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**United States  
Environmental Protection Agency**

**FISCAL YEAR 2018**

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

**Tab 04: Environmental Programs and Management**

EPA-190-K-17-002

May 2017

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**Environmental Protection Agency  
2018 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency  
FY 2018 Annual Performance Plan and Congressional Justification**

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

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2018 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b>Environmental Program &amp; Management</b>				
Budget Authority	\$2,650,794.7	\$2,630,269.0	\$1,717,484.0	(\$912,785.0)
Total Workyears	9,306.6	9,767.2	7,320.8	-2,446.4

**Bill Language: Environment Programs and Management**

*For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed \$19,000 for official reception and representation expenses, \$1,717,484,000, to remain available until September 30, 2019.*

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

<b>Program Project</b>	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Clean Air				
Clean Air Allowance Trading Programs	\$17,343.4	\$16,112.0	\$12,791.0	(\$3,321.0)
GHG Reporting Program	\$106,864.3	\$95,255.0	\$13,580.0	(\$81,675.0)
Federal Stationary Source Regulations	\$21,958.0	\$22,899.0	\$16,653.0	(\$6,246.0)
Federal Support for Air Quality Management	\$138,050.2	\$124,506.0	\$96,456.0	(\$28,050.0)
Stratospheric Ozone: Domestic Programs	\$5,195.6	\$4,906.0	\$3,687.0	(\$1,219.0)
Stratospheric Ozone: Multilateral Fund	\$8,907.0	\$8,911.0	\$0.0	(\$8,911.0)
Subtotal, Clean Air	\$298,318.5	\$272,589.0	\$143,167.0	(\$129,422.0)
Indoor Air and Radiation				
Indoor Air: Radon Program	\$2,759.3	\$2,904.0	\$0.0	(\$2,904.0)
Radiation: Protection	\$8,371.0	\$8,427.0	\$0.0	(\$8,427.0)

<b>Program Project</b>	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Radiation: Response Preparedness	\$2,047.1	\$2,545.0	\$2,257.0	(\$288.0)
Reduce Risks from Indoor Air	\$12,972.9	\$13,707.0	\$0.0	(\$13,707.0)
Subtotal, Indoor Air and Radiation	\$26,150.3	\$27,583.0	\$2,257.0	(\$25,326.0)
<b>Brownfields</b>				
Brownfields	\$24,718.6	\$25,544.0	\$16,082.0	(\$9,462.0)
<b>Compliance</b>				
Compliance Monitoring	\$103,713.4	\$101,472.0	\$86,431.0	(\$15,041.0)
<b>Enforcement</b>				
Civil Enforcement	\$174,120.9	\$171,051.0	\$140,470.0	(\$30,581.0)
Criminal Enforcement	\$47,844.7	\$46,225.0	\$40,341.0	(\$5,884.0)
Environmental Justice	\$7,347.6	\$6,724.0	\$0.0	(\$6,724.0)
NEPA Implementation	\$15,761.3	\$16,179.0	\$13,496.0	(\$2,683.0)
Subtotal, Enforcement	\$245,074.5	\$240,179.0	\$194,307.0	(\$45,872.0)
<b>Geographic Programs</b>				
Geographic Program: Chesapeake Bay	\$77,543.8	\$72,861.0	\$0.0	(\$72,861.0)
Geographic Program: Gulf of Mexico	\$5,392.3	\$4,473.0	\$0.0	(\$4,473.0)
Geographic Program: Lake Champlain	\$4,395.0	\$4,391.0	\$0.0	(\$4,391.0)
Geographic Program: Long Island Sound	\$3,935.6	\$3,932.0	\$0.0	(\$3,932.0)
Geographic Program: Other				
Lake Pontchartrain	\$947.0	\$0.0	\$0.0	\$0.0
S.New England Estuary (SNEE)	\$4,975.0	\$0.0	\$0.0	\$0.0
Geographic Program: Other (other activities)	\$1,460.0	\$7,379.0	\$0.0	(\$7,379.0)
Subtotal, Geographic Program: Other	\$7,382.0	\$7,379.0	\$0.0	(\$7,379.0)
Great Lakes Restoration	\$288,091.8	\$299,430.0	\$0.0	(\$299,430.0)
Geographic Program: South Florida	\$1,733.0	\$1,701.0	\$0.0	(\$1,701.0)
Geographic Program: San Francisco Bay	\$4,600.7	\$4,810.0	\$0.0	(\$4,810.0)
Geographic Program: Puget Sound	\$28,046.3	\$27,947.0	\$0.0	(\$27,947.0)
Subtotal, Geographic Programs	\$421,120.5	\$426,924.0	\$0.0	(\$426,924.0)
<b>Homeland Security</b>				
Homeland Security: Communication and Information	\$4,025.3	\$3,870.0	\$3,512.0	(\$358.0)
Homeland Security: Critical Infrastructure Protection	\$627.1	\$970.0	\$0.0	(\$970.0)

<b>Program Project</b>	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Homeland Security: Protection of EPA Personnel and Infrastructure	\$4,987.0	\$5,336.0	\$4,986.0	(\$350.0)
Subtotal, Homeland Security	\$9,639.4	\$10,176.0	\$8,498.0	(\$1,678.0)
Information Exchange / Outreach				
State and Local Prevention and Preparedness	\$15,044.1	\$15,289.0	\$10,011.0	(\$5,278.0)
TRI / Right to Know	\$13,292.4	\$13,856.0	\$8,680.0	(\$5,176.0)
Tribal - Capacity Building	\$14,056.3	\$14,358.0	\$11,731.0	(\$2,627.0)
Executive Management and Operations	\$47,798.4	\$46,930.0	\$37,106.0	(\$9,824.0)
Environmental Education	\$10,138.8	\$8,685.0	\$0.0	(\$8,685.0)
Exchange Network	\$17,066.5	\$16,984.0	\$11,784.0	(\$5,200.0)
Small Minority Business Assistance	\$1,464.0	\$1,667.0	\$0.0	(\$1,667.0)
Small Business Ombudsman	\$2,378.0	\$1,995.0	\$1,965.0	(\$30.0)
Children and Other Sensitive Populations: Agency Coordination	\$6,252.7	\$6,535.0	\$2,018.0	(\$4,517.0)
Subtotal, Information Exchange / Outreach	\$127,491.2	\$126,299.0	\$83,295.0	(\$43,004.0)
International Programs				
US Mexico Border	\$2,913.7	\$3,057.0	\$0.0	(\$3,057.0)
International Sources of Pollution	\$6,345.0	\$6,418.0	\$4,051.0	(\$2,367.0)
Trade and Governance	\$6,231.3	\$5,896.0	\$0.0	(\$5,896.0)
Subtotal, International Programs	\$15,490.0	\$15,371.0	\$4,051.0	(\$11,320.0)
IT / Data Management / Security				
Information Security	\$27,152.6	\$28,132.0	\$11,997.0	(\$16,135.0)
IT / Data Management	\$83,883.2	\$83,790.0	\$70,069.0	(\$13,721.0)
Subtotal, IT / Data Management / Security	\$111,035.8	\$111,922.0	\$82,066.0	(\$29,856.0)
Legal / Science / Regulatory / Economic Review				
Integrated Environmental Strategies	\$13,429.0	\$11,469.0	\$9,151.0	(\$2,318.0)
Administrative Law	\$4,984.0	\$4,765.0	\$4,141.0	(\$624.0)
Alternative Dispute Resolution	\$1,442.1	\$1,043.0	\$0.0	(\$1,043.0)
Civil Rights Program	\$11,216.7	\$10,052.0	\$8,266.0	(\$1,786.0)
Legal Advice: Environmental Program	\$49,227.0	\$48,473.0	\$42,565.0	(\$5,908.0)
Legal Advice: Support Program	\$14,692.6	\$15,450.0	\$15,548.0	\$98.0
Regional Science and Technology	\$1,602.1	\$1,529.0	\$0.0	(\$1,529.0)
Science Advisory Board	\$4,203.8	\$3,875.0	\$3,567.0	(\$308.0)

<b>Program Project</b>	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Regulatory/Economic-Management and Analysis	\$15,218.6	\$14,546.0	\$15,208.0	\$662.0
Subtotal, Legal / Science / Regulatory / Economic Review	\$116,015.9	\$111,202.0	\$98,446.0	(\$12,756.0)
Operations and Administration				
Central Planning, Budgeting, and Finance	\$70,707.8	\$72,047.0	\$64,709.0	(\$7,338.0)
Facilities Infrastructure and Operations	\$304,456.9	\$310,948.0	\$301,001.0	(\$9,947.0)
Acquisition Management	\$30,174.3	\$30,406.0	\$24,978.0	(\$5,428.0)
Human Resources Management	\$40,756.0	\$43,185.0	\$40,512.0	(\$2,673.0)
Financial Assistance Grants / IAG Management	\$27,202.6	\$25,248.0	\$18,564.0	(\$6,684.0)
Workforce Reshaping	\$0.0	\$0.0	\$46,719.0	\$46,719.0
Subtotal, Operations and Administration	\$473,297.6	\$481,834.0	\$496,483.0	\$14,649.0
Pesticides Licensing				
Science Policy and Biotechnology	\$1,362.5	\$1,172.0	\$0.0	(\$1,172.0)
Pesticides: Protect Human Health from Pesticide Risk	\$57,708.1	\$57,699.0	\$48,568.0	(\$9,131.0)
Pesticides: Protect the Environment from Pesticide Risk	\$39,651.4	\$37,222.0	\$31,930.0	(\$5,292.0)
Pesticides: Realize the Value of Pesticide Availability	\$7,727.5	\$6,074.0	\$5,028.0	(\$1,046.0)
Subtotal, Pesticides Licensing	\$106,449.5	\$102,167.0	\$85,526.0	(\$16,641.0)
Resource Conservation and Recovery Act (RCRA)				
RCRA: Corrective Action	\$37,967.0	\$36,860.0	\$31,947.0	(\$4,913.0)
RCRA: Waste Management	\$57,022.8	\$58,986.0	\$41,146.0	(\$17,840.0)
RCRA: Waste Minimization & Recycling	\$8,510.8	\$8,832.0	\$0.0	(\$8,832.0)
Subtotal, Resource Conservation and Recovery Act (RCRA)	\$103,500.6	\$104,678.0	\$73,093.0	(\$31,585.0)
Toxics Risk Review and Prevention				
Endocrine Disruptors	\$6,035.4	\$7,539.0	\$0.0	(\$7,539.0)
Pollution Prevention Program	\$11,982.4	\$13,115.0	\$0.0	(\$13,115.0)
Toxic Substances: Chemical Risk Review and Reduction	\$56,030.4	\$58,443.0	\$65,036.0	\$6,593.0
Toxic Substances: Lead Risk Reduction Program	\$13,051.2	\$13,250.0	\$0.0	(\$13,250.0)
Subtotal, Toxics Risk Review and Prevention	\$87,099.4	\$92,347.0	\$65,036.0	(\$27,311.0)

