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. Statutory requirements will be absorbed by the pesticides and toxics programs.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$1,605.0 / -4.6 FTE) This program change eliminates the Science Policy and Biotechnology Program. The science advisory committee oversight, including peer review, required by FIFRA and the Toxic Substances Control Act, will be conducted by the pesticides and toxics program offices.

Statutory Authority:

Federal Insecticide Fungicide and Rodenticide Act (FIFRA); Federal Food, Drug and Cosmetics Act (FFDCA) § 408; Toxic Substances Control Act (TSCA).

Pesticides: Protect Human Health from Pesticide Risk

Program Area: Pesticides Licensing
Goal: A Cleaner, Healthier Environment
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$55,368.2***	***$58,753.0***	***$51,268.0***	***-$7,485.0***
Science & Technology	$3,098.5	$3,154.0	$2,443.0	-$711.0
Total Budget Authority	$58,466.7	$61,907.0	$53,711.0	-$8,196.0
Total Workyears	366.4	387.6	416.5	28.9

Total program workyears in FY 2021 include 126.0 FTE funded by the Reregistration and Expedited Processing Revolving Fund.

Program Project Description:

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)[117] and the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA), and the Pesticide Registration Improvement Extension Act of 2018 (PRIA),[118] EPA is charged with protecting people from the health risks that pesticide use can pose. FIFRA requires EPA to register pesticide products before they are marketed for use in the United States. Registration is based on the review of scientific data sufficient to demonstrate that the product can perform its intended function without unreasonable adverse effects on people or the environment. This program emphasizes the use of reduced risk methods of pest control, including the use of reduced risk pesticides and helping growers and other pesticide users learn about new, safer products and methods of using pesticides.

Under FFDCA, if a pesticide is to be used in a manner that may result in pesticide residues in food or animal feed, EPA must establish a tolerance, or maximum legal residue level or exemption from the requirement of a tolerance before it can be registered. To establish a tolerance, EPA must find that the residues are "safe," which, under FFDCA, means that there is a reasonable certainty of no harm to human health from aggregate exposure to the pesticide residue in food and from all other exposure except occupational exposure.[119] EPA must periodically review the registration and tolerances that the Agency issues to ensure that the public health is adequately protected.

[117] For additional information on FIFRA, please visit: https://www.epa.gov/laws-regulations/summary-federal-insecticide-fungicide-and-rodenticide-act.
[118] On Friday, March 8, 2019, the President signed into law the Pesticide Registration Improvement Extension Act of 2018 (PRIA 4), which reauthorizes PRIA for 5 years through fiscal year 2023, and updates the fee collection provisions of the Federal Insecticide, Fungicide, and Rodenticide Act.
[119] Additional information related to pesticide registration, the setting of tolerance levels, and the pesticide risk assessment process can be found at the following location: https://www.epa.gov/pesticide-tolerances/setting-tolerances-pesticide-residues-foods.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.4 Ensure Safety of Chemicals in the Marketplace in the *FY 2018 - 2022 EPA Strategic Plan*.

Pesticide Review and Registration

In FY 2021, EPA will continue to review and register new pesticides, new uses for existing pesticides, and other registration requests in accordance with statutory requirements. In addition, the Agency will be evaluating pesticides that are already in the market against current scientific standards for human health. To further advance EPA's work supporting environmental justice and children's health, EPA will process these registration requests with special consideration for susceptible populations, especially children. Under the FQPA, EPA is statutorily required to ensure that its regulatory decisions are protective of children's health and other vulnerable subpopulations. EPA will continue to emphasize the registration of reduced risk pesticides, including biopesticides, to provide farmers and other pesticide users with new, safer alternatives. The Agency, in collaboration with the U.S. Department of Agriculture (USDA), will work to ensure that minor use registrations receive appropriate support and that needs are met for reduced risk pesticides for minor use crops. EPA will assist farmers and other pesticide users in learning about new, safer products and methods of using existing products through workshops, demonstrations, small grants, and materials available on the website and in print.

In FY 2021, EPA also will continue to review the registrations of existing pesticides with a focus on assessing and ensuring that pesticides can continue to be used safely, without unreasonable adverse effects to human health and the environment. The goal of the registration review process, as mandated by statute, is to review pesticide registrations every 15 years to determine whether it continues to meet the FIFRA standard for registration.[120] For pesticides registered before October 1, 2007, EPA has a statutory mandate to make registration review decisions by October 1, 2022. There is a total of 725 such cases. For each case, the steps in this process include, in this order, opening dockets, developing work plans, completing risk assessments, and making decisions regarding any risk management measures. EPA completed the opening of all 725 dockets in FY 2017 and will focus its resources on completing risk assessments and making decisions to meet the FY 2022 statutory deadline. As of the end of FY 2019, 383 final decisions of a known universe of 725 cases were completed and 546 draft risk assessments of a known universe of 725 cases were completed. In working towards meeting the FY 2022 deadline for registration review, EPA expects to complete approximately 85 draft risk assessments and 110 decisions during FY 2021. The draft risk assessments will be published for public comments.

In FY 2021, EPA will continue enhancements to the Pesticide Registration Information System (PRISM). Expanding the capabilities of PRISM via further inclusion of electronic processes will reduce paperwork burden and maximize efficiency, in accordance with the President's Management Agenda (PMA), by converting paper-based processes into electronic processes and corresponding workflows for the Pesticide Program's regulated entities. In addition, PRISM will create an iterative/inclusive, streamlined electronic workflow to support pesticide product registration, chemical reviews, and assessments, and will be used as a centralized data repository

[120] *See*, the EPA Pesticide Registration Internet site, found at: https://www.epa.gov/pesticide-registration.

to electronically store associated data as they relate to regulatory decisions and scientific information. Overall, the Agency projects that by expanding PRISM and related projects, over 150 existing business process workflows supporting the implementation of PRIA will be improved.

Reducing Pesticide Risks to People through the Registration of Lower Risk Pesticides

In FY 2021, EPA will continue to promote reduced risk pesticides by giving registration priority to pesticides that have lower toxicity to humans and non-target organisms such as birds, fish, and plants; low potential for contaminating groundwater; lower use rates; low pest resistance potential; and compatibility with Integrated Pest Management (IPM).[121]

Several other countries and international organizations also have instituted programs to facilitate registering reduced risk pesticides. EPA works with the international scientific community and the Organization for Economic Cooperation and Development (OECD) member countries to register new reduced risk pesticides and to establish related tolerances (maximum residue limits). Through these efforts in FY 2021, EPA will help reduce risks to Americans from foods imported from other countries.

Protecting Workers from On-the-Job Pesticide Risks

Millions of America's workers are exposed to pesticides in occupations such as agriculture, lawn care, food preparation, and landscape maintenance. Protecting workers from potential effects of pesticides is an important role of the Pesticide Program. Workers in several occupations may be exposed to pesticides when they prepare pesticides for use, such as by mixing a concentrate with water, or loading and applying the pesticide.

The Worker Protection Standard (WPS)[122] and the Certification of Pesticide Applicators rules finalized in FY 2015 and FY 2017, respectively, are key elements of EPA's strategy for reducing occupational exposure to pesticides. In FY 2021, EPA will continue to provide extensive in-person training to state regulators and inspectors and regions on the revised regulations to ensure accurate implementation and protection of America's workforce.

Through this program, 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.

Preventing Disease through Public Health Pesticides: Antimicrobial Testing

Antimicrobial pesticides play an important role in public health and safety by killing germs, bacteria, viruses, fungi, protozoa, algae, and slime. Some of these products are used to sterilize hard surfaces in hospitals. Chemical disinfection of hard, non-porous surfaces, such as floors, bed

[121] *See*, the EPA Overview of Risk Assessment in the Pesticide Program Internet site, found at: https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/overview-risk-assessment-pesticide-program. *See also*, EPA's IPM website, found at: https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles#for_more-information.

[122] For additional information, please visit: https://www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps.

rails, and tables is one component of the infection control systems in hospitals, food processing operations, and other places where disease-causing microorganisms, such as bacteria and viruses, may be present. In reviewing registrations for antimicrobials, EPA is required to ensure that antimicrobials maintain their effectiveness.[123]

EPA's Antimicrobial Testing Program (ATP) has been testing hospital sterilants, disinfectants, and tuberculocides since 1991 to help ensure that products in the marketplace meet stringent efficacy standards. EPA is currently in the process of developing a new risk-based testing strategy in response to EPA Office of the Inspector General recommendations made in FY 2016.[124] Consistent with OIG recommendations, EPA suspended the ATP in November 2017 and released a draft risk-based strategy, renamed the Antimicrobial Performance Evaluation Program (APEP), in October 2019 for public comment and will continue to seek public input prior to implementation in FY 2022.

Outreach and Education

Giving priority to reduced risk and Integrated Pest Management (IPM)-friendly pesticides are two steps toward protecting human health. It is essential for people using pesticides to be well informed, to understand the importance of reading and following label directions, and the importance of proper disposal. They also need to understand how to protect themselves from pests that can transmit disease. In FY 2021, the Pesticide Program will continue to invest in environmental education and training efforts for growers, pesticide applicators, and workers, as well as the public in general.

Reducing Animal Testing

In FY 2021, the Agency will continue to utilize its guiding principles on data needs[125] to ensure that the Agency has enough information to support strong regulatory decisions to protect human health, while reducing, and eliminating in some cases, unnecessary animal testing. EPA's Hazard and Science Policy Council (HASPOC) plays an important role in the implementation of the vision of the 2007 National Academy of Sciences (NAS) report on toxicity testing in the 21st century -- moving toward smarter testing strategies by waiving human health toxicity studies that do not provide useful information. Since its inception, HASPOC has waived hundreds of studies resulting in the saving of tens of thousands of animals and tens of millions of dollars in the cost of conducting the studies. In addition, the Agency has continued to develop and implement 21st century toxicology and exposure methods, including the use of computer-modeling and in vitro testing techniques, to advance more efficient and effective human health risk assessments that support sound, risk-based, regulatory decision-making.

Evidence and Evaluation

[123] *See*, FIFRA section 3(h)(3), 7 U.S.C. 136a(h)(3).
[124] For additional information, please see: https://www.epa.gov/pesticide-registration/antimicrobial-testing-program.
[125] Additional information on reducing animal testing may be found at: https://www.epa.gov/pesticides/new-epa-guidance-testing-pesticides-will-reduce-animal-testing.

EPA will continue, through EPA's Lean Management System (ELMS), to improve the review process for pesticide new active ingredient applications by reducing the timeframes to review these types of applications. In FY 2021, EPA will gather additional evidence, building on continuous efforts to map the process, use data visualization techniques, engage in enhanced collaboration activities, and identify and address bottlenecks. The Agency expects to reduce decision timeframes for new active ingredient applications, improve on-time percentages, and leverage those improvements for other related processes (e.g., new uses).

In FY 2019, EPA completed reviews of over 2,000 PRIA registration actions, with 97.6 percent of those actions being completed on or before PRIA negotiated due dates; registered 14 new pesticide active ingredients; published 85 pesticide draft risk assessments and 80 final/interim decisions for existing pesticides. In FY 2019, EPA took an average of 686 days to complete PRIA decisions, 55 days above the target of 631. Contributing factors 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, which itself adds time to the overall process. The average exceedance of PRIA decision timeframes for new active ingredients (due to renegotiation) is 182 days which was significantly better than the FY 2019 target of 284 days. 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.

As part of EPA's long-term commitment to ensure the effective advancement of the chemicals safety program to protect human health and the environment from potential risks of pesticides and toxic chemicals, the Agency's Office of Chemical Safety and Pollution Prevention will establish a presence in Research Triangle Park (RTP), North Carolina. Positions in RTP will be filled competitively and will not involve reassignments or involuntary moves, and the effort will utilize existing EPA space and resources. Establishing a presence in RTP is expected to improve recruitment of scientific staff and increase capacity to meet OCSPP's statutory and regulatory milestones under FIFRA, FQPA, ESA, and associated statutes.

Performance Measure Targets:

Work under this program supports performance results in the Pesticides: Protect the Environment from Pesticide Risk Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$4,763.0) This change is an increase due to the recalculation of base payroll costs.

- (-$12,248.0 / -13.0 FTE) This net program change is a reduction in funding for pesticide program activities from annual appropriations by increasing utilization of pesticide user fee collections.

- (+41.9 FTE) This program change shifts 41.9 FTE from annual appropriation to pesticide user fee collections based on the available balance.

Statutory Authority:

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Federal Food, Drug, and Cosmetic Act (FFDCA) § 408.

Pesticides: Protect the Environment from Pesticide Risk

Program Area: Pesticides Licensing
Goal: A Cleaner, Healthier Environment
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$39,444.2***	***$38,966.0***	***$32,100.0***	***-$6,866.0***
Science & Technology	$2,415.8	$2,327.0	$2,616.0	$289.0
Total Budget Authority	$41,860.0	$41,293.0	$34,716.0	-$6,577.0
Total Workyears	295.3	249.6	268.4	18.8

Total program workyears in FY 2021 include 85.0 FTE funded by the Reregistration and Expedited Processing Revolving Fund.

Program Project Description:

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires EPA to register a pesticide if, among other things, the product "will also not generally cause unreasonable adverse effects on the environment" when used in accordance with labeling and common practices. The goal of this program is to protect the environment from the potential risks posed by pesticide use. EPA must conduct risk assessments before the initial registration of each pesticide for each use, as well as re-evaluate each pesticide at least every 15 years, as required by the Food Quality Protection Act (FQPA). This periodic review is accomplished through EPA's Pesticide Registration Review Program.

In addition to FIFRA responsibilities, the Agency has distinct obligations under the Endangered Species Act (ESA).[126] These obligations include ensuring that pesticide regulatory decisions also will not destroy or adversely modify designated critical habitat or jeopardize the continued existence of species listed as threatened or endangered by the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS) (jointly, "the Services").

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.4 Ensure Safety of Chemicals in the Marketplace in the *FY 2018 - 2022 EPA Strategic Plan*.