<b>Program Project</b>	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Underground Storage Tanks (LUST / UST)				
LUST / UST	\$11,083.4	\$11,273.0	\$5,612.0	(\$5,661.0)
Water: Ecosystems				
National Estuary Program / Coastal Waterways	\$25,862.3	\$26,672.0	\$0.0	(\$26,672.0)
Wetlands	\$21,065.5	\$21,025.0	\$18,115.0	(\$2,910.0)
Subtotal, Water: Ecosystems	\$46,927.8	\$47,697.0	\$18,115.0	(\$29,582.0)
Water: Human Health Protection				
Beach / Fish Programs	\$1,779.8	\$1,978.0	\$0.0	(\$1,978.0)
Drinking Water Programs	\$96,372.2	\$96,341.0	\$80,044.0	(\$16,297.0)
Subtotal, Water: Human Health Protection	\$98,152.0	\$98,319.0	\$80,044.0	(\$18,275.0)
Water Quality Protection				
Marine Pollution	\$10,757.8	\$10,142.0	\$0.0	(\$10,142.0)
Surface Water Protection	\$202,080.5	\$199,875.0	\$174,975.0	(\$24,900.0)
Subtotal, Water Quality Protection	\$212,838.3	\$210,017.0	\$174,975.0	(\$35,042.0)
Congressional Priorities				
Water Quality Research and Support Grants	\$12,678.0	\$12,676.0	\$0.0	(\$12,676.0)
Subtotal, Water Quality Research and Support Grants	\$12,678.0	\$12,676.0	\$0.0	(\$12,676.0)
TOTAL, EPA	\$2,650,794.7	\$2,630,269.0	\$1,717,484.0	(\$912,785.0)

**Program Area: Clean Air**

## Clean Air Allowance Trading Programs

Program Area: Clean Air

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$17,343.4</i></b>	<b><i>\$16,112.0</i></b>	<b><i>\$12,791.0</i></b>	<b><i>(\$3,321.0)</i></b>
Science & Technology	\$8,149.6	\$7,793.0	\$5,739.0	(\$2,054.0)
Total Budget Authority / Obligations	\$25,493.0	\$23,905.0	\$18,530.0	(\$5,375.0)
Total Workyears	71.7	71.4	63.7	-7.7

### **Program Project Description:**

Sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>) are precursors for fine particulate matter (PM<sub>2.5</sub>), while NO<sub>x</sub> also is a precursor for ground-level ozone (O<sub>3</sub>). Researchers have associated PM<sub>2.5</sub> and O<sub>3</sub> exposure with adverse health effects in toxicological, clinical, and epidemiological studies. Lowering exposure to PM<sub>2.5</sub> and O<sub>3</sub> contributes to significant human health benefits.

The Clean Air Allowance Trading Programs are nationwide and multi-state programs that address major global, national, and regional air pollutants from large stationary sources. In FY 2018, the EPA will operate seven Clean Air Allowance Trading Programs. Under Title I of the Clean Air Act, the EPA operates five Clean Air Allowance Trading Programs – two annual SO<sub>2</sub> trading programs, an annual NO<sub>x</sub> trading program, and two ozone season NO<sub>x</sub> trading programs on behalf of 27 states in the eastern U.S.<sup>1</sup> In addition, under Title IV of the Clean Air Act, the Acid Rain Program (ARP), the EPA operates a national annual SO<sub>2</sub> trading program and a NO<sub>x</sub> emissions reduction program for the power sector.<sup>2</sup>

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, purchase allowances, or switch fuel types. These programs are managed through a centralized database system operated by the EPA.<sup>3</sup> Select data, collected under these programs, is made available to the public through the EPA's Air Markets Program Data (AMPD) website. AMPD provides access to both current and historical data collected as part of the Clean Air Allowance Trading Programs through interactive maps, charts, reports, and pre-packaged datasets.

To implement the Clean Air Allowance Trading Programs, the EPA operates the Part 75 emission measurement program that requires approximately 4,500 affected units to monitor and report hourly emission data and operation data.<sup>4</sup> The emission measurement program requires high degrees of

<sup>1</sup> Clean Air Act § 110(a)(2)(D)

<sup>2</sup> Clean Air Act § 401

<sup>3</sup> Clean Air Act § 403(d)

<sup>4</sup> Clean Air Act § 412; Clean Air Act Amendments of 1990. P.L. 101-549. § 821

accuracy and reliability from continuous emission monitoring systems (CEMS) or approved alternative methods at the affected sources. The EPA provides the affected emission sources with a software tool, the Emissions Collection and Monitoring Plan System (ECMPS), to process and quality assure the data and facilitate reporting to the EPA. The agency conducts electronic audits, desk reviews, and field audits of the emission data and monitoring systems. The emission measurement program supports a number of other state and federal emission control and reporting programs.

The EPA's centralized database system, the allowance tracking system, records allowance allocations and transfers.<sup>5</sup> 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 2016, total SO<sub>2</sub> emissions from emission sources subject to the Acid Rain Program were 1.5 million tons, or approximately one-sixth of the statutory nationwide emissions cap. Total NO<sub>x</sub> emissions were 1.2 million tons in 2016, reflecting a reduction of over 6 million tons from projected 2000 NO<sub>x</sub> levels absent the Acid Rain Program, exceeding the program's total targeted reduction of 2 million tons.

The Clean Air Act's Good Neighbor provision<sup>6</sup> 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 (NAAQS). Under this authority, the EPA issued the Cross-State Air Pollution Rule (CSAPR), which took effect on January 1, 2015. CSAPR requires 27 states in the eastern U.S. to limit their state-wide emissions of SO<sub>2</sub> and/or NO<sub>x</sub> in order to reduce or eliminate the states' contributions to PM<sub>2.5</sub> and/or ground-level O<sub>3</sub> pollution in other downwind states. The emission limitations are defined in terms of maximum state-wide "budgets" for emissions of annual SO<sub>2</sub>, annual NO<sub>x</sub>, and/or ozone-season NO<sub>x</sub> from certain large stationary sources in each state.

The EPA relies on the Clean Air Status and Trends Network (CASTNET) for monitoring deposition, ambient sulfate and nitrate concentrations, and other air quality indicators. The EPA uses the Long-Term Monitoring (LTM) 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<sub>2</sub> and NO<sub>x</sub> emissions data from the Part 75 monitoring program, have allowed the EPA to develop a comprehensive accountability framework to track the results of its air quality programs. The 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 Cross-State Air Pollution Rule. Previous reports have covered progress under the Clean Air Interstate Rule and the NO<sub>x</sub> Budget Trading Program. These annual progress reports not only track reductions in SO<sub>2</sub> and NO<sub>x</sub> emissions from affected sources, but also assess the impacts of these reductions on air quality (e.g., ozone and PM<sub>2.5</sub> levels), acid deposition, surface water acidity, forest health, and other environmental indicators.

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<sup>5</sup> Clean Air Act § 403(d)

<sup>6</sup> Clean Air Act § 110(a)(2)(D); see also Clean Air Act § 110(c)

## **FY 2018 Activities and Performance Plan:**

The 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. The 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 support emission reporting for the Mercury and Air Toxics Standard (MATS) Rule,<sup>7</sup> aligned with capacity.

### *Allowance tracking and compliance assessment*

The EPA will allocate SO<sub>2</sub> and NO<sub>x</sub> allowances to affected emission sources and other account holders as established in the Clean Air Act<sup>8</sup> 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.<sup>9</sup> At the end of each compliance period, the EPA will reconcile each facility's allowance holdings against its emissions to ensure compliance for all affected sources.<sup>10</sup>

### *Emission measurement and data collection and review*

The EPA will operate the Part 75 emission measurement program to collect, quality assure, and track emissions of air pollutants and air toxics, from approximately 4,500 fossil-fuel-fired electric generating units.

### *Program assessment*

The EPA will develop progress reports and other information to communicate the extent of the progress made by the Clean Air Allowance Trading Programs.<sup>11</sup>

### *Assistance to states*

The EPA will work with states to develop emission reduction programs to comply with Clean Air Act Good Neighbor Provision requirements.<sup>12</sup> This includes implementation of the CSAPR Update regulation finalized on September 7, 2016.

The FY 2018 performance target maintains SO<sub>2</sub> emissions below three million tons, reflecting the implementation of the CSAPR programs in the eastern states in combination with the Acid Rain Program.

Progress was stronger than anticipated in FY 2016, with actual emissions of SO<sub>2</sub> from electric power generation sources of 1,487,542 tons, compared with a target of 4 million tons. Actual

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<sup>7</sup> 40 C.F.R. pt. 63, subpt. UUUUU (National Emission Standards for Hazardous Air Pollutants: Coal and Oil Fired Electric Utility Steam Generating Units).

<sup>8</sup> Clean Air Act §§ 110 and 403

<sup>9</sup> Clean Air Act §§ 110 and 403

<sup>10</sup> Clean Air Act §§ 110 and 404-405 and state CSAPR implementation plans

<sup>11</sup> Government Performance and Results Act § 1115

<sup>12</sup> Clean Air Act § 110(a)(2)(D)

emissions have consistently been lower than the targets due to a number of factors including: use of the large and growing bank of ARP allowances; and uncertainty regarding market dynamics related to the mix of fuels and power generation sources in the future. For more information, see <http://www.epa.gov/airmarket/progress/progress-reports.html>

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$3,321.0 / -7.7 FTE) This streamlines support for the program, focusing on the operation of existing systems to meet core requirements.

**Statutory Authority:**

Clean Air Act.

**GHG Reporting Program**  
Program Area: Clean Air

(Dollars in Thousands)

	FY 2016 Actuals	FY 2017 Annualized CR	FY 2017 Pres Bud	FY 2018 Pres Bud v. FY 2017 Annualized CR
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$106,864.3</i></b>	<b><i>\$95,255.0</i></b>	<b><i>\$13,580.0</i></b>	<b><i>(\$81,675.0)</i></b>
Science & Technology	\$8,824.2	\$8,003.0	\$0.0	(\$8,003.0)
Total Budget Authority / Obligations	\$115,688.5	\$103,258.0	\$13,580.0	(\$89,678.0)
Total Workyears	204.5	224.1	50.0	-174.1

**Program Project Description:**

The EPA’s Greenhouse Gas (GHG) Reporting 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 obligations and other statutory requirements.

Greenhouse Gas Reporting Program: The EPA implements the U.S. Greenhouse Gas Reporting Program, which directs the EPA to “require mandatory reporting of greenhouse gas emissions above appropriate thresholds in all sectors of the economy of the U.S.” The 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: In order to fulfill U.S. Treaty obligations, under Article 4 of the 1992 Framework Convention on Climate Change, which was ratified by the Senate, the EPA prepares the annual *Inventory of U.S. Greenhouse Gas Emissions and Sinks*, to provide 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; U.S. Department of Agriculture; Department of Defense; U.S. Geological Survey, and academic and research institutions.

Partnership Programs: The EPA participates in a number of partnership programs, including the following:

- ENERGY STAR
- AgSTAR
- Coalbed Methane Outreach Program
- The Landfill Methane Outreach Program
- The Natural GasSTAR Program
- The Natural Gas STAR Methane Challenge program
- The Global Methane Initiative

- The SmartWay Transport program
- The EPA's Green Power Partnership
- The Combined Heat and Power Partnership
- The Center for Corporate Climate Leadership
- The State and Local Climate and Energy Program

HFC Programs: The EPA supports reducing the use and emissions of HFCs through the Significant New Alternatives Policy (SNAP) program, mandated under Section 612 of the Clean Air Act Amendments. This program has finalized actions to restrict the use of HFCs in applications where alternatives now exist, and to develop options for key industrial sectors including refrigeration and air-conditioning, foams, and fire suppression.

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

**FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will provide technical, analytical, and scientific support for the regulatory action consistent with Presidential Executive Order on Promoting Energy Independence and Economic Growth dated March 28, 2017. The budget includes resources to support the review of the Clean Power Plan.

In FY 2018, the 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:

- Implement regulatory revisions across multiple sectors to address stakeholder concerns associated with collection and potential release of data elements considered to be sensitive business information;
- Align the database management systems with those regulatory amendments; and
- Conduct a QA/QC and verification process through a combination of electronic checks, staff reviews, and follow-up with facilities, when necessary.

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

In FY 2018, funding for ENERGY STAR and other partnership programs is eliminated. The EPA will explore options for the potential transfer of the ENERGY STAR and other climate protection partnership programs to non-governmental entities.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$81,675.0 / -140.3 FTE) This streamlines funding for the GHG Reporting Program in the following areas:

- Partnership programs with industry, businesses, states, tribes, and localities;
- Use and emissions of HFCs under the SNAP program; and
- Technical support to the U.S. Global Change Research Program.

**Statutory Authority:**

Clean Air Act; FY 2008 Consolidated Appropriations 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

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$21,958.0</i></b>	<b><i>\$22,899.0</i></b>	<b><i>\$16,653.0</i></b>	<b><i>(\$6,246.0)</i></b>
Total Budget Authority / Obligations	\$21,958.0	\$22,899.0	\$16,653.0	(\$6,246.0)
Total Workyears	107.1	122.5	79.1	-43.4

**Program Project Description:**

Under the Clean Air Act (CAA), the EPA is required 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 the EPA has established NAAQS are: particulate matter (PM), ozone, sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), and lead. The CAA requires the 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.

This program includes activities, mandated by the CAA, directed toward reducing 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 (i.e., Maximum Achievable Control Technology - MACT standards) and area sources, the development of standards of performance and emissions guidelines for waste combustion sources, the assessment and, as necessary, regulation of residual risk remaining after implementation of the NESHAP, the periodic review and revision of the NESHAP, and associated national guidance and outreach. In addition to existing CAA and court-ordered mandates, the EPA is required to 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 program also includes issuing, reviewing, and periodically revising, as necessary, New Source Performance Standards (NSPS) for criteria and certain listed pollutants, and providing guidance on Reasonably Available Control Technology (RACT) through issuance and periodic review and revision of control technique guidelines (CTG).

The CAA also requires 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. The year 2064 is used as a reference date in the regional haze planning process, but is not a firm statutory deadline to achieve natural conditions of visibility.

### **FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will continue to perform regulatory reviews mandated by the CAA, including any associated actions.

In FY 2018, the EPA will continue its reviews of 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, the development of a comprehensive policy assessment providing an analysis of the scientific basis for alternative policy options. The agency will adjust schedules for the development of proposed and final rules to align with the capacity and agency considerations to revise regulatory assessments.

Section 111 of the CAA requires the EPA to set NSPS for industrial categories that cause, or significantly contribute to, air pollution that may endanger public health or welfare. In FY 2018, the EPA will continue work to address NSPS for sources of air pollutants, consistent with the requirements of the CAA. Section 111 of the CAA also requires the EPA, at least every eight years, to review and, if appropriate, revise NSPS for each source category for which such standards have been established.

Work is currently underway to achieve and maintain compliance with existing standards. These include the ozone standards established in 2015, 2008, 1997, and 1979; the 1997 PM<sub>10</sub> standards; the 2012, 2006 and 1997 PM<sub>2.5</sub> standards; the 2008 lead standard;<sup>13</sup> the 2010 NO<sub>2</sub> standard; the 1971 CO standard; and the 2010 SO<sub>2</sub> standard.

The agency will adjust the schedule of updating the National Air Toxics Assessment (NATA). Air toxics are pollutants known to cause or suspected of causing cancer, birth defects, reproductive effects, or other serious health problems.

To reduce or eliminate the health risks and exposures to air toxics in affected communities and to fulfill its statutory and court-ordered obligations more efficiently, the EPA will need to pursue opportunities to meet multiple CAA requirements for stationary sources in more integrated ways in FY 2018. In aligning this effort with Executive Order 13777, Enforcing the Regulatory Reform Agenda and Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs, the EPA will look for ways to repeal, replace, or modify existing regulations to make them less burdensome and to be prudent and financially responsible in the expenditure of public and private funds.

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<sup>13</sup> In September 2016, EPA completed the review of the 2008 Lead NAAQS and retained the standards without revision.

In addition, ongoing regulatory reviews statutorily mandated by the CAA will be prioritized to maximize public health protection and to meet court-ordered deadlines. For example, Section 112(d)(6) of the CAA requires the EPA to review and revise, as necessary, within eight years, all of the MACT standards for air toxics that have been promulgated under CAA Section 112 since 1990. These reviews include collection of new information and emissions data from industry; review of emission control technologies; and associated economic analyses for the affected industries. Similarly, Section 112(f) of the CAA requires the EPA to conduct reviews of the risk that remains after the implementation of MACT standards within eight years of promulgation. In FY 2018, the EPA will engage in rulemaking efforts to review and revise, as necessary and appropriate, emissions standards for five source categories pursuant to a court order or consent decree (Portland cement, nutritional yeast, pulp and paper, publically owned treatment works, and wool fiberglass). There is a pending consent decree for a sixth source category (off-site waste recovery operations). The EPA also is under recent court orders to complete CAA Section 112 risk and technology review rulemakings by 2020 for 33 source categories and subject to litigation for completion of similar rulemakings for nine other source categories. A substantial portion of the work for these Section 112 rulemakings will need to commence in FY 2018. On a limited basis, compliance testing and monitoring methodologies will continue to be developed and improved in support of these risk determination and rulemaking efforts. In addition, under Section 129 of the CAA, the EPA plans to continue efforts to address the risk and technology review for Large Municipal Waste Combustors.

In FY 2018, the EPA will continue to address program-wide issues, including court-vacated rules that apply across many industrial sources.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$6,246.0 / -43.4 FTE) As a result of this change, the agency will work to develop a more efficient approach to meeting its statutorily-required NAAQS reviews. In addition, the EPA will rely on states and other stakeholders to pinpoint burden and cost-reduction actions needed to improve the federal-state partnership and the stationary source regulatory process as a whole.

**Statutory Authority:**

Clean Air Act.