Assessing the Risks Pesticides Pose to the Environment

To accomplish the goals set out in the FIFRA and ESA statutes, in FY 2021, EPA will continue to conduct ecological risk assessments[127] to determine what risks are posed by each pesticide to

[126] For additional information, please visit: https://www.epa.gov/endangered-species.
[127] For additional information, please visit: https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/factsheet-ecological-risk-assessment-pesticides.

plants, animals, and ecosystems that are not the targets of the pesticide and whether changes are necessary to protect the environment. EPA has extensive authority to require the submission of data to support its scientific decisions and uses the latest scientific methods to conduct these ecological risk assessments. The Agency requires applicants for pesticide registration to conduct and submit a wide range of environmental laboratory and field studies. These studies examine the ecological effects or toxicity of a pesticide and its breakdown products on various terrestrial and aquatic animals and plants, and the chemical fate and transport of the pesticide (how it behaves and where it enters the soil, air, and water). EPA uses these and other data to prepare an environmental fate assessment and a hazard, or ecological effects, assessment that interprets the relevant toxicity information for the pesticide and its degradation products.[128]

In FY 2021, EPA will continue to examine all toxicity and environmental fate data submitted with each new pesticide registration application to determine what risks the new active ingredient may pose to the environment. When complex scientific issues arise, the Agency consults the FIFRA Scientific Advisory Panel[129] for independent scientific advice.

Risk Mitigation

To ensure unreasonable risks are avoided, EPA may impose risk mitigation measures such as modifying use rates or application methods, restricting uses, or denying uses. In some regulatory decisions, EPA may determine that uncertainties in the risk determination need to be reduced and may subsequently require monitoring of environmental conditions, such as effects on water sources, or the development and submission of additional laboratory or field study data by the pesticide registrant.

Ensuring Proper Pesticide Use through Labeling

Under FIFRA, it is illegal to use a registered pesticide in a manner inconsistent with the label instructions and precautions. In FY 2021, EPA will continue to use pesticide labels to indicate what uses are appropriate and to ensure that the pesticide is used at the application rates and according to the methods and timing approved. When EPA registers a pesticide product, it requires specific labeling instructions and precautions. When risks are identified during the initial registration or during registration review, the Agency may mitigate those risks by requiring label changes. For example, EPA may require buffer zones around water sources to prevent contamination of water or endangering aquatic plants and wildlife. Other examples are changing the application method, or rate or timing of applications to when pollinators are not present to prevent risks to pollinators such as bees.

Pesticide Registration Review

In FY 2021, EPA's activities will involve increased efforts on comprehensive risk assessments to protect the environment. For the 725 cases covering all pesticides registered before October 1, 2007, EPA has a statutory mandate to make registration review decisions by October 1, 2022. For

[128] Additional information may be found at: https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/overview-risk-assessment-pesticide-program.
[129] For additional information, please visit: http://www.epa.gov/scipoly/sap.

each case, the steps in this process include, in this order: opening dockets, developing work plans, completing risk assessments, and making decisions regarding any risk management measures. EPA completed the opening of all 725 dockets in FY 2017 and will focus its resources on completing risk assessments and making decisions to meet the FY 2022 statutory deadline. As of the end of FY 2019, 383 final decisions of a known universe of 725 cases were completed and 546 draft risk assessments of a known universe of 725 cases were completed. In working towards meeting the FY 2022 deadline for registration review, EPA expects to complete approximately 85 draft risk assessments and 110 decisions during FY 2021. The draft risk assessments will be published for public comments.

Pesticide Registration and Reducing Risk Through the Use of Safer Pesticides and Methods

The review of pesticides currently in the marketplace and implementation of decisions made as a result of these reviews are a necessary element of meeting EPA's goals. However, attaining risk reduction would be significantly hampered without availability of alternative products to these pesticides for consumers.[130] Consequently, the success of the Registration Program in ensuring the availability of reduced risk pesticides plays a significant role in meeting the environmental outcome of improved ecosystem protection. EPA has promoted reduced risk pesticides since 1993 by giving registration priority to pesticides that have lower toxicity to people and non-target organisms such as birds, fish, and plants; low potential for contaminating groundwater; lower use rates; low pest resistance potential; and compatibility with Integrated Pest Management (IPM).[131] Biological pesticides and biotechnology often represent lower risk solutions to pest problems. In FY 2021, EPA will continue to assist pesticide users in learning about new, safer products as well as safer methods for using existing products. The Agency also will continue encouraging the use of IPM tools.

Reducing Animal Testing

In FY 2021, through stakeholder discussions and participation in intergovernmental working groups, the Agency will work to identify opportunities to reduce the use of animals in ecological hazard testing. EPA will reach out to non-governmental organizations to collaborate on projects (e.g., to retrospectively analyze the results of ecological hazard testing). Based on the results of those projects, EPA will then develop and disseminate guidance materials for companies to clarify ecotoxicology testing requirements/needs.

In FY 2021, EPA will continue its efforts for alternative methods to whole animal toxicity testing for characterizing the effects of pesticide active ingredients on terrestrial and aquatic vertebrates. EPA will continue the current partnership with the National Toxicology Program Interagency Center for the Evaluation of Alternative Toxicological Methods (NICEATM). A focus will be the use of Collaborative Acute Toxicity Modeling Suite (CATMoS) estimates of acute oral toxicity to replace mammal testing in ecological risk assessment. EPA also will complete a study of the feasibility for reducing the number of tested species of fish used to characterize acute effects for

[130] For additional information on pesticide risk, please visit: https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/overview-risk-assessment-pesticide-program.
[131] For additional information on IPM, please visit: https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles.

the taxa. The effort is expected to coincide with EPA's collaboration with other federal agencies to collect, describe, and develop performance-based evaluations for a suite of *in-silico* and *in-vitro* methods for estimating acute lethal endpoints in fish. By addressing both the endpoint needs and the available estimation tools concurrently, EPA expects to increase the efficiency of performance evaluation and narrow the scope of needed estimation methods for consideration, thereby speeding the acceptance process.

With the successful completion of methods development for acute mammal and fish toxicity estimation efforts as well as the 2020 completion of subacute dietary study waiver guidance, EPA also will be embarking on projects to evaluate the feasibility of reducing the number of avian reproduction study species (currently the routing data requirement is testing for two species) and fish life cycle tests (currently testing for freshwater and estuarine species is a frequent occurrence). The goal would be to reduce the number of tested species, yet still provide for appropriately protective terrestrial and aquatic organism risk assessments.

Minimizing Environmental Impacts through Outreach and Education

Through public outreach, the Agency will continue to encourage the use of IPM and other practices to maximize the benefits pesticides can yield while minimizing the impacts on the environment. The Agency will develop and disseminate brochures, provide education on potential benefits of IPM, and promote outreach on the success of IPM to encourage its use.[132] To encourage responsible pesticide use that does not endanger the environment, EPA will reach out to the public through the Internet, and to workers and professional pesticide applicators through worker training programs.

Protection of Endangered Species

EPA is responsible for complying with the Endangered Species Act (ESA). This presents a great challenge given that there are approximately 1,200 active ingredients in more than 17,000 pesticide products – many of which have multiple uses – and over 1,600 listed endangered species in the U.S. with diverse biological attributes, habitat requirements, and geographic ranges.[133] In FY 2021, as part of EPA's determination of whether a pesticide product may be registered for a particular use, the Agency will assess whether listed endangered or threatened species or their designated critical habitat may be affected by use of the product. Where risks are identified, EPA will work with the Services in a consultation[134] process to ensure these new or existing pesticide registrations also will meet the ESA standard.[135]

During registration review, EPA will support obtaining risk mitigation earlier in the process by encouraging registrants to agree to changes in uses and applications of a pesticide that are beneficial to the protection of endangered species prior to completion of EPA's consultations with the Services. In FY 2021, pesticide registration reviews are expected to contain environmental

[132] For additional information, please visit: https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles.
[133] For additional information, please visit: https://ecos.fws.gov/ecp0/reports/box-score-report.
[134] For additional information, please visit: https://www.epa.gov/endangered-species/assessing-pesticides-under-endangered-species-act.
[135] Additional information on how EPA protects endangered species from pesticides can be found at: https://www.epa.gov/endangered-species.

assessments, including determining potential endangered species impacts. This effort will continue to expand the Program's workload due to the need to review studies that were received as a result of data call-ins and the need to conduct additional environmental assessments for pesticides already in the review pipeline.

In FY 2021, in cooperation with the Services and the U.S. Department of Agriculture (USDA), the Agency will continue to work on implementing the ESA. To this end, the Agency continues to implement recommendations from the National Academy of Sciences (NAS) National Research Council regarding scientific and technical issues related to the methods and assumptions used by EPA and the Services to carry out their joint responsibilities under the ESA and FIFRA. Since receiving the NAS report, the four agencies have developed shared scientific approaches, solicited input from stakeholders, and presented those approaches to stakeholders. During FY 2021, EPA will continue to improve the Biological Evaluations methodology and will apply the revised approaches to selected pesticide risk assessments.

In January 2018, EPA, the U.S. Department of the Interior and the U.S. Department of Commerce signed a Memorandum of Agreement (MOA) creating a Working Group charged with reviewing statutory requirements, regulations and cases, and making recommendations to improve scientific and policy approaches. The working group was formalized in the Agricultural Improvement Act of 2018 (2018 Farm Bill and included USDA and the Council for Environmental Quality [CEQ]). The Farm Bill also transferred leadership of the working group from CEQ to EPA. Regular process reports also are required. The first report released in December 2019 outlines the recommendations and plans for implementation of those recommendations.

The Agency will continue to provide technical support for compliance with the requirements of the ESA. In FY 2021, EPA will continue the advancement and integration of state-of-the-art science models, knowledge bases, and analytic processes to increase productivity and better address the challenge of potential risks of specific pesticides to specific species. Interconnection of the various databases within the program office also will provide improved support to the risk assessment process during registration review by allowing risk assessors to more easily analyze complex scenarios relative to endangered species.

Pollinator Protection

Bees and other pollinators play a critical role in ensuring the production of food. USDA is leading the federal government's effort to understand the causes of declining pollinator health and identify actions that will improve pollinator health. EPA is part of this effort and is focusing on the potential role of pesticides. EPA's emphasis is to ensure that the pesticides used represent acceptable risks to pollinators and that products are available for commercial beekeepers to manage pests that impact pollinator health.

EPA continues to carefully evaluate potential effects that pesticides may have on bees through the registration of new active ingredients and registration review, in cooperation with the Government of Canada and the California Department of Pesticide Regulation. EPA is continuing to work with USDA to identify and address factors associated with declines in pollinator health. EPA also has been working with a wide range of stakeholders in the government and private sections, both

domestically and internationally, to develop and implement strategies to address factors associated with pollinator declines and to ensure that the best available science serves as a foundation for regulatory decisions. In FY 2021, EPA will continue to apply the best available science and risk management methods for sustaining pollinators.[136]

Protection of Water Resources

Reduced concentration of pesticides in water sources is an indication of the effectiveness of EPA's risk assessment, management, mitigation, and communication activities. In FY 2021, the Agency will continue to work to develop sampling plans and refine program goals. Water quality is a critical endpoint for measuring exposure and risk to the environment and a measure of EPA's ability to reduce exposure from these key pesticides of concern.[137]

Evidence and Evaluation

EPA will continue, through EPA's Lean Management System (ELMS), to improve the review process for pesticide new active ingredient applications by reducing the timeframes to review these types of applications. In FY 2021, EPA will gather additional evidence, building on continuous efforts to map the process, use data visualization techniques, engage in enhanced collaboration activities, and identify and address bottlenecks. The Agency expects to reduce decision timeframes for new active ingredient applications, improve on-time percentages, and leverage those improvements for other related processes (e.g., new uses).

In FY 2019, EPA completed reviews of over 2,000 PRIA registration actions, with 97.6 percent of those actions being completed on or before PRIA negotiated due dates; registered 14 new pesticide active ingredients; published 85 pesticide draft risk assessments and 80 final/interim decisions for existing pesticides. In FY 2019, EPA took an average of 686 days to complete PRIA decisions, 55 days above the target of 631. Contributing factors 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, which itself adds time to the overall process. The average exceedance of PRIA decision timeframes for new active ingredients (due to renegotiation) is 182 days which was significantly better than the FY 2019 target of 284 days. 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.

As part of EPA's long-term commitment to ensure the effective advancement of the chemicals safety program to protect human health and the environment from potential risks of pesticides and toxic chemicals, the Agency's Office of Chemical Safety and Pollution Prevention will establish a presence in Research Triangle Park (RTP), North Carolina. Positions in RTP will be filled competitively and will not involve reassignments or involuntary moves, and the effort will utilize existing EPA space and resources. Establishing a presence in RTP is expected to improve

[136] Additional actions EPA is taking to protect pollinators from pesticides can be found at: https://www.epa.gov/pollinator-protection.
[137] The most sensitive aquatic benchmarks for the chemicals are posted on the website: http://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/aquatic-life-benchmarks-pesticide-registration.

recruitment of scientific staff and increase capacity to meet OCSPP's statutory and regulatory milestones under FIFRA, FQPA, ESA, and associated statutes.

Performance Measure Targets:

(PM 091) Percentage of decisions (registration actions) completed on time (on or before PRIA or negotiated due dates).

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target	97.0	96	96	97	99	99	99	99	Percent
Actual	85	98.4	99	99	99.7	98			
Numerator	1,627	2,078	2,157	2,008	2,193	2,034			Decisions
Denominator	1,919	2,111	2,174	2,026	2,199	2,085			

(PM FIFRA1) Number of FIFRA decisions completed through pesticides registration review.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					58	75	110	110	Decisions
Actual	22	33	41	56	64	80			

(PM FIFRA2) Number of FIFRA registration review draft risk assessments completed.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					70	72	80	85	Risk
Actual	37	59	59	76	112	85			Assessments

(PM PRIA1) Average number of days to complete PRIA decisions for new active ingredients.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					643	631	619	607	Days
Actual		627	687	638	603	686			

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$2,359.0) This change is an increase due to the recalculation of base payroll costs.
- (-$9,225.0 / -13.0 FTE) This net program change is a reduction for pesticide program activities from annual appropriations by increasing utilization of pesticide user fee collections.
- (+31.8 FTE) This program change shifts 31.8 FTE from annual appropriation to pesticides user fee collections based on the available balance.

Statutory Authority:

Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); Endangered Species Act (ESA).

Pesticides: Realize the Value of Pesticide Availability

Program Area: Pesticides Licensing
Goal: A Cleaner, Healthier Environment
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$7,193.6***	***$7,722.0***	***$6,014.0***	***-$1,708.0***
Science & Technology	$354.6	$405.0	$684.0	$279.0
Total Budget Authority	$7,548.2	$8,127.0	$6,698.0	-$1,429.0
Total Workyears	31.9	35.8	46.3	10.5

Total program workyears in FY 2021 include 10.5 FTE funded by the Reregistration and Expedited Processing Revolving Fund.

Program Project Description:

The primary federal law that governs how EPA oversees pesticide manufacture, distribution, and use in the United States is the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Originally enacted in 1947, FIFRA has been significantly amended several times, including by the Food Quality Protection Act of 1996 (FQPA) and the Pesticide Registration Improvement Extension Act of 2018 (PRIA). FIFRA requires that EPA register pesticides based on a finding that they will not cause unreasonable adverse effects to people and the environment, taking into account the economic, social, and environmental costs and benefits of the use of any pesticide.