**Federal Support for Air Quality Management**  
Program Area: Clean Air

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$138,050.2</i></b>	<b><i>\$124,506.0</i></b>	<b><i>\$96,456.0</i></b>	<b><i>(\$28,050.0)</i></b>
Science & Technology	\$6,234.3	\$7,453.0	\$3,959.0	(\$3,494.0)
Total Budget Authority / Obligations	\$144,284.5	\$131,959.0	\$100,415.0	(\$31,544.0)
Total Workyears	804.1	842.0	601.8	-240.2

**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. The EPA develops federal measures and regional strategies that help to reduce emissions from stationary and mobile sources; whereas 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 air quality management program are sound scientific and technical data of air pollutant emissions and concentrations. The EPA, working with states, tribes, and local air agencies, collects these data and maintains databases (e.g., Emissions Inventory System, Air Quality System, etc.). The EPA also supports training for state, Tribal, and local air pollution professionals.

Under Section 109 of the Clean Air Act (CAA), the EPA is required 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 the EPA has established NAAQS are: particulate matter (PM), ozone, sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), and lead (Pb). The CAA requires the 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.

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, including the health of at-risk populations.

For each of the six criteria pollutants, under Section 110 of the CAA, the 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. The 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).

Section 169A of the CAA also requires 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 EPA developed the Regional Haze Rule, which sets forth the requirements that state plans must satisfy to make reasonable progress towards meeting this national goal.

The provisions in the Clean Air Act that address the control of air toxics are found in Section 112 of the CAA which requires that the emissions control bases for all Maximum Achievable Control Technology (MACT) standards be reviewed and updated, as necessary, every eight years.

### **FY 2018 Activities and Performance Plan:**

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 22 percent for ozone, 37 percent for particulate matter, 81 percent for sulfur dioxide, and 99 percent for lead. In FY 2018, the EPA will continue to perform key activities in support of the NAAQS and implementation of stationary source regulations support; by state, Tribal, and local air quality programs.

In FY 2018, the 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 approving or disapproving SIP/TIP submittals, and by developing regulations and policies to ensure continued health and welfare protection during the transition between existing and new standards. The EPA will work with states to adjust the schedules to additional state-requested rulemakings and guidance documents to support state and Tribal efforts to implement CAA SIP requirements to align with capacity and priorities. This includes additional guidance requested by states on developing exceptional events demonstrations. The EPA will provide prioritized technical and policy assistance to states and tribes developing or revising SIPs/TIPs.

The EPA will continue to 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, which on average number about 300 per year across the regions. The agency will take action on designation or re-designation of nonattainment areas to attainment, as appropriate, pursuant to Sections 107 and 110 of the Clean Air Act respectively. Nonattainment designations can negatively impact economic development, and a focus will be placed on states achieving attainment, looking at improved processes, and implementation options.

Another aspect of ongoing reviews will be to approve SIPs for regional haze to ensure that states are making reasonable progress towards their visibility improvement goals, consistent with statutory obligations. In FY 2018, the EPA will continue to assist states that are developing plan revisions. Section 169A of the CAA requires the EPA to assess and approve the plans.

The EPA will continue to assist other federal agencies and state and local governments in implementing the conformity regulations promulgated pursuant to Section 176 of the Clean Air Act. 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.

The EPA will work to meet its Prevention of Significant Deterioration (PSD) and New Source Review (NSR) obligations pursuant to Section 165 of the Clean Air Act. The EPA will continue to review and respond to reconsideration requests and (working with the Department of Justice) legal challenges related to NSR program revisions, take actions necessary to respond to court decisions, and work with states and industries on NSR applicability issues.

The EPA maintains the RACT/BACT/LAER clearinghouse (RBLC) to help permit applicants and reviewers make pollution prevention and control technology decisions for stationary air pollution sources. The RBLC includes data submitted by several U.S. territories and all 50 states on over 200 different air pollutants and 1000 industrial processes. Please see <http://cfpub.epa.gov/RBLC/> for more information.

In FY 2018, the EPA will provide prioritized oversight of state, Tribal, and local permitting programs' activities as they review permit applications and issue permits, including permits for oil and gas to minor sources. States will have primary responsibility for Title V permitting, including the more complex permit actions and inquiries pertaining to permit issues.

The agency will work to identify priorities and efficiencies as called for in the January 24<sup>th</sup>, 2017 Presidential Memorandum; Streamlining Permitting and Reducing Regulatory Manufacturing.

One of the EPA's top priorities is to fulfill its CAA and court-ordered obligations. Section 112 of the CAA requires that the emissions control bases for all Maximum Achievable Control Technology (MACT) standards be reviewed and updated, as necessary, every eight years. In FY 2018, the EPA will continue to conduct risk assessments to determine whether the MACT rules appropriately protect public health. The program will prioritize its work with an emphasis on meeting court ordered deadlines.

Through implementation of Executive Order 13777, Enforcing the Regulatory Reform Agenda and Executive Order 13771, Reducing Regulation and Controlling Regulatory Costs, the EPA will look for ways to repeal, replace, or modify existing regulations to make them less burdensome and to be prudent and financially responsible in the expenditure of public and private funds.

In FY 2018, the EPA will provide assistance to state, Tribal, and local agencies for various technical activities. The EPA uses a broad suite of analytical tools, such as source characterization analyses, emission factors and inventories, statistical analyses, source apportionment techniques, quality assurance protocols and audits, improved source testing and monitoring techniques, urban and regional-scale air quality models, and augmented cost/benefit tools, to assess control strategies. See <http://www.epa.gov/ttn> for further details. The agency will maintain the core function of these tools (e.g., integrated multiple pollutant emissions inventory, air quality modeling platforms, etc.) to provide the technical underpinnings for more efficient and comprehensive air quality management by state, local, and Tribal agencies.

In FY 2018, the EPA will strive to maintain baseline analytical capabilities required to develop effective regulations including: analyzing the economic impacts of regulations and policies; developing and refining existing emission test methods for measuring pollutants from smokestacks and other industrial sources; developing and refining existing source sampling measurement

techniques to determine rates of emissions from stationary sources; and conducting 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 2018, state and local agencies will have the lead in implementing the National Air Toxics Trends Sites (NATTS). The NATTS, designed to capture the impacts of widespread pollutants, is comprised of 27 permanent monitoring sites. See <http://www.epa.gov/ttn/amtic/airtoxpg.html> for additional information. The EPA will consult on priority data gaps to better assess population exposure to toxic air pollution.

In FY 2018, the EPA will maintain the Air Quality System (AQS), one of the agency's mission essential functions, which houses the nation's air quality data and allows for exchanges of data and technology. The 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. The 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 generate the National Emissions Inventory (NEI). The NEI is used by the EPA, states, and others to analyze the public health risks from air toxics and to develop strategies to manage those risks and support multi-pollutant analysis covering air emissions.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$28,050.0 / -237.1 FTE) This streamlines EPA 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 focus efforts to ensure timely processing of state-requested SIP actions, which on average number about 300 per year across the regions.
  - In addition, the EPA will limit reanalysis of permitting tools while streamlining consideration of exceptional event demonstrations.

**Statutory Authority:**

Clean Air Act.

## Stratospheric Ozone: Domestic Programs

Program Area: Clean Air

(Dollars in Thousands)

	FY 2016 Actuals	FY 2017 Annualized CR	FY 2017 Pres Bud	FY 2018 Pres Bud v. FY 2017 Annualized CR
<b><i>Environmental Program &amp; Management</i></b>	<b>\$5,195.6</b>	<b>\$4,906.0</b>	<b>\$3,687.0</b>	<b>(\$1,219.0)</b>
Total Budget Authority / Obligations	\$5,195.6	\$4,906.0	\$3,687.0	(\$1,219.0)
Total Workyears	21.8	22.0	18.0	-4.0

### 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,<sup>14</sup> which raises the incidence of skin cancer and other illnesses.<sup>15</sup>

The EPA estimates that in the United States 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 United States among individuals born between 1890 and 2100.<sup>16</sup>

The 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. The 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 their substitutes and requires listing of alternatives that reduce overall risk to human health or 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

<sup>14</sup> World Meteorological Organization (WMO). Scientific Assessment of Ozone Depletion: 2014. Global Ozone Research and Monitoring Project–Report No. 56, Geneva, Switzerland. 2014.

<sup>15</sup> 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>.

<sup>16</sup> EPA, Updating ozone calculations and emissions profiles for use in the Atmospheric Health Effects Framework Model (2015)

terms of the Montreal Protocol domestically. With U.S. leadership, 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 2007 adjustment also calls on Parties to promote the selection of alternatives to HCFCs that minimize environmental impacts, in particular impacts on climate.<sup>17</sup> In 2016, the parties to the Montreal Protocol agreed to the Kigali Amendment,<sup>18</sup> which will globally phase down production and consumption of 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. U.S. industry has expressed support for addressing HFCs under the Montreal Protocol.

### **FY 2018 Activities and Performance Plan:**

In carrying out the requirements of the CAA and the Montreal Protocol in FY 2018, the EPA will continue to meet its ODS import caps and work toward the gradual reduction in production and consumption of ODS. To meet FY 2018 targets and out-year targets, the EPA will issue allocations for HCFC production and import in accordance with the requirements established under CAA Sections 605 and 606; manage information that industry identifies as Confidential Business Information (CBI) under CAA Section 603; and implement current regulations concerning the production, import, and export of ODS and maintenance of the tracking system used to collect the information. The EPA also will prepare and submit an annual report under Article 7 of the Montreal Protocol on U.S. consumption and production of ODS.