This program seeks to realize the value of pesticides that can be used safely to yield many benefits, such as killing viruses and bacteria in America's hospitals. These benefits also include guarding the Nation's abundant food supply, protecting the public from disease-carrying pests, and protecting the environment from the introduction of invasive species from other parts of the world. In fulfilling its mission, the Program manages the following types of pesticide registrations and regulatory actions under FIFRA:

- Special Local Needs under FIFRA section 24(c);
- Federal registrations at the national level under FIFRA section 3;
- Experimental Use Permit;
- Emergency, Quarantine, and Crisis Exemption; and
- Periodic review of existing chemicals under the Registration Review Program.[138]

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.4 Ensure Safety of Chemicals in the Marketplace in the *FY 2018 – 2022 EPA Strategic Plan*.

[138] Additional information may be found here: https://www.epa.gov/pesticide-registration/types-registrations-under-fifra.

Meeting Agriculture's Need for Safe, Effective Pest Control Products

With the passage of FQPA, Congress acknowledged the importance of and need for "reduced-risk pesticides" and supported expedited agency review to help these pesticides reach the market sooner and replace older and potentially riskier chemicals. The law defines a reduced risk pesticide as one that "may reasonably be expected to accomplish one or more of the following: (1) reduces pesticide risks to human health; (2) reduces pesticide risks to non-target organisms; (3) reduces the potential for contamination of valued, environmental resources, or (4) broadens adoption of Integrated Pest Management (IPM)[139] or makes it more effective." In FY 2021, EPA will continue to support and develop procedures and guidelines for expedited review of applications for registration or amendments for a reduced risk pesticide.

FIFRA's Version of "Generic" Pesticides

FIFRA authorizes EPA to register products that are identical to or substantially similar to already registered products (also known as "me too products"). Applicants for these products may rely on, or cite data already submitted by another registrant. The entry of these new products into the market can cause price reductions resulting from new competition and broader access to products, benefitting farmers and consumers. The Agency will continue to prioritize and review generic registrations consistent with the statutory decision-making schedule. Application submissions for these actions can generally be reviewed in four months. For example, in FY 2019, the Agency completed just over 200 registrations for the primary PRIA category (R-300) that involves "me too" conventional chemical registration requests. The Agency expects to complete a similar volume of registrations in FY 2021.

Outreach and Education

In FY 2021, the Agency will continue to encourage IPM, which emphasizes minimizing the use of broad-spectrum chemicals and maximizing the use of sanitation, biological controls, and selective methods of application. EPA regions are committed to partnering with states, tribes, and territories to carry out IPM projects that inform pesticide users about the pest control options and how to best use them. It is not enough to have pesticide products registered to control pest infestations. Pesticide users need to know which pesticides to use, how to use them, and how to maintain the site, so pests do not return. The Pesticide Program is invested in outreach and training efforts for people who use pesticides and the public in general.

Review and Registration

During FY 2021, EPA will continue to review and register new pesticides, new uses for existing pesticides, and act on other registration requests in accordance with FIFRA and FFDCA standards as well as PRIA timeframes. Many of these actions will be for reduced-risk pesticides, which, once registered and used by consumers, will increase societal benefits. Working together with the affected communities, through IPM and related activities, the Agency plans to accelerate the adoption of lower-risk products. EPA also will continue to support implementation of other IPM-

[139] For additional information, please visit: https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles.

related activities. The Agency will partner in the development of tools and informational brochures to promote IPM efforts and provide guidance to schools, farmers, other partners, and stakeholders.

Similarly, the Agency will continue work-sharing efforts with international partners. Through these collaborative activities and resulting international registrations, international trade barriers will be reduced. When nations with whom the U.S. trade accept imported crops treated with newer, lower-risk pesticides, domestic users can more readily adopt these newer pesticides into their Crop Protection Programs. Work-sharing efforts also reduce the costs of registration to governments by sharing the expenses.

Emergency, Quarantine, and Crisis Exemptions

In FY 2021, EPA will continue to prioritize emergency exemptions under FIFRA Section 18, which authorizes EPA to allow an unregistered use of a pesticide for a limited time in the event of an emergency, such as a severe pest infestation, public health emergency, or invasive pest species quarantine. The economic benefit of the Section 18 Program to growers is the avoidance of losses incurred in the absence of pesticides exempted under FIFRA's emergency exemption provisions. In addition, exemptions serve as important public health controls to avert pests that may cause significant risk to human health. In FY 2019, the Agency processed just over 110 requests for emergency uses and expects to process a similar level in FY 2021.

Evidence and Evaluation

The Program will continue, through EPA's Lean Management System (ELMS), to improve the review process for pesticide new active ingredient applications by reducing the timeframes to review these applications. In FY 2021, EPA will gather additional evidence to assist the Agency with: streamlining the process; mapping the process; using data visualization techniques; engaging in enhanced team collaborations, and identifying and addressing bottlenecks. The review process also will be streamlined by incorporating special antimicrobial sections and further monitoring the use of unregistered pesticides under Section 18. By identifying efficiencies in the process, the Agency expects to: reduce decision timeframes for new active ingredient applications; improve on-time percentages; and leverage those improvements for other related processes (e.g., new uses).

In FY 2019, EPA completed reviews of over 2,000 PRIA registration actions, with 97.6 percent of those actions being completed on or before PRIA negotiated due dates; registered 14 new pesticide active ingredients; published 85 pesticide draft risk assessments and 80 final/interim decisions for existing pesticides. In FY 2019, EPA took an average of 686 days to complete PRIA decisions, 55 days above the target of 631. Contributing factors 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, which itself adds time to the overall process. The average exceedance of PRIA decision timeframes for new active ingredients (due to renegotiation) is 182 days which was significantly better than the FY 2019 target of 284 days. 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.

Following the ELMS implementation in Fall 2019, additional tools and approaches were developed that will leverage the FY 2020 Lean projects and support the FY 2021 goals.

As part of EPA's long-term commitment to ensure the effective advancement of the chemicals safety program to protect human health and the environment from potential risks of pesticides and toxic chemicals, the Agency's Office of Chemical Safety and Pollution Prevention will establish a presence in Research Triangle Park (RTP), North Carolina. Positions in RTP will be filled competitively and will not involve reassignments or involuntary moves, and the effort will utilize existing EPA space and resources. Establishing a presence in RTP is expected to improve recruitment of scientific staff and increase capacity to meet OCSPP's statutory and regulatory milestones under FIFRA, FQPA, ESA, and associated statutes.

Biotechnology

EPA has a critical role in the successful implementation of the *Executive Order on Modernizing the Regulatory Framework for Agricultural Biotechnology Products* (EO 13874). EPA has been evaluating our current regulatory framework to determine if there are opportunities for streamlining current approaches to enable these important technologies to get to market efficiently. The Agency is working on exemptions for plant incorporated protectants (PIPs) engineered using biotechnology that are indistinguishable from PIPs made using natural plant breeding. EPA's proposed rule is under review and expected to be issued in Spring 2020. Additionally, in January 2020, EPA, USDA and FDA launched a unified website that provides a one-stop-shop for information about the actions the federal government is taking to oversee the development of agricultural biotechnology products.[140]

Performance Measure Targets:

Work under this program supports performance results in the Pesticides: Protect the Environment from Pesticide Risk Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$565.0) This change is an increase due to the recalculation of base payroll costs.
- (-$2,273.0 / +10.5 FTE) This net program change is a reduction in funding for pesticide program activities and shifts 10.5 FTE from annual appropriations with the intent to increase utilization of pesticide user fee collections.

Statutory Authority:

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Federal Food, Drug, and Cosmetic Act (FFDCA) § 408.

[140] For additional information, please visit: https://usbiotechnologyregulation.mrp.usda.gov/biotechnologygov/home/.

Resource Conservation and Recovery Act (RCRA)

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$34,554.0***	***$36,973.0***	***$35,126.0***	***-$1,847.0***
Total Budget Authority	$34,554.0	$36,973.0	$35,126.0	-$1,847.0
Total Workyears	183.0	174.4	172.0	-2.4

Program Project Description:

To reduce risks from exposure to hazardous wastes, EPA's Resource Conservation and Recovery Act (RCRA) Corrective Action Program ensures that contaminated facilities subject to RCRA requirements are cleaned up by the responsible party, returns contaminated property to productive use, and keeps costs from being transferred to the taxpayer-funded portion of the Superfund Program. Pursuant to EPA promulgated regulations and administrative orders under RCRA, EPA and authorized states will continue to oversee cleanups conducted by facility owner/operators to ensure that the facilities meet their cleanup obligations and to protect taxpayers from having to pay the bill. Approximately 111 million Americans live within three miles of a RCRA corrective action facility (roughly 35 percent of the U.S. population),[141] and the total area covered by these corrective action sites is approximately 18 million acres.[142]

EPA works in close partnership with 44 states and one territory authorized to implement the Corrective Action Program[143] to ensure that cleanups are protective of human health and the environment. The Corrective Action Program allows for the return of properties to beneficial use, which benefits the surrounding communities, reduces liabilities for facilities, and allows facilities to redirect resources to productive activities. The Agency provides program direction, leadership, and support to its state partners. This includes specialized technical and program expertise, policy development for effective program management, national program priority setting, measurement and tracking, training and technical tools, and data collection/management/documentation. In addition, through work-sharing, the Agency serves as lead or support for a significant number of complex and challenging cleanups in both non-authorized and authorized states.

In FY 2019, EPA approved 127 RCRA corrective action facilities as ready for anticipated use (RAU), bringing the total number of RCRA RAU facilities to 1,476. In addition, 95 percent of the 2020 Baseline priority corrective action facilities achieved protection of human health while 90 percent achieved groundwater protection.

[141] U.S. EPA, Office of Land and Emergency Management Estimate 2017. Data collected includes: (1) site information as of the end of FY 2016 from RCRAInfo; and (2) census data from the 2011-2015 American Community Survey.
[142] Compiled RCRAInfo data.
[143] State implementation of the Corrective Action Program is funded through the STAG Categorical Grant: Hazardous Waste Financial Assistance and matching state contributions.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination, in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, the Program will focus its resources on continuing cleanup of 3,924 priority contaminated facilities (the 2020 Baseline plus 145 additional facilities), which include highly contaminated and technically challenging sites. As of the end of FY 2019, only 38 percent of the 2020 Baseline facilities have completed final and permanent cleanups, leaving approximately 2,300 facilities still needing oversight and technical support to reach final site-wide cleanup objectives. Additionally, the 2020 Baseline is a subset of a larger group of facilities with potential corrective action obligations under RCRA. The Program's goals are to control human exposures, control migration of contaminated groundwater, complete final cleanups for the 2020 Baseline facilities, and identify, assess, and clean up additional priority facilities.

In FY 2021, EPA will:

- Prioritize meeting the RCRA RAU measure targets, ensuring that where possible properties are returned to productive use and human and the environment are protected into the future.

- Reassess its universe of cleanup facilities, priorities, and measures to ensure that resources are focused on addressing those facilities that present the highest risk to human health and the environment by implementing actions to end or reduce these threats.

- Provide technical assistance to authorized states in the areas of site characterization, sampling, remedy selection, reaching final cleanup goals, and long-term stewardship for cleanups with contamination remaining in place.

- Prioritize and focus the Program on completing site investigations to identify the most significant threats, establish interim remedies to reduce or eliminate exposure, and select and construct safe, effective long-term remedies that also maintain the economic viability of the operating facility.

- For high priority facilities, perform cleanup work under work-sharing agreements to assist with facilities that have complex issues[144] or special tasks (e.g. ecological risk assessments).

- Continue to improve cleanup approaches and share best practices and cleanup innovations, such as the use of the Lean RCRA FIRST (Facilities Investigation Remedy Selection Track)[145] toolbox, cleanup optimization tools, and other techniques to speed up and improve cleanups.

[144] For example, vapor intrusion, wetlands contamination, or extensive groundwater issues.
[145] For more information, please visit: https://www.epa.gov/hw/toolbox-corrective-action-resource-conservation-and-recovery-act-facilities-investigation-remedy.

- Maintain RCRAInfo, which is the primary data system that many states rely upon to manage their RCRA permitting, corrective action, and hazardous waste generator programs. RCRAInfo receives data from hazardous waste handlers for the National Biennial RCRA Hazardous Waste Report, which is mandated by RCRA Sections 3002 and 3004. The last biennial report showed there were 26,284 generators of over 33 million tons of hazardous waste. RCRAInfo provides the only national-level RCRA hazardous waste data and statistics to track the environmental progress of approximately 20,000 hazardous waste units at 6,600 facilities.

Performance Measure Targets:

(PM CA5RC) Number of RCRA corrective action facilities with final remedies constructed.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target						98	98	98	Facilities
Actual	56	60	64	67	70	80			

(PM RSRAU) Number of RCRA corrective action facilities made ready for anticipated use.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					75	91	117	133	Facilities
Actual	84	93	75	72	117	127			

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$1,891.0) This change an increase due to the recalculation of base payroll costs.

- (-$3,738.0 / -2.4 FTE) This net program change will modify the timeline for initiating and ongoing cleanups. EPA will prioritize resources on those facilities that present the highest risk to human health and the environment.

Statutory Authority:

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) §§ 3004, 3005, 8001.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$58,728.3***	***$66,819.0***	***$50,399.0***	***-$16,420.0***
Hazardous Waste Electronic Manifest System Fund	$14,485.5	$0.0	$0.0	$0.0
Total Budget Authority	$73,213.8	$66,819.0	$50,399.0	-$16,420.0
Total Workyears	290.4	296.8	233.2	-63.6

Total workyears in FY 2021 include 15.0 FTE funded by e-Manifest fees. FY 2019 Actuals include obligations of e-Manifest fees. E-Manifest fees are not included in FY 2020 Enacted or FY 2021 President's Budget levels, but EPA anticipates collecting approximately $26 million in e-Manifest fees in FY 2020 and FY 2021.

Program Project Description:

The Resource Conservation and Recovery Act (RCRA) established EPA's role as a federal leader in the conservation and recovery of resources. Under RCRA, EPA sets national standards for managing solid and hazardous wastes and provides federal agencies, state, tribal, and local governments, and industries with technical assistance on solid waste management, resource recovery, and resource conservation. Approximately 60,000 facilities generate and safely manage hazardous waste in the United States.[146] Eighty 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.[147]

The Waste Management Program safeguards the American people while facilitating commerce by supporting an effective waste management infrastructure. Cradle-to-grave hazardous waste management regulations help ensure safe management practices through the entire process of generation, transportation, recycling, treatment, storage, and final disposal. The Program increases the capacity for proper hazardous waste management in states by providing grant funding and technical support.