CAA Section 612 requires continuous review of alternatives through the EPA's Significant New Alternatives Policy (SNAP) program<sup>19</sup> to find those that pose less overall risk to human health and the environment and to promote a smoother transition to safer alternatives. Through these evaluations, SNAP generates lists of acceptable and unacceptable substitutes for approximately 50 end uses across eight industrial sectors. The EPA will act upon a number of submissions and petitions in FY 2018 that add new alternatives to the list of acceptable alternatives, for end-uses where there is an urgent need for more options. The schedule for other approvals will be adjusted at least until FY 2019 to minimize the risk to the investment made by companies in R&D and testing phases given that SNAP listings are critical to the commercialization of many substitutes and alternative technologies in key sectors of use. The 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 2018, the EPA will continue efforts under CAA Section 608 to reduce emissions of refrigerants, including HFCs, during the service, maintenance, repair, and disposal of air conditioning and refrigeration equipment. The EPA will provide a baseline of compliance assistance for rules concerning servicing, maintenance, repair, and disposal of air conditioning and refrigeration appliances.

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<sup>17</sup> *Montreal Protocol Decision XIX/6: Adjustments to the Montreal Protocol with regard to Annex C, Group I, substances (hydrochlorofluorocarbons).*

<sup>18</sup> Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, Kigali 15 October 2016, <https://treaties.un.org/doc/Publication/CN/2016/CN.872.2016-Eng.pdf>

<sup>19</sup> For more information, see: <http://www.epa.gov/ozone/snap/index.html>

The 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 the EPA considers to be sufficient for protection of human health and the environment, the EPA may adopt the standards into its regulations through incorporation by reference. The EPA is aware of such standards developed by the Society of Automotive Engineers (SAE) for recovery equipment for new alternatives and will engage with the SAE and others on potential options.

In FY 2018, the 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 (TEAP).

With the decline in allowable HCFC production, a significant stock of air conditioning and refrigeration equipment that continues to use HCFCs will need access to recovered and recycled/reclaimed HCFCs to ensure proper servicing. The EPA reviews available market data to ensure that future demand for virgin HCFCs can be satisfied under production and import caps. The EPA also will implement other provisions of the Montreal Protocol, including exemption programs to allow for a continued smooth transition from ODS to alternatives.

Additionally, the EPA will continue to work with federal and international agencies to stem illegal imports of ODS in order to support a level playing field for companies that produce and import ODS. The EPA will continue data exchange with U.S. Customs and Border Protection and Homeland Security Investigations on ODS importers and exporters for Customs 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.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$1,219.0 / -4.0 FTE) This streamlines funding to the program related to the following activities:
  - Development of outreach and compliance assistance materials;
  - Release of consumption and/or import data in accordance with Freedom of Information Act requests;
  - Adoption of SAE standards for recycling equipment for alternative refrigerants;
  - Support to Customs and Border Protection at ports; and
  - Lastly, the agency will concentrate assistance to refrigeration and air-conditioning technicians when they lose their required CAA Section 608 certification by developing and providing guidance for technicians and training organizations for recertification.

**Statutory Authority:**

Title VI of the Clean Air Act.

**Stratospheric Ozone: Multilateral Fund**

Program Area: Clean Air

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$8,907.0</b>	<b>\$8,911.0</b>	<b>\$0.0</b>	<b>(\$8,911.0)</b>
Total Budget Authority / Obligations	\$8,907.0	\$8,911.0	\$0.0	(\$8,911.0)
Total Workyears	0.0	0.0	0.0	0.0

**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 the EPA and the Department of State.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The EPA will continue domestic ODS reduction work.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$8,911.0) This funding change eliminates the Stratospheric Ozone: Multilateral Fund program.

**Statutory Authority:**

Title VI of the Clean Air Act.

**Program Area: Brownfields**

**Brownfields**  
Program Area: Brownfields

(Dollars in Thousands)

	FY 2016 Actuals	FY 2017 Annualized CR	FY 2017 Pres Bud	FY 2018 Pres Bud v. FY 2017 Annualized CR
<b><i>Environmental Program &amp; Management</i></b>	<b>\$24,718.6</b>	<b>\$25,544.0</b>	<b>\$16,082.0</b>	<b>(\$9,462.0)</b>
Total Budget Authority / Obligations	\$24,718.6	\$25,544.0	\$16,082.0	(\$9,462.0)
Total Workyears	135.9	149.8	92.6	-57.2

**Program Project Description:**

Brownfield sites are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. The Brownfields program supports these efforts 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 104 million people (roughly 33 percent of the U.S. population) live within three miles of a Brownfields site that receives EPA funding.<sup>20</sup> As of April 2017, grants awarded by the program have led to over 67,000 acres of idle land made ready for productive use and over 124,300 jobs and \$23.6 billion leveraged.<sup>21</sup>

This funding supports the program’s ability to 1) conduct the annual, high volume cooperative agreement competitions; 2) award new cooperative agreements; 3) manage the ongoing cooperative agreement workload; 4) provide technical assistance and ongoing support to grantees; 5) collaborate with other agency programs; 6) operate the Assessment Cleanup and Redevelopment Exchanges System (ACRES) on-line grantee reporting tool; 7) assist communities to explore land reuse opportunities under the Land Revitalization Program; 8) develop guidance and tools that clarify potential environmental cleanup liabilities; and 9) organize a potential National Brownfields Training Conference.

**FY 2018 Activities and Performance Plan:**

In FY 2018, the Brownfields program will continue to manage over 900 assessments, cleanup, revolving loan fund (RLF), area-wide planning (AWP), and Environmental Workforce Development and Job Training (EWDJT) cooperative agreements; as well as state and Tribal assistance agreements, training, research, and technical assistance agreements, and Land Revitalization projects.

<sup>20</sup> U.S. EPA, Office of Land and Emergency Management Estimate 2015. Data collected includes: (1) site information as of the end of FY13; and (2) census data from the 2007-2013 American Community Survey.  
<https://www.epa.gov/aboutepa/population-surrounding-12216-brownfield-sites-received-epa-funding>

<sup>21</sup> The EPA’s ACRES database.

In FY 2018, the Brownfields program will support the following activities:

- **Compete and Award New Cooperative Agreements:** Develop and manage five competitively awarded and two allocation-based cooperative agreement funding solicitations. Review, select, and award 450 new cooperative agreements which will lead to over 1,200 projects and approximately \$1.1 billion and 5,800 jobs leveraged in future years.
- **Oversight and Management of Existing Cooperative Agreements:** Continue federal fiduciary responsibility to manage approximately 900 existing brownfields cooperative agreements to ensure the terms and conditions of the agreements are met, and provide limited technical assistance. Provide limited 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, and analysis. This can lead to cost effective implementation of brownfields redevelopment projects by providing communities 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 parties seeking to reuse contaminated properties in order to facilitate transactions.
- **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 limited support for two communities as part of the EPA's Land Revitalization program. The Land Revitalization program supports communities in their efforts to restore contaminated lands into sustainable community assets.
- **National Brownfields Training Conference:** The EPA will explore options for hosting an FY 2019 National Brownfields Training Conference, the largest and most comprehensive conference in the nation focused on environmental revitalization and economic redevelopment issues.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$8,684.0 / -55.7 FTE) This change is a reduction in funding for managing and closing out assistance agreements.
- (-\$778.0 / -1.5 FTE) This reflects a change in data collection analysis and system enhancements.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended by the Small Business Liability Relief and Brownfields Revitalization Act, §§ 101, 104, 107, 128; Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, § 8001.

**Program Area: Compliance**

**Compliance Monitoring**  
Program Area: Compliance

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Inland Oil Spill Programs	\$143.3	\$139.0	\$124.0	(\$15.0)
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$103,713.4</i></b>	<b><i>\$101,472.0</i></b>	<b><i>\$86,431.0</i></b>	<b><i>(\$15,041.0)</i></b>
Hazardous Substance Superfund	\$844.1	\$993.0	\$605.0	(\$388.0)
Total Budget Authority / Obligations	\$104,700.8	\$102,604.0	\$87,160.0	(\$15,444.0)
Total Workyears	510.4	539.6	432.4	-107.2

**Program Project Description:**

The Compliance Monitoring program promotes compliance with the nation’s environmental laws. Compliance monitoring is comprised of a variety of tools and activities that states and the EPA use to identify whether regulated entities are in compliance with environmental laws enacted by Congress, as well as applicable regulations and permit conditions. In addition, compliance monitoring activities, such as inspections and investigations, are conducted to determine whether conditions exist that may present imminent and substantial endangerment to human health and the environment.

Tools used in the compliance monitoring program include:

- Compliance Assistance. The EPA has been providing a modest level of compliance assistance through seventeen on-line sector-based compliance assistance centers (e.g., automotive recycling, agriculture, and transportation) which contain information helpful to facilities in complying with their environmental obligations.
- Full Electronic Interaction. The EPA has an internet-accessible, national enforcement and compliance data system, the Integrated Compliance Information System (ICIS), which supports both the compliance monitoring and civil enforcement programs. Currently, the EPA and states are implementing the National Pollution Discharge Elimination System (NPDES) Electronic Reporting Rule through ICIS.<sup>22</sup> Phase 1 of the rule was implemented in FY 2017 for NPDES Discharge Monitoring Reports (DMRs). Approximately 20 states currently use the EPA’s electronic reporting tool to collect DMRs.
- Smart Tools for Field Inspectors. These are software solutions to improve the effectiveness and efficiency of how the EPA and states conduct RCRA Subtitle C (hazardous waste) inspections.
- Compliance Training for the EPA and States. To ensure the quality of compliance monitoring activities, the EPA develops national policies, updates inspection manuals,

<sup>22</sup> For more information, refer to: <https://www.epa.gov/compliance/npdes-ereporting>.

provides required training for inspectors, and issues inspector credentials. The EPA's National Enforcement Training Institute (NETI) has provided on-line, e-learning courses for 2,500 EPA, state and Tribal inspectors, and has made available over 165 on-line training courses in the NETI e-Learning Center for the EPA and state, local, and Tribal enforcement partners.