EPA and its state partners issue, update, maintain, and oversee RCRA controls for approximately 20,000 hazardous waste units (e.g., incinerators, landfills, and tanks) located at 6,600 treatment, storage, and disposal facilities.[148] Just as businesses innovate and grow, the waste management challenges they face also evolve; this requires new direction and changes in the federal hazardous waste program through updated regulations, guidance, and other tools.

[146] Memorandum, February 18, 2014, from Industrial Economics to the EPA, Re: Analysis to Support Assessment of Economic Impacts and Benefits under RCRA Programs: Key Scoping Assessment, Initial Findings and Summary of Available Data (Section 1), pages 5-11.
[147] 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.
[148] As compiled by RCRAInfo.

EPA directly implements the entire RCRA Program in Iowa and Alaska and provides leadership, work-sharing, and support to the states and territories authorized to implement the permitting program. Additionally, the Toxic Substances Control Act (TSCA) polychlorinated biphenyls (PCB) cleanup and disposal program is implemented under the Waste Management Program to reduce PCB exposure from improper disposal, storage, and spills. The Program reviews and approves PCB cleanup, storage, and disposal activities. This federal authority is not delegated to state programs. PCBs were banned in 1979, but legacy use and contamination still exists, and PCBs can still be released into the environment from poorly maintained hazardous waste sites that contain them.

In FY 2019, EPA permitted, clean-closed, or otherwise had initial controls in place to prevent release at 33 facilities. Issuance of controls decreases the risk of future releases and enhances protection of human health and the environment. Additionally, EPA issued RCRA hazardous waste permit renewals or clean-closures to 124 facilities. Maintaining updated permits and controls ensures that facilities: 1) have consistent and protective standards to prevent release; 2) have proper standards for waste management to protect human health, prevent land contamination/degradation; and 3) avoid future cleanups and associated substantial costs. In FY 2019, EPA and the states are implementing the Generator Improvement Rule which updated and modernized the regulations for hazardous waste generators to bring them into the 21st Century.

Marine litter is an increasingly prominent global issue that can negatively affect domestic water quality, tourism, industry, and public health. Some of this marine debris comes from human activity at sea, and it makes its way into our waterways from land, creating a direct link between waste management practices and ocean pollution.[149] As part of an EPA effort to reduce ocean pollution and plastics, the Program will provide technical expertise to support development and implementation of solid waste management systems and infrastructure to help ensure that trash is appropriately collected, recycled, reused, or properly disposed of to prevent litter from entering waterways from land.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, the RCRA Waste Management Program will:

- Provide technical assistance to regions, states, and tribes regarding the development and implementation of solid waste programs (e.g., the RCRA hazardous waste generator, transporter, treatment, storage, and disposal regulations and implementing guidance; the RCRA non-hazardous waste program; the TSCA PCB disposal and cleanup program; and the hazardous waste import/export program).

- Provide technical and implementation assistance, oversight, and support to facilities that generate, treat, store, recycle, and dispose of hazardous waste.

[149] U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Ocean Service, "Ten Things you should Know about Marine Debris," https://oceanservice.noaa.gov/news/marinedebris/ten-things.html.

- Review and approve PCB cleanup, storage, and disposal activities to reduce exposures, particularly in sensitive areas like schools and other public spaces. EPA will prioritize PCB approvals and expedite high priority cleanups or address those unaddressed in a timely fashion. Issuing PCB approvals is a federal responsibility, non-delegable to states.

- Under EPA's Lean Management System, EPA will monitor progress in issuing permits more quickly in achieving program goals. This includes progress towards meeting the Agency's goal of reaching all permitting-related decisions in a timely manner.

- Manage the hazardous waste import/export notice and consent process. EPA will continue to implement the process and data system (the Waste Import Export Tracking System) improvements and upgrades in order to make shipping hazardous waste across borders more efficient. Managing hazardous waste imports and exports is a federal responsibility, non-delegable to states.

- Provide technical hazardous waste management assistance to tribes to encourage sustainable practices and reduce exposure to toxins from hazardous waste.

- Directly implement the RCRA program in unauthorized states, on tribal lands, and other unauthorized portions of state RCRA programs. Issue and update permits, including continuing to improve permitting processes.

- Take action as necessary regarding regulations to ensure protective management of coal combustion residuals (CCR). The Agency has promulgated regulations specifying improved management and disposal practices to ensure people and ecosystems are protected. The Agency will continue to work with our stakeholders as we develop and implement regulations, through technical assistance and guidance.

- Implement applicable provisions of the Water Infrastructure Improvements for the Nation Act of 2016, which enables states to submit for EPA approval state CCR permit programs. The Agency will continue to work closely with state partners to review and make determinations on state programs. Subject to appropriations, EPA will implement a permit program for CCR disposal facilities on tribal lands as well as participating states.

Performance Measure Targets:

(PM HW5) Number of permit renewals issued at hazardous waste facilities.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					64	64	105	105	Facilities
Actual	110	100	89	125	109	124			

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$3,460.0) This change is an increase due to the recalculation of base payroll costs.

- (-$20,579.0 / -68.6 FTE) This net program change reflects a focus on PCB cleanup and hazardous waste disposal programs, while reducing technical assistance to stakeholders regarding the development, approval, and implementation of solid waste management programs.

- (+$699.0 / +1.0 FTE) This program change supports the Agency's effort to reduce ocean pollution and plastic by sharing waste management approaches and technical assistance with select developing countries and vulnerable communities.

Statutory Authority:

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) §§ 3002, 3004, 3005, 3017; Toxic Substances Control Act (TSCA) § 6.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$8,840.2***	***$8,997.0***	***$4,253.0***	***-$4,744.0***
Total Budget Authority	$8,840.2	$8,997.0	$4,253.0	-$4,744.0
Total Workyears	40.7	43.4	5.0	-38.4

Program Project Description:

Managing materials sustainably promotes economic growth and reduces environmental impacts. The U.S. recycling industry provides more than 757,000 jobs and $6.7 billion annually in tax revenues and there is opportunity for greater contribution to the economy and environmental protection, as recent data indicate materials worth as much as $9 billion are thrown away each year.[150]

EPA will update the RCRA Waste Minimization and Recycling Program in FY 2021 to focus on efforts to strengthen the U.S. recycling industry and enhance food loss and food waste prevention.

In FY 2020, the Program is conducting the following activities:

- Providing national leadership and direction on approaches to reduce environmental impacts, increase safe and effective reuse/recycling of materials, and reduce food waste;
- Partnering with a wide range of stakeholders (industry, governments, non-profits, and others) to implement efficient and innovative solutions that help protect human health and the environment through improved materials management, reduced waste generation, and improved waste utilization;
- Improving metrics, identifying critical data gaps, and gathering and providing high-quality scientific information and data;
- Implementing targeted, incentive-based programs to encourage participants to modify business practices to increase recycling and reduce food waste, enabling industries to efficiently conserve resources, save money, and increase competitiveness.

In FY 2019, EPA engaged with stakeholders including recyclers, brands, industry representatives and associations, state, territorial, tribal, and local government representatives, and trade associations to identify key challenges facing the U.S. recycling system as well as ways for EPA to support stakeholders' efforts.

[150] For more information, please refer to: https://www.epa.gov/smm/recycling-economic-information-rei-report.

In FY 2018, EPA, U.S. Department of Agriculture, and U.S. Food and Drug Administration launched the *Winning on Reducing Food Waste Initiative.* EPA along with its partner agencies affirmed their shared commitment to work towards the national goal of reducing food loss and food waste by fifty percent by 2030.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination in the *FY 2018 – 2022 EPA Strategic Plan*. In FY 2021, EPA will focus $4.25 million to improve the U.S. recycling system and prevent food loss and food waste by implementing the following actions:

- Perform a needs assessment of the U.S. recycling industry. This assessment will include the development of metrics to assess national recycling system performance, estimate the financing gap for recycling infrastructure, and perform regular evaluations to determine effectiveness and make needed adjustments.
- Use the needs assessment to identify appropriate federal actions, including exercising national leadership and harmonization of standards, and working with stakeholders to develop a national strategy designed to help ensure long-term economic and environmental viability of local recycling programs. Actions will be designed to strengthen markets, reduce cross contamination and commingling of materials, and prevent recyclable materials from polluting the environment.
- Administer two grant programs:
    - A grant program for state and local governments to build or enhance recycling capacity and infrastructure around the country. The grant program will support pilots and infrastructure in communities seeking to enhance their capacity to recover and recycle materials.
    - A grant program to support local governments and/or non-governmental organizations in developing, implementing, and evaluating effective informational campaigns that educate the public about food waste and organics management. This grant program will fund research that provides framework for effective food waste reduction methods.
- Develop a pilot innovation incentive/prize program to encourage creation of products made with recycled content, increase use of recycled content in existing products, and increase use of recycled materials in manufacturing.

Performance Measure Targets:

(PM RFW) Number of stakeholder actions taken to increase recycling and reduce food loss and waste.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target								9,750	Actions
Actual									

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$2,218.0 / +2.0 FTE) This program change funds a needs assessment of the U.S. recycling industry, including the development of metrics to assess recycling system performance, an estimate of the financing gap for recycling infrastructure, and a review of existing programs.

- (+$1,518.0 / +2.0 FTE) This program change funds two grant programs. One program will support recycling infrastructure and capacity and the other program will develop, implement, and evaluate effective food waste reduction campaigns.

- (+$508.0 / +1.0 FTE) This program change supports a pilot innovation incentive/prize program to encourage creation of products made with recycled content and increased use of recycled materials in manufacturing.

- (-$8,988.0 / -43.4 FTE) This funding change refocuses the Program from efforts in Sustainable Materials Management to the priority areas of recycling and food waste and loss.

Statutory Authority:

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA).

Toxics Risk Review and Prevention

Endocrine Disruptors
Program Area: Toxics Risk Review and Prevention
Goal: A Cleaner, Healthier Environment
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$8,178.1***	***$7,533.0***	***$0.0***	***-$7,533.0***
Total Budget Authority	$8,178.1	$7,533.0	$0.0	-$7,533.0
Total Workyears	6.6	7.6	0.0	-7.6

Program Project Description:

The Endocrine Disruptor Screening Program (EDSP) was established in 1996 under authorities contained in the Federal Food, Drug and Cosmetic Act and the Safe Drinking Water Act amendments. Current activities within the EDSP include transitioning to the use of high throughput screening and computational toxicology tools to screen thousands of chemicals for endocrine activity, establishing policies and procedures for screening and testing, and evaluating data to ensure chemical safety by protecting public health and the environment from endocrine disrupting chemicals.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. EPA will absorb the remaining functions within the Pesticides Program using the currently available tiered testing battery.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$7,533.0 / -7.6 FTE) This funding change proposes to eliminate the EDSP. The relevant functions of the Program can be continued within the Pesticides Program.

Statutory Authority:

Federal Food Drug and Cosmetic Act (FFDCA) § 408(p); Safe Drinking Water Act (SDWA) § 1457.

Pollution Prevention Program
Program Area: Toxics Risk Review and Prevention
Goal: More Effective Partnerships
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$11,657.5***	***$11,127.0***	***$0.0***	***-$11,127.0***
Total Budget Authority	$11,657.5	$11,127.0	$0.0	-$11,127.0
Total Workyears	42.5	49.2	0.0	-49.2

Program Project Description:

The Pollution Prevention (P2) Program advances environmental stewardship and sustainability efforts by federal, state and tribal governments, businesses, communities, and individuals. The Program seeks to alleviate environmental problems by achieving reductions in: the generation of hazardous releases to air, water, and land; the use of hazardous materials; the generation of greenhouse gases; and the use of water. The P2 Program also helps businesses and others leverage preventative approaches to reduce costs.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. Based on previous investments in P2 made under this program project, partners are expected to be able to continue to share best practices and pursue additional P2 solutions. EPA will continue to meet core statutory requirements under the Pollution Prevention Act of 1990 in other programs.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$11,127.0 / -49.2 FTE) This funding change proposes to eliminate the Pollution Prevention Program.

Statutory Authority:

Pollution Prevention Act of 1990 (PPA); Toxic Substances Control Act (TSCA).

Toxic Substances: Chemical Risk Review and Reduction
Program Area: Toxics Risk Review and Prevention
Goal: A Cleaner, Healthier Environment
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$64,241.5***	***$60,488.0***	***$69,004.0***	***$8,516.0***
Total Budget Authority	$64,241.5	$60,488.0	$69,004.0	$8,516.0
Total Workyears	259.8	280.1	321.6	41.5

Total program workyears in FY 2021 include 51.6 FTE funded by TSCA fees. FY 2019 Actuals include obligations of TSCA Service Fees and the advance on appropriations for those fees. TSCA Service Fees are not included in FY 2020 Enacted or FY 2021 President's Budget levels, but EPA anticipates collecting approximately $7.75 million in such fees in FY 2020 and $34.75 million in FY 2021.

Program Project Description:

Under the Toxic Substances Control Act (TSCA), as amended in 2016 by the *Frank R. Lautenberg Chemical Safety for the 21st Century Act*,[151] EPA has significant responsibilities for ensuring that chemicals in or entering commerce do not present unreasonable risks to human health or the environment. These responsibilities are executed by the Agency through the Chemical Risk Review and Reduction (CRRR) Program, which works to ensure the safety of:

- Existing chemicals[152] by collecting chemical data, conducting risk evaluations, and by developing and implementing risk management actions, where appropriate, to prevent any unreasonable risk posed by their manufacture, use and/or disposal; and

- New chemicals by reviewing new chemical notices submitted by industry, including Pre-Manufacture Notices (PMNs), Significant New Use Notices (SNUNs), and Microbial Commercial Activity Notices (MCANs), and taking action, as appropriate, to ensure that no unreasonable risk will be posed by such chemicals upon their entry into U.S. commerce.