- Import-Export of Hazardous Waste. The EPA has a role in assisting U.S. exporters and importers in obtaining foreign government consent that ensures compliance with domestic regulations and international agreements. The EPA developed electronic data exchange on a government-to-government basis with Canada and Mexico for the timely and accurate transmission of notice information. While the vast majority of the hazardous waste trade occurs with Canada, the United States also has agreements with many other countries.<sup>23</sup>

### **FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will streamline its compliance monitoring activities such as field inspections, data tools, and assistance. The EPA will focus on those programs that are not delegated to states, while providing 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.

Within the current resourcing levels, the EPA will conduct an analysis to identify and prioritize necessary updates at existing compliance assistance centers and identify additional sectors that would potentially benefit from a compliance assistance center. In FY 2018, the EPA will maintain accessibility to ICIS for the agency, states and the public.

The agency also will implement the NPDES Electronic Reporting Rule which covers the e-reporting rule permitting requirements for the EPA and states on a prolonged schedule. The EPA will work with states to evaluate and prioritize the development of additional electronic reporting tools that support states. The EPA's centralized development of electronic reporting tools saves the states significant resources in development.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

### **FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$10,212.0 / -101.2 FTE) This change streamlines the EPA's Compliance Monitoring program.
- (-\$4,829.0 / -5.2 FTE) This change streamlines the development of tools that can improve the effectiveness of state compliance monitoring programs.

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<sup>23</sup> For more information, refer to: <http://www.epa.gov/osw/hazard/international/imp-exp.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.) (the EPA’s organic statute); Act to Prevent Pollution from Ships (MARPOL Annex VI); Asbestos Hazard Emergency Response Act; Atomic Energy Act; Clean Air Act; Certain Alaskan Cruise Ship Operations; Clean Water Act; Community Environmental Response Facilitation Act; Emergency Planning and Community Right-to-Know Act; Energy Policy Act; Federal Insecticide, Fungicide, and Rodenticide Act; Marine Protection, Research, and Sanctuaries Act; Mercury-Containing and Rechargeable Battery Management Act; National Environmental Policy Act; Noise Control Act; Oil Pollution Act; Program Fraud Civil Remedies Act; Residential Lead-Based Paint Disclosure Program; Resource Conservation and Recovery Act; Safe Drinking Water Act; Small Business Regulatory Enforcement Fairness Act; Small Business Liability Relief and Brownfields Revitalization Act; Toxic Substances Control Act; Uranium Mill Tailings Radiation Control Act; North American Agreement on Environmental Cooperation; La Paz Agreement on US/Mexico Border Region.

**Program Area: Enforcement**

**Civil Enforcement**  
Program Area: Enforcement

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Inland Oil Spill Programs	\$2,444.0	\$2,408.0	\$2,266.0	(\$142.0)
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$174,120.9</i></b>	<b><i>\$171,051.0</i></b>	<b><i>\$140,470.0</i></b>	<b><i>(\$30,581.0)</i></b>
Leaking Underground Storage Tanks	\$758.0	\$619.0	\$559.0	(\$60.0)
Total Budget Authority / Obligations	\$177,322.9	\$174,078.0	\$143,295.0	(\$30,783.0)
Total Workyears	1,064.6	1,080.4	858.7	-221.7

**Program Project Description:**

The EPA Civil Enforcement program’s goal is to assure the fair and effective enforcement of the nation’s environmental laws, to deter violations and promote compliance while working together with the United States Department of Justice, states, local agencies, and Tribal governments. The EPA Civil Enforcement program is responsible for maximizing compliance with 12 major environmental statutes, 28 distinct programs under those statutes, and numerous regulatory requirements under those programs, which apply in various combinations to a universe of approximately 40 million regulated federal and private entities. The Civil Enforcement program develops, litigates, and settles administrative and civil judicial cases against serious violators of environmental laws.

Civil enforcement efforts achieve meaningful results. For example, in 2016, through its civil enforcement cases, the EPA achieved commitments to treat, minimize, or properly dispose of 62 billion pounds of hazardous waste and estimated pollution reduction commitments totaling 324 million pounds. Also in FY 2016, the EPA enforcement actions resulted in companies investing an estimated \$13.7 billion in actions and equipment to control pollution (injunctive relief).

**FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will focus the program’s resources on direct implementation responsibilities and the most significant violations. Direct implementation responsibilities include programs that are not delegable or where a state has not sought or obtained the authority to implement a particular program.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$30,581.0 / -220.2 FTE) This streamlines the Civil Enforcement program. The program will focus on its core direct implementation responsibilities, with an emphasis on violations with the most significant public health and environmental impacts.

**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.) (the EPA’s organic statute); Act to Prevent Pollution from Ships (MARPOL Annex VI); Asbestos Hazard Emergency Response Act; Atomic Energy Act; Clean Air Act; Certain Alaskan Cruise Ship Operations; Clean Water Act; Emergency Planning and Community Right-to-Know Act; Energy Policy Act; Federal Insecticide, Fungicide, and Rodenticide Act; Marine Protection, Research, and Sanctuaries Act; Mercury-Containing and Rechargeable Battery Management Act; National Environmental Policy Act; Noise Control Act; Oil Pollution Act; Residential Lead-Based Paint Disclosure Program; Resource Conservation and Recovery Act; Safe Drinking Water Act; Small Business Regulatory Enforcement Fairness Act; Small Business Liability Relief and Brownfields Revitalization Act; Toxic Substances Control Act; Uranium Mill Tailings Radiation Control Act; North American Agreement on Environmental Cooperation; La Paz Agreement on US/Mexico Border Region.

**Criminal Enforcement**  
Program Area: Enforcement

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$47,844.7</i></b>	<b><i>\$46,225.0</i></b>	<b><i>\$40,341.0</i></b>	<b><i>(\$5,884.0)</i></b>
Hazardous Substance Superfund	\$6,883.7	\$7,110.0	\$4,161.0	(\$2,949.0)
Total Budget Authority / Obligations	\$54,728.4	\$53,335.0	\$44,502.0	(\$8,833.0)
Total Workyears	247.8	268.9	194.4	-74.5

**Program Project Description:**

The EPA’s Criminal Enforcement program investigates and helps prosecute violations of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and associated violations of Title 18 of the United States Code such as fraud, conspiracy, false statements, and obstruction of justice. The EPA’s criminal enforcement agents (Special agents) do this through targeted investigation of criminal conduct, committed by individual and corporate defendants, that threatens public health and the environment.

Within the Criminal Enforcement program, forensic scientists, attorneys, technicians, engineers, and other program experts assist Special Agents. The EPA’s criminal enforcement attorneys provide legal and policy support for all of the program’s responsibilities, including forensics and expert witness preparation, information law, and personnel law to ensure that program activities are carried out in accordance with legal requirements and agency policies. These efforts support environmental crimes prosecutions primarily by the United States Attorneys and the Department of Justice’s Environmental Crimes Section. In FY 2016, the conviction rate for criminal defendants was 94 percent.<sup>24</sup>

**FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will streamline its Criminal Enforcement program. The Criminal Enforcement program will continue to collaborate and coordinate with the Civil Enforcement program to ensure that the EPA’s Enforcement program responds to violations as effectively as possible. The program will 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.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

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<sup>24</sup> For additional information, refer to: <http://www.epa.gov/enforcement/enforcement-annual-results-fiscal-year-fy-2016>.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$5,884.0 / -59.3 FTE) This streamlines the EPA's Criminal Enforcement program.

**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.) (the 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; Residential Lead-Based Paint Hazard Reduction Act; Federal Insecticide, Fungicide, and Rodenticide Act; Ocean Dumping Act (i.e., MPRSA); Pollution Prosecution Act; Title 18 General Federal Crimes (e.g., false statements, conspiracy); Powers of Environmental Protection Agency (18 U.S.C. 3063).

**Environmental Justice**  
Program Area: Enforcement

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$7,347.6</b>	<b>\$6,724.0</b>	<b>\$0.0</b>	<b>(\$6,724.0)</b>
Hazardous Substance Superfund	\$681.7	\$544.0	\$0.0	(\$544.0)
Total Budget Authority / Obligations	\$8,029.3	\$7,268.0	\$0.0	(\$7,268.0)
Total Workyears	35.8	40.3	0.0	-40.3

**Program Project Description:**

The Environmental Justice (EJ) program fosters environmental and public health in communities disproportionately burdened by pollution by integrating and addressing issues of environmental justice in the EPA's programs and policies. This program includes partnerships with intra-agency programs and collaboration with interagency partners to develop guidance documents and tools to incorporate environmental justice considerations into decision making.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY2018. EJ work impacting the entire agency will be incorporated into future policy work within the Integrated Environmental Strategy program, which is a part of the EPA's Office of the Administrator.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$6,724.0 / -36.8 FTE) This funding change eliminates the Environmental Justice program. Environmental Justice will continue to be supported in the work done at the EPA, as applicable.

**Statutory Authority:**

Resource Conservation and Recovery Act (RCRA); Clean Water Act; Safe Drinking Water Act (SDWA); Clean Air Act; Toxic Substances Control Act (TSCA); Emergency Planning and Community Right-to-Know Act (EPCRA); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); National Environmental Policy Act (NEPA); Pollution Prevention Act.