Under amended TSCA, the CRRR Program collects user fees designed to defray 25 percent of its costs for administering certain sections[153] of TSCA.[154] Fee levels may be adjusted by regulation on a recurring three-year basis for inflation and to ensure that fees defray 25 percent of relevant

[151] *See*, Public Law 114-182 (June 22, 2016); 130 Stat. 448.
[152] "Existing Chemicals" are those already in use when TSCA was first enacted in 1976 and those which have since gone through review by the TSCA New Chemicals Program. These include certain prevalent, high-risk chemicals known generally as "legacy chemicals" (e.g., PCBs, mercury), which were previously covered in a separate Chemical Risk Management (CRM) budget justification. The CRM program area was combined with Chemical Risk Review and Reduction effective FY 2015.
[153] The costs of implementing TSCA (as amended) Sections 4, 5 and 6 are defrayable up to the statutory caps, as are the costs of collecting, processing, reviewing and providing access to and protecting from disclosure, as appropriate, chemical information under Section 14.
[154] The authority to assess fees is conditioned on appropriations for the CRRR Program, excluding fees, being held at least equal to the amount appropriated for FY 2014.

costs. Chemical manufacturers (including importers) and, in limited instances, processors began incurring TSCA User Fees on October 1, 2018.[155]

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.4 Ensure Safety of Chemicals in the Marketplace in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, the Agency will continue implementation of the amendments to TSCA, with emphasis on the critical mandates and timelines applicable to pre-market review of new chemicals, chemical risk evaluation and management, review and make determinations on incoming Confidential Business Information (CBI) claims, and other statutory priorities. EPA anticipates an increased workload to support these efforts in FY 2021 to perform any necessary risk management regulatory actions in response to the findings of the first 10 risk evaluations for existing chemicals to be finalized in FY 2020; to develop draft risk evaluations for the 20 High-Priority Chemicals being initiated by EPA in FY 2020; and to initiate or continue up to 10 risk evaluations in response to requests by manufacturers. At the same time, the Agency will work to further reduce review timeframes for PMNs for new chemicals, continue to review CBI claims, and carry out other required TSCA CRRR activities as described below.

Primary TSCA Implementation Activities

Testing of Chemical Substances and Mixtures. TSCA Section 4, as amended, authorizes EPA to require testing of a chemical substance or mixture by manufacturers (including importers) or processors. In FY 2021, the Agency will continue to: review test data submitted from prior test rules and enforceable consent agreements; issue Test Orders, Test Rules, and/or Enforceable Consent Orders as necessary to support chemical prioritization, risk screening, and risk evaluation activities; and make use of available data in prioritizing chemicals for collection of testing information and evaluation of potential risks.

New Chemicals. Under TSCA Section 5, as amended, EPA is responsible for reviewing all new chemical submissions to determine whether the chemicals may pose unreasonable risks to human health or the environment. In FY 2021, the Agency will: review and manage the potential risks from approximately 1,000 new chemicals, prior to their entry into the marketplace; evaluate data submitted under requirements of Section 5 Consent Orders; and continue to use Section 5 authorities to issue Significant New Use Rules (SNURs) to require notification to EPA for significant new uses of existing chemicals, where applicable. As part of this work, the CRRR Program will continue to make improvements to internal data and tracking systems to enhance the efficiency of the new chemical review process. A kaizen event, as part of the EPA Lean Management System (ELMS), was conducted by the program in FY 2018 and identified a number of opportunities to enhance the efficiency of the review process, including: employing a team-based review approach; improving TSCA CBI Local Area Network (LAN) system performance; and improving electronic communication with submitters. These improvements have increased the program's on-time 90-day review performance from 18 percent in FY 2017 to 70 percent in FY

[155] The statute authorizes EPA to collect fees from chemical manufacturers (including importers) and, in limited instances, processors who: are required to submit information (TSCA section 4); submit notification of or information related to intent to manufacture a new chemical or significant new use of a chemical (TSCA section 5); manufacture, (including import) a chemical substance that is subject to an EPA-initiated risk evaluation (TSCA section 6); or request that EPA conduct risk evaluation on an existing chemical (TSCA section 6), subject to the Agency's approval of the request.

2018 and 78 percent in FY 2019, and will provide increased regulatory certainty to submitters by enhancing communications about review timeframes and associated risk management actions.

Risk Evaluations. Under TSCA Section 6, as amended, EPA is required to maintain an ambitious schedule for initiating and completing risk evaluations of existing chemicals. When unreasonable risks are identified, TSCA sets timelines for initiating and completing risk management regulatory actions to address those unreasonable risks. In FY 2021, key activities will include:

- **Chemical Prioritization and Risk Evaluation:** EPA will develop draft risk evaluations for the 20 High-Priority Chemicals designated in December 2019 to undergo risk evaluation under the amended law. Scoping documents for these evaluations are scheduled to be released by EPA in June 2020. Of important note, the law also includes provisions allowing manufacturers to request that EPA conduct evaluations of specific chemicals. EPA is required to undertake manufacturer-requested risk evaluations that meet the Agency's acceptance criteria at levels up to 50 percent of the number of EPA-initiated evaluations underway. In December 2019, EPA granted manufacturer requests for risk evaluations of two chemicals used in plastic production (Diisodecyl Phthalate [DIDP] and Diisononyl Phthalate [DINP]) and has proceeded to initiate the requested evaluations. EPA will continue work on draft risk evaluations for these chemicals in FY 2021.

- **Risk Management:** When unreasonable risks are identified in the final risk evaluation, EPA must finalize risk management action rulemakings under TSCA Section 6(a) to address the unreasonable risk within two years, or up to four years if an extension is utilized. Accordingly, the Agency may be proposing risk management actions in FY 2021 for chemicals that have been found to present an unreasonable risk based upon the first 10 risk evaluations completed in FY 2020. EPA also will continue work on developing regulations for commercial uses of methylene chloride for paint and coating removal which began prior to amended TSCA.

- **Persistent, Bioaccumulative and Toxic (PBT) Chemical Action:** In FY 2021, EPA will pursue risk management regulatory action on certain other chemicals. TSCA Section 6(h) establishes a fast-track process to address certain PBT chemicals on the 2014 TSCA Work Plan. EPA proposed a regulation in June 2019 for five such chemicals based upon peer-reviewed exposure and use assessments. EPA expects to finalize these regulations in FY 2021.

Confidential Business Information. EPA is required under TSCA Section 14 to review and make determinations on CBI claims contained in TSCA submissions; process requests for and make certain CBI information available to states, tribes, health and medical professionals, first responders, and similar persons under defined circumstances; and, assign and publish unique identifiers for each chemical substance for which a confidentiality claim for specific chemical identity is approved. EPA is updating policies, regulations, and guidance to implement the amendments. In FY 2019, the Agency completed reviews of more than 1,900 CBI claims, made determinations on over 400 cases and concluded that no determination was necessary for over 1,500 cases. In FY 2021, EPA will assign unique identifiers to chemicals where CBI claims for chemical identity are upheld and will complete CBI claim reviews for: more than 2,500 new cases anticipated to be associated with Section 4, 5 and 8 submissions; approximately 2,000 chemical

identity claims associated with Notice of Activity submissions; and more than 2,000 CBI cases from the backlog that has developed since 2016 pending finalization of EPA's review procedures.

Other TSCA CRRR Mandates and Activities

Information collection under TSCA Section 8. In FY 2021, EPA will: maintain the Mercury Electronic Reporting Application;[156] conduct outreach to stakeholders on how to report required information by the Application; analyze about 300 Substantial Risk (Section 8(e)) Notifications submitted by industry;[157] and implement a rule[158] that establishes a plan for reviewing claims to protect confidential chemical identities within one year of compiling the initial Inventory with active and inactive designations.[159,160]

Work Addressing Mercury. In FY 2021, EPA will continue to provide responses to any requests for exemption from export prohibitions under the Mercury Export Ban Act and work to support compliance with the Minamata Convention on Mercury, to which the United States is a party.

TSCA Citizen Petitions. In FY 2021, EPA also will continue to meet the requirements of Section 21 of TSCA, as amended, which authorizes citizen petitions for the issuance, amendment, or repeal of certain actions (rules and orders) promulgated under specific components of TSCA sections 4, 5, 6 and 8. The Agency must grant or deny a Section 21 petition within 90 days. If EPA grants a petition, the requested action must be initiated in a timely fashion.

Formaldehyde Standards for Composite Wood Products. In FY 2021, EPA will implement regulations under the TSCA Title VI Formaldehyde Standards for Composite Wood Products Act (Public Law 111-199), which established national emission standards for formaldehyde in new composite wood products.[161]

Addressing Lead Risk Reduction and Supporting Children's Health. In FY 2021, the Agency will shift those activities required under TSCA Title IV (the Federal Lead-Based Paint Program) that are funded through the EPM appropriation into the CRRR Program. Reducing exposure to lead paint in old housing continues to offer the potential to significantly decrease blood lead levels in the largest number of children. Efforts to address exposure to lead paint must include homes and locations outside the home where young children spend significant amounts of time such as child care settings and schools.[162] In FY 2021:

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[156] The Mercury Electronic Reporting application is an electronic reporting interface and database within the Central Data Exchange (CDX).

[157] TSCA Section 8(e) Notifications require EPA be notified immediately when a company learns that a substance or mixture presents a substantial risk of injury to health or the environment.

[158] The rule is to be promulgated in February 2020.

[159] These are chemical identities reported in retrospective commercial activity notices (the review plan rule must be finalized by February 18, 2020).

[160] CBI claims made by manufacturers or processors for chemical identities in retrospective activity notices must be reviewed and determinations made no later than five years after the rule is final (compiling the initial Inventory). The current Inventory has approximately 7,750 chemicals on the confidential portion that have been reported as being active in commerce in the last 10 years.

[161] For additional information, please visit: http://www2.epa.gov/formaldehyde/formaldehyde-emission-standards-composite-wood-products.

[162] U.S. Environmental Protection Agency (EPA). (2008). *Child-Specific Exposure Factors Handbook* (Final Report). Retrieved from: https://cfpub.epa.gov/ncea/risk/recordisplay.cfm?deid=199243.

- For states without federal authorization, EPA will provide firm and individual certifications for safe work practices for lead-based paint abatement and Renovation, Repair, and Painting (RRP) Program efforts; provide operation and maintenance of the online database (Federal Lead-Based Paint Program) that supports the processing of applications for training providers, firms and individuals; and continue efforts to increase the number of certified renovation firms capable of providing lead-safe renovation, repair, and painting services through targeted outreach campaigns to contractors. The rate of firm recertifications under the RRP Program has averaged 23 percent since FY 2017, while the total number of new firms seeking certification has remained steady from quarter to quarter. As outlined in the FY 2020-2021 Lead Agency Priority Goal (APG) Action Plan, 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 and will continue to publish an updated list of certified renovation firms on the Agency's website.[163] Other forms of lead exposure are proposed to be addressed through other targeted programs that offer enhanced flexibility, such as lead pipe replacement, multi-media toxics reduction work under the Multipurpose Grants Program, and other multi-faceted toxics reduction work under the Healthy Schools Grant Program.

- In accordance with an order from the Ninth Circuit Court of Appeals, EPA published a proposed rule in the *Federal Register* on July 2, 2018,[164] to change the dust-lead hazard standard (also known as the "lead dust hazard standard") from 40 µg/ft^2 and 250 µg/ft^2 to 10 µg/ft^2 and 100 µg/ft^2 on floors and window sills, respectively. EPA did not propose to change the post-abatement clearance levels in this proposal; however, the Agency noted that it intended to review the clearance levels at a later date. The Court also ordered the Agency to propose a rule on the definition of lead-based paint. EPA proposed to make no change to the definition of lead-based paint because the Agency currently lacks sufficient information to support such a change. On June 21, 2019, EPA finalized this action at the proposed levels.[165] In this rulemaking, EPA also committed to addressing the clearance levels for floors and window sills in a subsequent proposed rule. In FY 2021, EPA will continue work as necessary to finalize the rulemaking for clearance levels, with a planned publication date for the final rule in FY 2021.

- Per a settlement agreement, in FY 2021, EPA will continue to work on determining the extent to which renovations of pre-1978 public and commercial buildings do or do not create lead-based paint hazards and develop appropriate work practice standards to the extent they are deemed necessary.

Information Technology (IT) in Support of TSCA Implementation

In line with the President's Management Agenda, TSCA IT systems development will continue in FY 2021 with the goal of minimizing reporting burdens on industry, and streamlining data management by EPA, including the following activities:

[163] For additional information, please visit: https://cfpub.epa.gov/flpp/pub/index.cfm?do=main.firmSearch.
[164] For additional information, please visit: https://www.federalregister.gov/documents/2018/07/02/2018-14094/review-of-the-dust-lead-hazard-standards-and-the-definition-of-lead-based-paint.
[165] For additional information, please visit: https://www.regulations.gov/document?D=EPA-HQ-OPPT-2018-0166-0360.

- Continuing enhancement of the TSCA Chemical Information System (CIS) to reduce manual handling of data, increase internal EPA access to data relevant to chemical assessments, and expedite review of chemicals;

- Continuing integration of TSCA information management, e-Reporting, and public access systems with the Agency's E-Enterprise business strategy and leveraging the E-Enterprise portal to provide better customer service for external users;

- Developing new tools for hazard and exposure identification assessment and characterization, while improving existing tools to better assess risks from both new and existing chemicals; and

- Maintaining and enhancing the functionality of *ChemView* and expanding the information it makes available to the public to include newly completed chemical assessments, worker protection information, and other new data reported to EPA under TSCA.

Continuous Improvement of TSCA Implementation

In FY 2021, the Agency will monitor and evaluate its progress on key metrics related to carrying out its core responsibilities under the amended law in a timely manner. These include TSCA-related long-term performance goals to complete all EPA-initiated risk evaluations and associated risk management actions for existing chemicals within statutory timelines, supported by internal monthly tracking systems. EPA made considerable progress towards meeting the FY 2018-2019 APG for TSCA risk management actions and risk evaluations with key milestones achieved or in progress as of the end of FY 2019.

In addition, EPA plans to further reduce review times for new PMNs, MCANs, and SNUNs. Although substantially improved from FY 2018, the performance rate of all TSCA PMN final determinations completed within 90 days was 78 percent in FY 2019, slightly below the 80 percent target for both the FY 2018-2019 APG and annual performance goal. 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, EPA will continue its aim of making 80 percent of all final determinations within the initial 90-day review period.

EPA also will undertake other forms of assessment and evidence gathering in FY 2021. The Agency's ongoing risk evaluation processes for existing chemicals utilize scientific evidence obtained from data gathered pursuant to TSCA authorities and systematic review of literature sources in making the risk determination required under amended TSCA. EPA's approach to systematic review is described in *Application of Systematic Review in TSCA Risk Evaluations* (May 2018)[166] and will be the focus of an EPA-initiated review by the National Science Foundation (NAS) to be initiated in FY 2020. Additional evidence will be obtained by completing an annual programmatic risk assessment exercise and a statutorily required EPA Office of the Inspector General audit of TSCA user fees to determine whether fee levels are appropriate.

[166]For additional information, please visit: https://www.epa.gov/sites/production/files/2018-06/documents/final_application_of_sr_in_tsca_05-31-18.pdf.

Finally, as part of EPA's long-term commitment to ensure the effective advancement of the chemicals safety program to protect human health and the environment from potential risks of pesticides and toxic chemicals, the Agency's Office of Chemical Safety and Pollution Prevention will establish a presence in Research Triangle Park (RTP), North Carolina. Positions in RTP will be filled competitively and will not involve reassignments or involuntary moves, and the effort will utilize existing EPA space and resources. Establishing a presence in RTP is expected to improve recruitment of scientific staff and increase capacity to meet OCSPP's statutory and regulatory milestones under TSCA, and associated statutes..

Performance Measure Targets:

(PM TSCA1) Number of final EPA-initiated TSCA risk evaluations completed within statutory timelines.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					No Target Estab-lished	N/A	10	N/A	Evaluations
Actual				0	N/A	N/A			

(PM TSCA2) Number of final existing chemical TSCA risk management actions completed within statutory timelines.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					No Target Estab-lished	N/A	N/A	1	Actions
Actual				0	N/A	N/A			

(PM TSCA3) Percentage of final TSCA new chemical determinations for Pre-Manufacture Notices, Significant New Use Notices and Microbial Commercial Activity Notices completed within the initial 90-day statutory timeframe.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					65	80	80	80	Percent
Actual					58.4	78			
Numerator					45	103			Final Determin-ations
Denominator					77	132			

(PM TSCA3b) Percentage of final TSCA new chemical determinations for Pre-Manufacture Notices, Significant New Use Notices and Microbial Commercial Activity Notices completed within the full timeframes allowable by statute.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target						100	100	100	Percent
Actual				100	100	100			
Numerator				567	292	429			Final Determin-ations
Denominator				567	292	429			

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$2,523.0) This change is an increase due to the recalculation of base payroll costs.

- (+$5,993.0 / +21.3 FTE) This net program change is an increase of 21.3 appropriated FTE to support the implementation of efforts to meet statutory deadlines for prioritization, risk evaluation, and risk management of existing chemicals and to streamline and accelerate the review of premanufacture notices and significant new use notices for new chemicals.

- (+20.2 FTE) This program change reflects increased utilization of TSCA user fee collections to support the implementation of efforts to meet statutory deadlines for prioritization, risk evaluation, and risk management of existing chemicals and to streamline and accelerate the review of pre-manufacture and significant new use notices for new chemicals.

Statutory Authority:

Toxic Substances Control Act (TSCA).

Toxic Substances: Lead Risk Reduction Program
Program Area: Toxics Risk Review and Prevention
Goal: A Cleaner, Healthier Environment
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$11,663.0***	***$11,567.0***	***$0.0***	***-$11,567.0***
Total Budget Authority	$11,663.0	$11,567.0	$0.0	-$11,567.0
Total Workyears	56.7	62.9	0.0	-62.9

Program Project Description:

Reducing exposure to lead paint in old housing has the potential to significantly decrease blood lead levels in children. Efforts to reduce lead paint exposure must include homes and locations outside the home where young children spend significant amounts of time, such as child care settings and schools.[167]

EPA's Lead Risk Reduction Program contributes to the goal of reducing childhood lead exposure by: establishing a national pool of certified firms and individuals who are trained to carry out renovation and repair and painting projects while adhering to the lead-safe work practice standards, and to minimize lead dust exposure created during the course of such projects; establishing standards governing lead hazard identification and abatement practices and maintaining a national pool of professionals trained and certified to implement those standards; and providing information and outreach to housing occupants and the public so they can make informed decisions and take actions about potential lead hazards in their homes.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. With the coordinated implementation of the *Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts* (Lead Action Plan), other forms of lead exposure are proposed to be addressed through other targeted programs, such as lead pipe replacement, multi-media toxics reduction work under the Multipurpose Grants Program, and other multi-faceted toxics reduction work under the Healthy Schools Grant Program.

In FY 2021, EPA will continue to provide firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts through the Chemical Risk Review and Reduction (CRRR) Program. EPA will continue to provide for the operation and maintenance of the online database that supports the processing of applications for training providers, firms and individuals, and finalization of the rulemaking for clearance levels for lead-

[167] U.S. Environmental Protection Agency (EPA). (2008). *Child-Specific Exposure Factors Handbook* (Final Report), retrieved from: https://cfpub.epa.gov/ncea/risk/recordisplay.cfm?deid=199243.

based dust on floors and window sills, with a planned publication date for the final rule in July 2021, through the CRRR Program. Support for implementation of the Lead Program will continue at the State level in States with delegated programs from funding under the Categorical Grant: Lead Program.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (–$11,567.0 / -62.9 FTE) This funding change proposes to eliminate the Lead Risk Reduction Program by leveraging resources and expertise from other programs through coordinated implementation of the Lead Action Plan and funding direct implementation of the program in authorized states through STAG funds. Firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts will be funded through the Chemical Risk Review and Reduction Program.

Statutory Authority:

Toxic Substances Control Act (TSCA).

Underground Storage Tanks (LUST/UST)

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$11,089.8***	***$10,750.0***	***$6,863.0***	***-$3,887.0***
Leaking Underground Storage Tanks	$10,133.9	$9,240.0	$7,149.0	-$2,091.0
Total Budget Authority	$21,223.7	$19,990.0	$14,012.0	-$5,978.0
Total Workyears	89.1	91.6	68.8	-22.8

Program Project Description:

Releases of petroleum from Underground Storage Tanks (UST) can contaminate groundwater, the drinking water source for many Americans. Environmental Program Management funding helps prevent releases by providing states[168] and tribes with technical assistance and guidance, and by funding work that assists states and tribes.

EPA partners with tribes to maintain information on tribal USTs and is the primary implementer of the UST Program in Indian Country. With few exceptions, tribes do not have independent UST program resources. This funding supports direct implementation of UST Program in Indian Country.

In 2005, Congress passed the Energy Policy Act which, along with other release prevention measures, required states to inspect all facilities in their jurisdictions at least once every three years. EPA has been supporting states in these efforts (and ensuring these requirements are met before continuing to grant additional funding for this). A recent EPA study suggests that increased UST compliance is a result of increasing inspection frequency prompted by the Act. EPA's statistical analysis, using the State of Louisiana's UST data, showed a positive and statistically significant effect of increased inspection frequency on facility compliance.[169] This evidence supports the data trends the Agency has been witnessing: compliance rates are higher today than they were a decade ago as a result of the three-year inspection requirement.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination in the *FY 2018-2022 EPA Strategic Plan.* EPA, with its state and tribal partners,

[168] States as referenced here also include the District of Columbia and five territories as described in the definition of state in the Solid Waste Disposal Act.
[169] Sullivan, K. A.; Kafle, A (2017, May). Do more frequent inspections improve compliance? Evidence from underground storage tank facilities in Louisiana. OCPA Working Paper No. 2017-05. Retrieved from https://www.epa.gov/sites/production/files/2017-06/documents/olem_ocpa_working_paper_do_more_frequent_inspections_improve_compliance.pdf.

works to prevent releases of contamination and in partnership with tribes, provides training, compliance assistance, and inspection support to implement the 2015 UST regulations in Indian Country. Between the end of 2008 and the end of 2019, the number of annual confirmed releases has decreased by 27 percent (from 7,364 to 5,375).

EPA will continue to collect data regarding both the compliance rate and the number of new releases for UST systems in Indian Country. The compliance rate will help determine progress toward meeting EPA's revised regulations and help identify any areas that need specific attention. In addition, EPA will continue its work to determine the correlation between inspection frequency and compliance rates.

In FY 2021, EPA will:

- Continue research studies that identify the compatibility of new fuel formulations with current tank systems.

- Continue to coordinate with state UST prevention programs.

- Provide technical assistance, compliance help, and expert consultation to state, tribal, and stakeholders on both policy and technical matters. This support strives to strengthen our network of federal, state, tribal, and local partners (specifically communities and people living and working near UST sites) and assists implementation of the UST regulations.

- Provide guidance, training, and assistance to the regulated community to improve understanding and compliance.

- Provide technical assistance to states and the regulated community regarding compatibility of UST systems with E15 and conduct inspections in Indian Country to ensure compatibility. Work in this area is important given the national growth in biofuels and other emerging fuels.[170]

- Continue to work with industry, states, and tribes to identify causes and potential solutions for corrosion in diesel tanks. Work in this area is important given the significant findings regarding the increasing prevalence of corrosion of UST system equipment containing ethanol or diesel fuels.[171]

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

[170] Please see the following EPA website: www.epa.gov/ust/emerging-fuels-and-underground-storage-tanks-usts#tab-2.
[171] Please see the following EPA website: www.epa.gov/ust/emerging-fuels-and-underground-storage-tanks-usts#tab-3.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$396.0) This change is an increase due to the recalculation of base payroll costs.

- (+$500.0) This program change is to enable EPA to continue studies into compatibility of new fuel formulations with current tank systems.

- (-$4,783.0 / -17.6 FTE) This net program change reflects a reduced workload due to the proposed elimination of the LUST Prevention and the Categorical Grant Underground Storage Tanks programs. With available resources, the Program will continue to directly implement a targeted compliance and release prevention program in Indian Country, and work with any state partners who choose to maintain an UST Program after the elimination of the federal grant funds.

Statutory Authority:

Resource Conservation and Recovery Act §§ 8001, 9001-9011.

Water Ecosystems

National Estuary Program / Coastal Waterways
Program Area: Water: Ecosystems
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$26,425.7***	***$29,823.0***	***$0.0***	***-$29,823.0***
Total Budget Authority	$26,425.7	$29,823.0	$0.0	-$29,823.0
Total Workyears	38.0	36.9	0.0	-36.9

Program Project Description:

The National Estuary Program (NEP)/Coastal Waterways Program works to restore the physical, chemical, and biological integrity of estuaries of national significance and coastal watersheds to protect and restore water quality, habitat, and living resources.[172]

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$29,823.0 / -36.9 FTE) This funding change proposes to eliminate the NEP/Coastal Waterways Program. EPA will encourage states to continue this work and continue to implement conservation management plans.

Statutory Authority:

Great Lakes Legacy Reauthorization Act of 2008; Clean Water Act § 320; Estuaries and Clean Waters Act of 2000; Protection and Restoration Act of 1990; North American Wetlands Conservation Act of 1989.

[172] For more information, please see: https://www.epa.gov/nep.

Wetlands

Program Area: Water: Ecosystems
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$17,234.9***	***$19,241.0***	***$22,604.0***	***$3,363.0***
Total Budget Authority	$17,234.9	$19,241.0	$22,604.0	$3,363.0
Total Workyears	106.1	116.4	130.0	13.6

Program Project Description:

EPA's Wetlands Protection Program has two primary components: 1) the Clean Water Act (CWA) Section 404 regulatory program and 2) the state and tribal development program. Major activities of the Wetlands Protection Program include timely and efficient review of CWA Section 404 permit applications submitted to the U.S. Army Corps of Engineers (USACE) or authorized states; engaging and partnering with USACE, states, and other stakeholders to develop stream and wetland assessment tools, and improving compensatory mitigation effectiveness and availability of credits; assisting in the development of state and tribal wetlands protection programs under the CWA; and providing technical assistance to the public on wetland management and legal requirements.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. Working with federal, state, tribal and local partners, EPA will help to ensure an effective, consistent approach to wetlands protection. This is done through both the Agency's work with USACE in federal CWA Section 404 permitting and work with states and tribes to build their wetlands programs.

CWA Section 404

USACE is responsible for managing the day-to-day permit processes nationwide under CWA Section 404. EPA engages in the USACE process to ensure compliance with the CWA Section 404(b)(1) guidelines as USACE formulates their proposed permits. EPA and USACE will work together to implement Executive Order 13807[173] and the accompanying Memorandum of Understanding and will continue to identify options for improving efficiencies in federal CWA Section 404 permitting that would help reduce potential costs and delays; increase consistency and predictability; improve protection of public health and the environment; and ensure permit

[173] EO 13807 requires Federal agencies to process environmental reviews and authorization decisions for "major infrastructure projects" as One Federal Decision (OFD) and sets a government-wide goal of reducing the average time for each agency to complete environmental reviews for such projects to two years.

decisions are legally defensible. In addition, EPA and USACE have initiated a rulemaking to enhance the efficiency of the compensatory mitigation program. EPA also has initiated a rulemaking to update the Agency's Section 404(c) regulations to provide greater certainty to property owners.

EPA also will continue carrying out its responsibilities as a member of the Gulf Coast Ecosystem Restoration Council authorized under the Resources and Ecosystem Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States (RESTORE) Act, and as a Natural Resource Damage Assessment (NRDA) Trustee for the Deepwater Horizon oil spill under the Oil Pollution Act (OPA). Under CWA Section 404, the RESTORE Act, and OPA, EPA's responsibilities include timely, environmentally-sound, and compliant implementation of National Environmental Policy Act (NEPA) review and associated permitting. Under NRDA, EPA is a cooperating or lead federal agency for NEPA on all Trustee Implementation Group restoration plans and ensures the appropriate level of NEPA analysis is integrated into those referenced restoration plans. EPA's RESTORE responsibilities include NEPA analysis for projects that EPA has been assigned by the Council. As a NRDA Trustee, the Agency undertakes mandatory independent third-party financial audits every three years to ensure accountability regarding the use of funds provided under a 2016 Consent Decree.[174] The first independent third-party financial audit was initiated in FY 2018 and concluded in FY 2019.

Building State and Tribal Wetlands Programs

EPA will continue to work with states and tribes to target Wetlands Protection Program funds to core statutory requirements while providing states and tribes with the flexibility they need to best address their priorities. This includes providing continued assistance for states and tribes interested in assuming administration of the CWA Section 404 program. EPA will propose a rule to update the existing assumption regulations and provide greater clarity to state and tribes on what waters may be assumed. EPA also will continue to administer Wetlands Program Development Grants in support of state and tribal wetlands programs, with a focus on working more efficiently with states and tribes to achieve specific program development outcomes including supporting state and tribal assumption of the CWA Section 404 program.[175]

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$2,762.0) This change is an increase due to the recalculation of base payroll costs.

- (+$601.0 / +13.6 FTE) This program change is an increase in resources and FTE to support priority efforts on infrastructure projects, regulatory permitting, and state delegations and

[174] For more information, please see: https://www.epa.gov/sites/production/files/2016-02/documents/deepwaterhorizon-cd.pdf.
[175] For more information, please see: https://www.epa.gov/wetlands or http://www.cfda.gov.

certifications. This will improve consistency and efficiencies and help ensure predictability and certainty in the CWA Section 401 and Section 404 programs.