**NEPA Implementation**  
Program Area: Enforcement

(Dollars in Thousands)

	FY 2016 Actuals	FY 2017 Annualized CR	FY 2017 Pres Bud	FY 2018 Pres Bud v. FY 2017 Annualized CR
<b><i>Environmental Program &amp; Management</i></b>	<b>\$15,761.3</b>	<b>\$16,179.0</b>	<b>\$13,496.0</b>	<b>(\$2,683.0)</b>
Total Budget Authority / Obligations	\$15,761.3	\$16,179.0	\$13,496.0	(\$2,683.0)
Total Workyears	106.3	104.8	80.5	-24.3

**Program Project Description:**

Pursuant to the National Environmental Policy Act (NEPA) and as mandated by Section 309 of the Clean Air Act, the EPA’s NEPA Implementation program coordinates the environmental review of major federal actions. The NEPA Implementation Program also guides the EPA’s compliance with NEPA, the National Historic Preservation Act, and other relevant statutes and Executive Orders. The program also manages the official Environmental Impact Statement (EIS) filing system for all federal EISs, in accordance with a Memorandum of Understanding with the Council on Environmental Quality (CEQ).<sup>25</sup> Additionally, the program manages the review of Environmental Impact Assessments of non-governmental activities in Antarctica, in accordance with the Antarctic Science, Tourism and Conservation Act.

The program uses and promotes *NEPAassist*, a geographic information system (GIS) tool developed to assist users (the EPA, other federal agencies, and the public) with environmental reviews under NEPA. Approximately 900 users visit the website each month and 83 percent are return visitors. The EPA also promotes *e-NEPA*, a web-based system for federal agencies to file EISs and to make comments on EISs accessible to the public on a centralized public website.

**FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will work with OMB, CEQ, and other federal agencies to evaluate ways to coordinate, streamline, and improve the NEPA process. Additionally, the EPA will work with agencies as they implement the FAST-41 Act, which sets requirements to streamline infrastructure permitting project reviews.<sup>26</sup> The EPA also will work to implement the Executive Order: “Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects.”<sup>27</sup>

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

<sup>25</sup> Memorandum of Agreement No. 1 Between The Council on Environmental Quality and The Environmental Protection Agency, October 1977.

<sup>26</sup> For additional information, refer to: <https://www.gpo.gov/fdsys/pkg/PLAW-114publ94/pdf/PLAW-114publ94.pdf>.

<sup>27</sup> For additional information, refer to: <https://www.whitehouse.gov/the-press-office/2017/01/24/executive-order-expediting-environmental-reviews-and-approvals-high>

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$2,683.0 / -24.3 FTE) This streamlines the NEPA Implementation program.

**Statutory Authority:**

National Environmental Policy Act (NEPA); Clean Air Act, § 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; Fixing America's Surface Transportation Act Title 41.

**Program Area: Geographic Programs**

**Great Lakes Restoration**  
Program Area: Geographic Programs

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$288,091.8</i></b>	<b><i>\$299,430.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$299,430.0)</i></b>
Total Budget Authority / Obligations	\$288,091.8	\$299,430.0	\$0.0	(\$299,430.0)
Total Workyears	78.7	71.7	0.0	-71.7

**Program Project Description:**

Implementation of the Great Lakes Restoration Initiative (GLRI) restores and maintains the environmental integrity of the Great Lakes ecosystem.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The EPA will encourage the eight Great Lakes states and Tribal and local entities to continue to make progress in restoring the Great Lakes from within core water programs.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$299,430.0 / -71.7 FTE) This funding change eliminates the Great Lakes Restoration Initiative program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

**Statutory Authority:**

Great Lakes Legacy Act; Clean Water Act; Great Lakes Water Quality Agreement; Clean Air Act; Water Infrastructure Improvements for the Nation.

**Geographic Program: Chesapeake Bay**  
Program Area: Geographic Programs

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<i>Environmental Program &amp; Management</i>	\$77,543.8	\$72,861.0	\$0.0	(\$72,861.0)
Total Budget Authority / Obligations	\$77,543.8	\$72,861.0	\$0.0	(\$72,861.0)
Total Workyears	39.7	39.9	0.0	-39.9

**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. The EPA represents the federal government on the partnership's Chesapeake Executive Council (EC), maintains a program office, and works with the EC to coordinate activities of the partnership.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The EPA will encourage the six Chesapeake Bay states and Washington D.C. to continue to make progress in restoring the Bay from within core water programs.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$72,861.0 / -39.9 FTE) This funding change eliminates the Chesapeake Bay program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

**Statutory Authority:**

Clean Water Act; Clean Air Act.

**Geographic Program: San Francisco Bay**  
Program Area: Geographic Programs

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$4,600.7</b>	<b>\$4,810.0</b>	<b>\$0.0</b>	<b>(\$4,810.0)</b>
Total Budget Authority / Obligations	\$4,600.7	\$4,810.0	\$0.0	(\$4,810.0)
Total Workyears	1.8	1.9	0.0	-1.9

**Program Project Description:**

The EPA collaborates with agencies and non-governmental organizations to implement the seven-point *Bay Delta Action Plan (2012)*<sup>28</sup> designed to protect and restore water quality, aquatic life, and ecosystem processes in the San Francisco Bay/Sacramento-San Joaquin Delta. The EPA assists the State Water Resources Control Board with the comprehensive update of the Bay Delta Water Quality Control Plan.<sup>29</sup>

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The 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.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$4,810.0 / -1.9 FTE) This funding change eliminates 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.

<sup>28</sup> EPA Bay Delta Action Plan (2012). <http://www2.epa.gov/sfbay-delta/bay-delta-action-plan>

<sup>29</sup> State Water Board Bay Delta Water Quality Control Plan. [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/)

**Geographic Program: Puget Sound**  
Program Area: Geographic Programs

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$28,046.3</b>	<b>\$27,947.0</b>	<b>\$0.0</b>	<b>(\$27,947.0)</b>
Total Budget Authority / Obligations	\$28,046.3	\$27,947.0	\$0.0	(\$27,947.0)
Total Workyears	5.7	6.0	0.0	-6.0

**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 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The EPA will encourage state, Tribal, and local entities to continue to make progress in restoring the Puget Sound from within core water programs.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$27,947.0 / -6.0 FTE) This funding change eliminates 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.

**Geographic Program: Long Island Sound**  
Program Area: Geographic Programs

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<i>Environmental Program &amp; Management</i>	\$3,935.6	\$3,932.0	\$0.0	(\$3,932.0)
Total Budget Authority / Obligations	\$3,935.6	\$3,932.0	\$0.0	(\$3,932.0)
Total Workyears	0.0	0.0	0.0	0.0

**Program Project Description:**

The EPA and the States of Connecticut and New York work in partnership to restore and protect Long Island Sound. The 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 2018 Activities and Performance Plan:**

Resources have been eliminated for this program in FY 2018. The EPA will encourage Long Island Sound states and local entities to continue to make progress in restoring the Sound from within core water programs.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$3,932.0) This funding change eliminates 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.

**Geographic Program: Gulf of Mexico**  
Program Area: Geographic Programs

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<i>Environmental Program &amp; Management</i>	\$5,392.3	\$4,473.0	\$0.0	(\$4,473.0)
Total Budget Authority / Obligations	\$5,392.3	\$4,473.0	\$0.0	(\$4,473.0)
Total Workyears	10.8	14.3	0.0	-14.3

**Program Project Description:**

The efforts of the 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 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The 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.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$4,473.0 / -14.3 FTE) This funding change eliminates 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.

**Geographic Program: South Florida**  
Program Area: Geographic Programs

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$1,733.0</i></b>	<b><i>\$1,701.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$1,701.0)</i></b>
Total Budget Authority / Obligations	\$1,733.0	\$1,701.0	\$0.0	(\$1,701.0)
Total Workyears	0.8	1.4	0.0	-1.4

**Program Project Description:**

The EPA's South Florida program coordinates restoration activities in South Florida, including the Florida Keys.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The EPA will encourage state, Tribal, and local entities to continue to make progress in protecting and restoring sensitive aquatic ecosystems in South Florida from within core water programs.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$1,701.0 / -1.4 FTE) This funding change eliminates the South Florida program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

**Statutory Authority:**

Florida Keys National Marine Sanctuary and Protection Act of 1990; Clean Water Act; Water Resources Development Act of 1996; Water Resources Development Act of 2000.

**Geographic Program: Lake Champlain**  
Program Area: Geographic Programs

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<i>Environmental Program &amp; Management</i>	\$4,395.0	\$4,391.0	\$0.0	(\$4,391.0)
Total Budget Authority / Obligations	\$4,395.0	\$4,391.0	\$0.0	(\$4,391.0)
Total Workyears	0.0	0.0	0.0	0.0

**Program Project Description:**

The EPA supports efforts to protect Lake Champlain through partnerships to implement the “Opportunities for Action” management plan (revised in 2010). 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 2018 Activities and Performance Plan:**

Resources have been eliminated for this program in FY 2018. The EPA will encourage New York and Vermont to continue to make progress in restoring Lake Champlain from within core water programs.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$4,391.0) This funding change eliminates the Lake Champlain program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

**Statutory Authority:**

1909 Boundary Waters Treaty; Clean Water Act.

**Geographic Program: Other**  
Program Area: Geographic Programs

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$7,382.0</i></b>	<b><i>\$7,379.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$7,379.0)</i></b>
Total Budget Authority / Obligations	\$7,382.0	\$7,379.0	\$0.0	(\$7,379.0)
Total Workyears	3.8	4.9	0.0	-4.9

**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<sup>30</sup> 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 Coastal Watershed Restoration 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 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The EPA will encourage states and local entities to continue to make progress in restoring these major aquatic ecosystems from within core water programs.

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<sup>30</sup> California, Idaho, Montana, Nevada, Oregon, Utah, and Washington.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$7,379.0 / -4.9 FTE) This funding change eliminates the Geographic Other program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

**Statutory Authority:**

Clean Water Act.