Statutory Authority:

CWA § 404.

Water: Human Health Protection

Beach / Fish Programs
Program Area: Water: Human Health Protection
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$1,490.8***	***$1,584.0***	***$0.0***	***-$1,584.0***
Total Budget Authority	$1,490.8	$1,584.0	$0.0	-$1,584.0
Total Workyears	1.8	3.2	0.0	-3.2

Program Project Description:

The Fish Component of the Beach/Fish Program provides up-to-date-science, guidance, technical assistance, and nationwide information to state, tribal, and federal agencies on the human health risks associated with eating potentially contaminated locally caught fish.

The Beach Component of the Beach/Fish Program provides up-to-date science, guidance, technical assistance and nationwide information to state, tribal, and federal agencies on the human health risks of swimming in pathogen-contaminated waters.

FY 2021 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2021. The Agency will encourage states to continue this work within ongoing core programs.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$1,584.0 / -3.2 FTE) This funding change proposes to eliminate the Beach/Fish Program. The program objectives can be continued at the local level.

Statutory Authority:

Clean Water Act § 104.

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$92,373.1***	***$100,903.0***	***$97,462.0***	***-$3,441.0***
Science & Technology	$3,227.6	$4,094.0	$4,364.0	$270.0
Total Budget Authority	$95,600.7	$104,997.0	$101,826.0	-$3,171.0
Total Workyears	461.6	475.2	459.9	-15.3

Program Project Description:

Safe drinking water is critical for protecting human health and the economic vitality of the Nation. Approximately 320 million Americans rely on the safety of tap water provided by public water systems that are subject to national drinking water standards.[176] EPA's Drinking Water Program is based on a multiple-barrier and source-to-tap approach to protect public health from contaminants in drinking water.[177] EPA protects public health through: 1) source water assessment and protection; 2) promulgation of new or revised National Primary Drinking Water Regulations (NPDWRs); 3) training, technical assistance, and financial assistance programs to enhance public water system capacity to comply with regulations and provide safe drinking water; 4) underground injection control (UIC) programs; 5) supporting implementation of NPDWRs by state and tribal drinking water programs through regulatory, non-regulatory, and voluntary programs and policies; and 6) providing states and tribes with resources and tools to support the financing of water infrastructure improvements.[178]

Recent events including the detection of lead and per- and polyfluoroalkyl substances (PFAS) in drinking water highlights the importance of safeguards to public health and local economies, and in particular, the need to prioritize threats and protect drinking water sources. The detection of lead and PFAS, such as perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS) and Gen-X chemicals, exemplifies the increased demand for risk communication and other tools that can help communities across the country protect public health and address these chemicals.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, the Agency will continue to improve the

[176] For more information on the U.S. Environmental Protection Agency Safe Drinking Water Information System (SDWIS/FED), please see: http://water.epa.gov/scitech/datait/databases/drink/sdwisfed/index.cfm.
[177] For more information, please see: https://www.epa.gov/sites/production/files/2015-10/documents/guide_swppocket_2002_updated.pdf.
[178] For more information, please see: https://www.epa.gov/ground-water-and-drinking-water and https://www.cfda.gov.

effectiveness and efficiency of regulatory programs for states and tribes. Over the five-year period of the *FY 2018 – 2022 EPA Strategic Plan*, EPA is pursuing a 23 percent reduction in the number systems that have health-based violations from 3,508 in FY 2017 to 2,700 by FY 2022. As of Fall 2019, approximately 1,982 of the 3,508 systems with health-based violations have been returned to compliance. The Drinking Water Program supports this effort by providing assistance and training to state drinking water programs, tribal drinking water officials, and technical assistance providers on: achieving and maintaining compliance at drinking water systems; developing best practices; strengthening state and tribal program capacity and certifying drinking water operators.

EPA also is enhancing its oversight of state drinking water programs by completing the annual public water system supervision program review for each primacy agency as required under the Safe Drinking Water Act (SDWA). Information gained during these reviews includes an analysis of the completion of sanitary surveys by the primacy agency and an evaluation of whether the primacy agency is implementing the state program in accordance with SDWA. The annual program review directly supports the work of the states and the Agency to meet the long-term performance goal 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.[179]

Water Infrastructure

Infrastructure investment is essential as the drinking water and wastewater sectors face a significant challenge to protect public health and the environment despite the Nation's aging infrastructure. In FY 2021, EPA will continue to support funding of the Nation's drinking water infrastructure, focusing efforts to leverage and encourage public and private collaborative efforts and investments. EPA will continue to work on the seventh Drinking Water Infrastructure Needs Survey. This Survey provides a 20-year capital investment need for public water systems are eligible to receive funding from state DWSRF programs.

In FY 2021, EPA will continue to support financing and construction of drinking water infrastructure projects by doing the following in addition to supporting the Drinking Water State Revolving Fund Program:

- Advising states on maintaining their capacity development and operator certification programs to support compliance by public water systems with SDWA.
- Working with states to apply for Water Infrastructure Finance and Innovation Act (WIFIA) loans for eligible projects.
- Encouraging states to develop state-centric tools to assist water systems with capacity development and supporting coordination between Public Water System Supervision (PWSS) programs and states.

The Water Infrastructure Improvements for the Nation Act of 2016 (WIIN) and America's Water Infrastructure Act of 2018 (AWIA) strengthens many existing programs within EPA while creating new programs to tackle significant public health concerns and environmental needs. These

[179] 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.)

programs are vital to protecting public health, continuing to grow the American economy and ensuring that rural and urban communities from coast-to-coast can thrive. New mandates range from the creation of grant programs to promoting water workforce development. WIIN and AWIA mandates will be critical to achieving the Administration's priorities by increasing water infrastructure investment and improving drinking water and water quality across the country.

Drinking Water Implementation

In FY 2021, the Agency will continue to work with states to implement requirements for all NPDWRs to ensure that systems install, operate, and maintain appropriate levels of treatment and effectively manage their drinking water treatment plants and distribution systems. In particular, EPA will continue to focus on working with states to optimize corrosion control treatment and develop other strategies to minimize exposure to lead. EPA also will continue to focus on the reduction of the number of community water systems with health-based violations, especially small systems which have additional challenges.

EPA also continues to support state migration to the Compliance Monitoring Data Portal, which enables drinking water utilities and laboratories to report drinking water data electronically. In addition, EPA will continue development of the Safe Drinking Water Information System Prime program management and reporting tool. Both systems support human health protection through efficient data management and decision support.

In FY 2021, EPA also will conduct the following activities to facilitate compliance with rules:

- Oversee the national PWSS Program by administering grants to states and measuring program results based on state reporting of health-based rule violations at public water systems for over 90 drinking water contaminants.
- Offer training and technical assistance on a prioritized basis to states, tribes, and public water systems with significant noncompliance with the NPDWRs.
- Directly implement the Aircraft Drinking Water Rule, designed to protect millions of people who travel on approximately 5,700 aircraft in the U.S. annually.
- Directly implement the drinking water program where states and tribes do not have primacy (e.g., Wyoming, the District of Columbia, and tribal lands excluding the Navajo Nation).

Drinking Water Standards

To assure the American people that their water is safe to drink, EPA's drinking water regulatory program monitors for a broad array of contaminants, evaluates whether contaminants are a public health concern, and regulates contaminants when there is a meaningful opportunity for health risk reduction for persons served by public water systems. In FY 2021, the Agency also will address drinking water risks, by:

- Publishing preliminary regulatory determinations for contaminants on the fourth contaminant candidate list (CCL 4) for public comment with the goal of publishing final determinations in early 2021. The list includes PFOA, PFOS, and other contaminants. In EPA's 2019 PFAS Action Plan, the Agency committed to making a final regulatory

determination in FY 2021. Making a final regulatory determination is the next regulatory step in the SDWA to establish a maximum contaminant level for PFOA and PFOS.

- Developing and publishing the draft fifth contaminant candidate list (CCL 5) based on the analysis of available health effects and occurrence data on unregulated contaminants.
- Conducting an analysis in support of the six-year review of existing NPDRWs utilizing state data for regulated contaminants collected between 2012-2018.
- Continuing to participate in an interagency effort to address PFAS (PFOA, PFOS, Gen-X*)* to better understand the health impacts, the extent of occurrence in the environment, and exposures to PFAS.
- Continuing to develop risk communication and other tools to support states, tribes and localities in managing PFAS in their communities.
- Continuing to support state efforts to manage cyanotoxins in drinking water, including providing technical assistance.
- Engaging stakeholders and developing draft technical support documents on the scientific basis for the Microbial and Disinfection Byproducts Rule revisions.
- Providing support to and oversight of drinking water systems and laboratories as they complete the collection and analysis of samples during the implementation of the fourth Unregulated Contaminant Monitoring Rule (UCMR 4).
- Developing the final rule for the next cycle of UCMR monitoring (UCMR 5). This includes evaluating and addressing public comments on the UCMR 5 proposed rule.
- Measuring progress via the FY 2020-2021 Lead and PFAS APGs.

Source Water Protection

EPA will continue to partner with states, federal counterparts, drinking water utilities, and other stakeholders to identify and address current and potential impacts to sources of drinking water. In FY 2021, the Agency will:

- Continue to develop data-layers and decision support tools to assist source water assessment, planning, and emergency preparation efforts including the Drinking Water Mapping Application for Protecting Source Waters and an online GIS program available through EPA's web-based geospatial platform, *Geoplatform.*[180]
- Work with state, federal, utility, and local stakeholders to leverage resources, support efforts to assist communities in source water protection activities and projects, and promote ongoing efforts to protect drinking water sources.
- Continue to partner with United States Department of Agriculture (USDA)'s Natural Resources Conservation Service and state partners to support implementation of the source water protection provisions of the Agriculture Improvement Act of 2018 (2018 Farm Bill). This presents an opportunity to forge stronger connections between EPA and USDA to address agriculture-related impacts to drinking water sources.
- Continue to provide support for workshops that promote source water protection at the local level and support the integration of source water protection into related programs at the state and federal levels focusing on reducing nutrient pollution impacts on drinking water sources.

[180] For more information, please see: https://www.epa.gov/sourcewaterprotection/dwmaps.

- Work with stakeholders to implement source water protection provisions mandated by AWIA. Support the implementation of the AWIA revisions to the Emergency Planning and Community Right-to-Know Act as it relates to notification of releases of hazardous chemicals that potentially affect source water. In addition, support community water systems having access to hazardous chemical inventory data.
- Continue to serve as an expert on sources of emerging drinking water contaminants and options for limiting or preventing such contamination through source water protection and integration of the SDWA and the Clean Water Act (CWA).
- Provide compliance assistance at drinking water and wastewater systems through the use of circuit riders with requested additional resources for technical assistance.

Underground Injection Control (UIC)

To safeguard current and future underground sources of drinking water from contamination, the UIC Program regulates the permitting, construction, operation, and closure of injection wells that place fluids underground for storage, disposal, enhanced recovery of oil and gas, and minerals recovery. In FY 2021, activities in the UIC Program include:

- Working with the Ground Water Protection Council, Interstate Oil and Gas Compact Commission, and the National Rural Water Association to identify best practices in oil and gas development, such as reuse and recycling of produced water, that can help safeguard public health.
- Working with authorized state and tribal agencies in their efforts to effectively manage Class II enhanced oil and gas recovery wells and oil and gas-related disposal wells.
- Supporting states and tribes in applying for primary enforcement responsibility and implementing UIC Program revisions.
- Working with the State of California to review and approve aquifer exemptions so that the state program is consistent with the SDWA and UIC regulations.
- Providing technical assistance, tools, and strategies to states for improving implementation of UIC programs, including development of e-learning material.
- Using national UIC data to assist with promoting nationally consistent approaches to program oversight of state and EPA UIC programs.
- Streamlining EPA UIC direct implementation permitting, developing standard work, deploying Lean management principles and reducing the permit application backlog. Through these efforts, the backlog of EPA-issued new UIC permits decreased from 36 to 26 in FY 2019.

Performance Measure Targets:

(PM DW-01) Community water systems out of compliance with health-based standards.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					3,510	3,380	3,280	3,060	CWSs
Actual	4,682	5,050	4,817	3,508	3,480	3,547			

Work under this program supports performance results in the Compliance Monitoring Program under the EPM appropriation.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$5,394.0) This change is an increase due to the recalculation of base payroll costs.

- (+$3,274.0 / + 2.8 FTE) This program change is an additional increase to support the PFAS focus area, including the implementation of the drinking water elements of EPA's PFAS Action Plan related to policy development and regulatory efforts to address PFAS in drinking water systems.

- (+$25.0) This program change is an increase under the circuit rider focus area to support compliance assistance for drinking water and wastewater systems and multi-media assistance in Indian Country through the use of circuit riders.

- (-$12,134.0 / - 22.3 FTE) This program change is a decrease that refocuses agency efforts to core Drinking Water Program activities and requirements.

Statutory Authority:

SDWA; CWA.

Water Quality Protection

Marine Pollution
Program Area: Water Quality Protection
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$9,349.3***	***$9,258.0***	***$4,680.0***	***-$4,578.0***
Total Budget Authority	$9,349.3	$9,258.0	$4,680.0	-$4,578.0
Total Workyears	40.3	31.8	3.0	-28.8

Program Project Description:

EPA's Marine Pollution Program aims to reduce marine litter and improve trash capture activities across the country and supports the Trash Free Waters Program.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. The FY 2021 request includes resources and FTE to expand trash capture and prevention programs across the U.S., tied to water quality and waste management goals. This program will provide support to states and municipalities in coastal regions and on major river systems. Work will focus on high impact activities, such as expanding trash prevention, clean-up, and monitoring programs. Examples include installing trash capture systems in major stormwater outfalls and tributaries of cities and smaller communities using the most cost-effective technologies for each municipality; integrating trash prevention goals and guidelines into state and municipal stormwater management permits and practices; creating a comprehensive clearinghouse of federal, corporate, and philanthropic funding sources to implement place-based trash capture projects on a broad scale; creating next generation social marketing campaigns to reduce litter and improve trash capture; and validating and replicating the most effective tools, projects, metrics, and partnerships across the U.S. for subsequent application in countries with the greatest need.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$12.0) This change is a decrease due to the recalculation of base payroll costs.

- (+$4,675.0 / +3.0 FTE) This program change is an increase to resources and FTE to support the reducing ocean pollution and plastic focus area through expanding trash capture and prevention programs tied to water quality and waste management goals.

- (-$9,241.0 / -31.8 FTE) This program change reduces resources and FTE for the Marine Pollution Program. Remaining resources will focus on trash capture and prevention programs tied to water quality and waste management goals.

Statutory Authority:

Clean Water Act; Marine Protection, Research, and Sanctuaries Act (Ocean Dumping Act); Marine Debris Research, Prevention and Reduction Act of 2006; Marine Plastic Pollution Research and Control Act of 1987.

Surface Water Protection
Program Area: Water Quality Protection
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$196,146.1***	***$198,431.0***	***$201,799.0***	***$3,368.0***
Total Budget Authority	$196,146.1	$198,431.0	$201,799.0	$3,368.0
Total Workyears	920.3	942.2	962.8	20.6

Program Project Description:

The Surface Water Protection Program, under the Clean Water Act (CWA), directly supports efforts to protect, improve, and restore the quality of our Nation's coasts, rivers, lakes, and streams. EPA works with states and tribes to make continued progress toward clean water goals.

FY 2021 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2021, EPA will work with states and tribes to target funds to core requirements while providing states and tribes with flexibility to best address their priorities for surface water protection.

Program Implementation

Water Quality Criteria and Standards. In FY 2021, EPA will continue to develop and publish new or revised water quality criteria reflecting the latest scientific knowledge as required by CWA Section 304. EPA also will continue to review and take action on both state and tribal water quality standards and state lists of impaired waters as required by CWA Section 303. Water quality criteria and standards provide the scientific and regulatory foundation for water quality protection programs under the CWA. EPA will continue to support state and tribal programs by providing scientific water quality criteria information as required by CWA Section 304. EPA also will continue to support states and authorized tribes in adopting and implementing water quality standards in accordance with the water quality standards regulation set forth in 40 CFR part 131.

Effluent Limitations Guidelines (ELGs). As required under the CWA, EPA will continue to annually review industrial sources of pollution and publish a preliminary ELG plan for public review, followed by a final biennial ELG plan informed by public comment. These plans will identify any industrial categories where ELGs need to be revised or where new ELGs need to be developed.

Biosolids. EPA will continue to implement the biosolids (sewage sludge) program as required under CWA Section 405, including reviewing the biosolids regulations not less often than every two years for the purpose of identifying additional toxic pollutants and promulgating regulations for such pollutants consistent with the CWA. EPA also will continue to develop tools to conduct risk assessments for chemicals and pathogens found in biosolids.

Impaired Waters Listings and Total Maximum Daily Loads (TMDLs). EPA will work with states and other partners on identifying impaired waters and TMDLs, as required by CWA Section 303(d), and on waterbody restoration plans for listed impaired waterbodies. TMDLs focus on clearly defined environmental goals and establish a pollutant budget, which is then implemented through local, state, and federal watershed plans and programs to restore waters. EPA also will work with states and tribes on their CWA Section 303(d) programs and plans to ensure they are effective. Support will be provided to control nonpoint sources of pollution and ensure the protection of high-quality waters.

Monitoring and National Aquatic Resource Surveys. EPA will continue working with states and tribes to support the National Aquatic Resource Survey's statistically representative monitoring of the condition of the Nation's waters which supports CWA Section 305(b). EPA also will continue working with states and tribes to support base water quality monitoring programs and priority enhancements that serve state and tribal CWA programs in a cost-efficient and effective manner. EPA will continue supporting state and tribal water quality data exchange and tools to maximize the use of data from multiple organizations to support water quality management decisions.

Waters of the United States. EPA and the Department of the Army have implemented Executive Order 13778[181] directing the Administrator of EPA and the Assistant Secretary of the Army for Civil Works to review the 2015 Clean Water Rule (CWR) and publish for notice and comment a proposed rule rescinding or revising the CWR, as appropriate and consistent with law. The Agencies signed the final Navigable Waters Protection Rule in January 2020. EPA and the Department of the Army are developing implementation tools and resources to support the revised definition and have initiated an effort to develop geospatial datasets to assist in identifying jurisdictional waters under the CWA.

Water Quality Certification. In response to Executive Order 13868[182] issued in April 2019, EPA issued guidance to assist states, tribes, other federal agencies, and stakeholders in understanding how to implement and navigate the CWA Section 401 water quality certification process. EPA proposed a rule in August 2019 to update the Section 401 certification regulations and plans to take final action in FY 2020. Section 401 of the CWA gives states and authorized tribes the authority to assess potential water quality impacts of discharges from federally permitted or licensed infrastructure projects that may affect navigable waters within their borders.

Core Water Quality Programs. In FY 2021, EPA will continue to implement and support the core water quality programs that control point source discharges through permitting and pretreatment programs. The National Pollutant Discharge Elimination System (NPDES) Program under the

[181] For more information, please refer to Executive Order 13778, "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule".
[182] For more information, please refer to Executive Order 13868, "Promoting Energy Infrastructure and Economic Growth".

CWA works with states to structure the permit program, support its implementation and better pursue comprehensive protection of water quality on a watershed basis. EPA is requesting additional resources for technical assistance through the use of circuit riders to provide compliance assistance at drinking water and wastewater systems.

Vessel Incidental Discharge Act (VIDA). In December 2018, the VIDA was signed into law establishing a new framework for the regulation of discharges incidental to the normal operation of vessels. EPA will propose a rule in FY 2020 to set national performance standards for approximately 30 different categories of discharges from commercial vessels greater than 79 feet in length, and for ballast water from commercial vessels of all sizes.

Nutrient and Harmful Algal Bloom (HAB) Reductions. The FY 2021 request directs resources and FTE to support efforts to reduce nutrient pollution and HABs, which remain the most significant widespread water quality challenge across the country, despite decades of efforts to achieve reductions. The sources and impacts of nutrient pollution and HABs vary depending on geographic location, and span urban, rural, and coastal landscapes. Still, in many places nonpoint sources are responsible for a significant portion of nutrient loads. Federal regulatory programs do not comprehensively cover these issues, and therefore a more diverse suite of approaches (non-regulatory, incentive-based, partnership, and market approaches), must be used to complement EPA's existing regulatory drivers. Harnessing the wealth of information accrued via federal, state, and local efforts to reduce nutrients, this effective partnership framework engages our state partners at the forefront of environmental protection. The FY 2021 request also directs resources to reduce and better predict HABs, which can be caused by nutrient pollution.

Per- and Polyfluoroalkyl Substances (PFAS.) EPA is requesting additional funding and FTE to assist in meeting our goals under the PFAS Action Plan and the FY 2020-FY 2021 PFAS Agency Priority Goal (APG). The PFAS Action Plan includes the following work: the development of human health and aquatic life criteria; biosolids risk assessments for PFOA and PFOS; development of methods for detecting PFAS in wastewater; collecting information on discharges of PFAS from industrial point sources; and fish tissue monitoring.

Infrastructure

EPA will continue its support of the Nation's infrastructure, focusing on efforts to leverage and encourage public and private collaborative efforts and investments in improving the Nation's water infrastructure. This program supports the policy and fiduciary oversight of the Clean Water State Revolving Fund Loan (CWSRF) Program, which provides low-interest loans to help finance wastewater treatment facilities and other water quality projects.[183] The Program supports policies and outreach that help ensure the good financial condition of the State Revolving Funds. Federal capitalization to the SRFs is significantly leveraged; since 1987, CWSRF programs have made 41,234 assistance agreements, funding over $138 billion in wastewater infrastructure and other water quality projects. The Program also funds implementation of sections of the America's Water Infrastructure Act of 2018 (AWIA).

[183] For more information, please see https://www.epa.gov/cwsrf.

This program also supports the Clean Watersheds Needs Survey (CWNS). The CWNS is an assessment of the capital investment needed nationwide for publicly-owned wastewater collection and treatment facilities to meet the water quality goals set in the CWA.

The FY 2021 request supports funding for the Environmental Finance Centers Program which will help communities across the country improve their wastewater and stormwater systems, particularly through innovative financing.

Program Oversight/Accountability

States and tribes play a critical role in implementing the CWA. For programs where states and tribes have primacy, the Agency will focus on providing oversight and assistance. The Agency will continue to support states in electronically reporting CWA Section 303(d) and Section 305(b) assessment conclusions through the Assessment TMDL Tracking Implementation System (ATTAINS) to track improvements in impaired waters. This tool reduces burden on states to track and report progress in meeting water quality standards in waters targeted for local action and greatly improves evidence-based tracking of local actions to improve water quality. In addition, as required under the CWA and Executive Orders 12866, 13638, and 13771, EPA will continue to support cost-benefit analysis for CWA regulatory and deregulatory actions. EPA will work with states, tribes, territories, and local communities to 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.

In support of the FY 2018 – 2019 APG to accelerate permitting-related decisions, the Agency initiated a Lean process improvement effort in FY 2018 focused on NPDES permit streamlining. This effort identified potential delays in the permitting process, estimated timing of individual permit issuance steps, and the ideal timing for each step. After process improvements were implemented, the backlog of EPA-issued new NPDES permits decreased from 106 to 26 as of the end of FY 2019 and EPA is on track to eliminate the backlog and meet the long-term performance goal to reach all permitting-related decisions within six months by the end of FY 2022.

The FY 2021 request supports the FY 2020 – 2021 APG to accelerate permitting-related decisions and the Agency's continued streamlining efforts focused on establishing clear timelines for permitting processes, ongoing deregulatory efforts, and increasing state delegations. These efforts will continue to advance support for communities and promote economic growth. Looking forward, EPA plans to: implement a national strategy to eliminate the NPDES permit backlog, continue to identify NPDES permits that are delayed due to Endangered Species Act consultation, and improve consultations processes through efforts such as trainings.

Another process improvement effort focused on streamlining the flow of data from EPA labs to state partners and data analysts. Improvements are being tracked through an internal process. The Agency will continue to implement these process improvements and monitor the backlog of water quality standards (WQS) actions. The Agency will continue to work to decrease the number of state and tribal WQS revision actions that have been submitted to EPA that EPA neither approved nor disapproved within the first 60 days after submittal to EPA, and that have yet to be acted upon.

The CWA requires EPA to review state and tribal WQS revisions and either approve within 60 days or disapprove within 90 days.

EPA will continue to track state progress in completing TMDLs, alternative restoration approaches, or protection plans with the goal of 84 percent of plans in place at state identified priority waters by the end of 2021. At the end of FY 2019, 51 percent of state priority waters were addressed by a TMDL, alternative restoration plan, or protection approach. EPA has continued to support Lean efforts in the states to improve their water quality monitoring, assessment, and reporting processes. EPA continues to support streamlining efforts to allow states to reduce the time they spend on administrative reporting and contribute to improved reporting of the Agency's strategic plan performance goal: By September 30, 2022, reduce the number of square miles of watershed with surface water not meeting standards by 37,000 square miles.[184] By the end of FY 2019, the number of square miles of watershed areas that contained impaired waters in 2018 was reduced by over 12,700 square miles.

Performance Measure Targets:

(PM NPDES-03) Number of existing EPA-issued NPDES permits in backlog.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target						360	280	200	Permits
Actual					456	373			

(PM SWP-01) Watersheds with surface water not meeting standards (cumulative).

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target					No Target Estab-lished	497,728	564,536	555,536	Square Miles
Actual					N/A	493,930			

(PM SWP-02) Watersheds with surface waters not meeting standards because of nutrients (square miles).

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target								192,096	Square Miles
Actual									

(PM TMDL-02) Percentage of priority TMDLs, alternative restoration plans, and protection approaches in place.

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Units
Target						50	67	84	Percent
Actual			9	14	33.3	51.2			
Numerator			8,822	14,045	33,194	48,544			Square Miles
Denominator			101,141	99,424	99,415	94,806			

[4]Universe is 506,728 square miles of impaired waters as of December 31, 2018. (Footnote updated from *FY 2018-2022 Strategic Plan published February 12, 2018.*)

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (+$12,756.0) This change is an increase due to the recalculation of base payroll costs.

- (+$2,925.0 / +2.5 FTE) This program change is an increase of resources and FTE to support the nutrient and HAB reductions focus area through the advancement of a more comprehensive approach to addressing nutrient and nonpoint source pollution, which contributes to the development of HABs. This increase will support enhancing market mechanisms, efforts to better predict and respond to HABs, and coordination of surveillance pilots, including through IAs with other federal partners.

- (+$819.0 / +0.7 FTE) This program change is an increase of resources and FTE to support the PFAS focus area including the implementation of the PFAS Action Plan and associated milestones in support of the FY 2020 – 2021 PFAS APG.

- (+$25.0) This program change is an increase to support technical assistance through the use of circuit riders. Efforts are targeted to provide compliance assistance at drinking and wastewater systems and multi-media assistance in Indian Country under the circuit rider focus area.

- (-$13,157.0 / +17.4 FTE) This net program change reduces Surface Water Protection program resources, including the elimination of the WaterSense program. EPA will focus remaining resources on statutory requirements and highest priority work.

Statutory Authority:

CWA; Marine Protection, Research, and Sanctuaries Act; Marine Debris Research, Prevention and Reduction Act of 2006; Marine Plastic Pollution Research and Control Act of 1987.

Congressional Priorities

Water Quality Research and Support Grants

Program Area: Congressional Priorities
Goal: A Cleaner, Healthier Environment
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2019 Actuals	Estimated FY 2020 Enacted	FY 2021 Pres Budget	FY 2021 Pres Budget v. Estimated FY 2020 Enacted
Environmental Programs & Management	***$0.0***	***$17,700.0***	***$0.0***	***-$17,700.0***
Science & Technology	$4,092.0	$6,000.0	$0.0	-$6,000.0
Total Budget Authority	$4,092.0	$23,700.0	$0.0	-$23,700.0

Program Project Description:

The purpose of this program is to provide training and technical assistance for small public water systems to help such systems achieve and maintain compliance with the Safe Drinking Water Act (SDWA) and to provide training and technical assistance for small publicly-owned wastewater systems, communities served by onsite/decentralized wastewater systems, and private well owners to improve water quality under the Clean Water Act (CWA).

FY 2021 Activities and Performance Plan:

Resources are proposed for elimination for this program in FY 2021. States have the ability to develop technical assistance plans for their water systems using Public Water System Supervision Program grant funds and set-asides from the Drinking Water State Revolving Fund.

Performance Measure Targets:

EPA's FY 2021 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2021 Change from Estimated FY 2020 Enacted Budget (Dollars in Thousands):

- (-$17,700.0) This funding change proposes to eliminate the Water Quality Competitive Grant Program. Resources are available through other existing programs and states are best positioned to develop technical assistance plans for their water systems.

Statutory Authority:

SDWA § 1442(e); Federal Food, Drug and Cosmetic Act; Food Quality Protection Act; Endangered Species Act; CWA § 104(b)(3).