**Program Area: Homeland Security**

## Homeland Security: Communication and Information

Program Area: Homeland Security

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$4,025.3</i></b>	<b><i>\$3,870.0</i></b>	<b><i>\$3,512.0</i></b>	<b><i>(\$358.0)</i></b>
Total Budget Authority / Obligations	\$4,025.3	\$3,870.0	\$3,512.0	(\$358.0)
Total Workyears	11.7	11.7	11.3	-0.4

### **Program Project Description:**

This program supports the EPA's coordination and communication activities related to homeland security. The White House, Congress, and the Department of Homeland Security (DHS) have defined expectations for the EPA in the event of a homeland security incident through a series of statutes, presidential directives, and national plans. The Office of Homeland Security (OHS), located in the Administrator's office, leads and coordinates the EPA's engagement with the White House and other federal departments and agencies on the development of new homeland security policy and requirements.

The EPA uses both the Homeland Security Executive Steering Committee, composed of senior executives from Headquarters offices and the Regions, and the Homeland Security Collaborative Network (HSCN), a cross-agency leadership group, to support its ability to implement this broad range of homeland security responsibilities, ensure consistent development and implementation of homeland security policies and procedures, avoid duplication, and build a network of partnerships.

As the EPA Federal Intelligence Coordination Office (FICO), OHS coordinates analytic intelligence support capacity across the Agency to meet EPA requirements and EPA whole of government obligations.

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

### **FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA's Homeland Security Program will:

- Ensure appropriate Agency representation in various White House and other federal homeland security policy activities.

- Support federal, state, Tribal, and local efforts to prevent, protect, mitigate, respond to, and recover from natural disasters, acts of terrorism, and other emergencies by providing leadership and coordination across the EPA’s program offices and regions.
- Ensure a coordinated approach to the EPA’s homeland security activities and resources that align with government-wide homeland security priorities and requirements.
- Maintain the Agency’s level of preparedness to respond to and recover from a significant event through maintenance of personnel and equipment capabilities and capacities.
- Focus on filling critical knowledge and technology gaps that may be essential for an effective EPA response, including working with our interagency partners to define collective capabilities and resources that may contribute to closing common homeland security gaps.
- Provide the EPA end-user with relevant, accurate, reliable, objective, and timely intelligence bearing on matters of environmental policy and regulation and domestic threats where the 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*) to meet the main pillars of classified information protection with a focus on the implementation of an Insider Threat Program (ITP) 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.

The EPA’s FY 2018 resources support national cybersecurity efforts through monitoring across the agency’s IT infrastructure to detect, remediate, and eradicate malicious software or Advanced Persistent Threats (APT) from the EPA’s computer and data networks and through improved detection capabilities. The EPA will enhance internal Computer Security Incident Response Capability (CSIRC) to ensure rapid identification and reporting of suspicious activity and will increase training and awareness of cybersecurity threats. The EPA’s personnel are active participants in Government Forum of Incident Response Teams (GFIRST), a DHS-led group of experts from incident response and security response teams. Indicators and warnings are shared between the EPA incident responders and their cleared counterparts in other agencies and with the Intelligence Community.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$126.0 / -0.4 FTE) This change reduces resources for activities related to communication, policies, and procedures to support and coordinate homeland security efforts across the agency.
- (-\$232.0) This change reduces resources to coordinate IT efforts supporting homeland security across the agency. Savings will be achieved from refocusing on core functions that improve foundational capabilities and close gaps in IT security architecture.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Resource Conservation and Recovery Act (RCRA), §§ 1001, 2001, 3001, 3005; Safe Drinking Water Act (SDWA); Clean Water Act, §§ 101, 102, 103, 104, 105, 107; Clean Air Act, §§ 102, 103, 104, 108; Toxic Substances Control Act (TSCA), §§ 201, 301, 401; Federal Insecticide Fungicide and Rodenticide Act (FIFRA), §§ 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

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Science & Technology	\$9,807.2	\$10,497.0	\$0.0	(\$10,497.0)
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$627.1</i></b>	<b><i>\$970.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$970.0)</i></b>
Total Budget Authority / Obligations	\$10,434.3	\$11,467.0	\$0.0	(\$11,467.0)
Total Workyears	23.6	23.1	0.0	-23.1

**Program Project Description:**

This program supports the EPA's efforts to coordinate the protection of the nation's critical water infrastructure from threats and all-hazard events through effective information sharing and dissemination.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The most critical work will be performed in the S&T Preparedness, Response, and Recovery program.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$970.0 / -1.0 FTE) This reduction eliminates the EPM Homeland Security: Critical Infrastructure Protection program.

**Statutory Authority:**

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

## Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$4,987.0</i></b>	<b><i>\$5,336.0</i></b>	<b><i>\$4,986.0</i></b>	<b><i>(\$350.0)</i></b>
Science & Technology	\$551.0	\$551.0	\$500.0	(\$51.0)
Building and Facilities	\$7,366.2	\$6,664.0	\$6,176.0	(\$488.0)
Hazardous Substance Superfund	\$833.6	\$1,084.0	\$542.0	(\$542.0)
Total Budget Authority / Obligations	\$13,737.8	\$13,635.0	\$12,204.0	(\$1,431.0)
Total Workyears	8.1	12.2	12.2	0.0

### **Program Project Description:**

The EPA Homeland Security Program provides for the operations of a federally mandated Personal Identity Verification (PIV) program, known as the EPA Personnel Access and Security System (EPASS). The EPASS procedures, which adhere to the requirements as set forth in Homeland Security Presidential Directive 12 (HSPD-12), ensure the agency is in compliance with the government-wide standard for the issuance of secure and reliable forms of identification to federal employees and contractors who require access to federally controlled facilities and networks.

The National Security Information (NSI) Program supports the management and oversight of the EPA's classified information for its federal workforce and contractors. The program ensures federal mandates are followed to safeguard national security information, conduct federally mandated training, and conduct NSI inspections.

### **FY 2018 Activities and Performance Plan:**

As part of nationwide protection of buildings and critical infrastructure, the EPA performs vulnerability assessments on its facilities each 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.

The EPASS Program ensures the agency is undertaking every effort to enhance safety, security, and efficiency by more effectively controlling access into EPA controlled physical space and the EPA's networks. EPASS provides the EPA the ability to produce and maintain secure and reliable forms of identification as required per HSPD-12, for all EPA employees and contractors.

The protection of NSI is accomplished through policies and procedures in compliance with applicable federal mandates. Mandatory security education and training is completed including but not limited to NSI and SCI training (initial, refresher, and termination). Oversight of the program is achieved through federally mandated nationwide inspections and assessments of Program Offices, Regions, and Laboratories that handle NSI and SCI. The inspections include the review and

assessment of the security classified infrastructure, classified holdings, and training; overseeing the build-out, and accreditation of Secure Access Facilities (SAFs) for classified operations; work with federal partners on the accreditation of sensitive compartmented information facilities (SCIFs); and responding to data calls.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$350.0) This change focuses the agency on performing the highest priority annual facility assessments.

**Statutory Authority:**

Intelligence Reform and Terrorism Prevention Act of 2004; Homeland Security Act of 2002; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (the EPA’s organic statute).

**Program Area: Information Exchange / Outreach**

## Children and Other Sensitive Populations: Agency Coordination

Program Area: Information Exchange / Outreach

(Dollars in Thousands)

	FY 2016 Actuals	FY 2017 Annualized CR	FY 2017 Pres Bud	FY 2018 Pres Bud v. FY 2017 Annualized CR
<i>Environmental Program &amp; Management</i>	\$6,252.7	\$6,535.0	\$2,018.0	(\$4,517.0)
Total Budget Authority / Obligations	\$6,252.7	\$6,535.0	\$2,018.0	(\$4,517.0)
Total Workyears	19.9	21.8	6.9	-14.9

### Program Project Description:

The program coordinates and advances the protection of children’s environmental health across the EPA to reinforce the agency’s mission to protect human health through: assisting with developing regulations; improving risk assessment and science policy; implementing community-level programs; and tracking and communicating measures, indicators, and progress on children’s health. The children’s health protection effort is directed by the EPA’s *Policy on Evaluating Health Risks to Children*, Executive Order 13045 *Protection of Children’s Health from Environmental Health Risks and Safety Risks*, the EPA’s memorandum *EPA’s Leadership in Children’s Environmental Health*, and the other existing guidance.<sup>31</sup> Legislative mandates such as the Toxic Substances Control Act, Safe Drinking Water Act, Comprehensive Environmental Response, Compensation, and Liability Act and the Food Quality Protection Act also direct the agency to protect children and other vulnerable life stages.<sup>32</sup>

### FY 2018 Activities and Performance Plan:

In FY 2018, the Children’s Health program will:

- 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 be limited to co-chairing the Senior Steering Committee – including the *Coordinated Federal Action Plan to Reduce Racial and Ethnic Asthma Disparities*,<sup>33</sup> *Advancing Healthy Housing – A Strategy for Action* (a report from the Federal Healthy Homes Work Group)<sup>34</sup> and *Key Federal Programs to Reduce*

<sup>31</sup> For more information: <https://www.epa.gov/children/history-childrens-environmental-health-protection-epa>.

<sup>32</sup> The Toxic Substances Control Act (TSCA) directs the EPA to consider potentially exposed or susceptible subpopulations (including infants, children and pregnant women) when evaluating chemicals for risk. The 1996 amendments to the Safe Drinking Water Act (SDWA) requires the EPA to strengthen protection of children by considering the risk to the most vulnerable populations and life stages when setting standards. The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) requires the Administrator to establish a system for ranking grant applications for “Brownfields revitalization funding” that includes, as one of many criteria, the health or welfare of children and pregnant women. The Food Quality Protection Act (FQPA) of 1996 amended the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA) to include stricter safety standards for pesticides, especially for infants and children, and a complete reassessment of all existing pesticide tolerances.

<sup>33</sup> The Asthma Disparities Action Plan: [http://www.epa.gov/childrenstaskforce/federal\\_asthma\\_disparities\\_action\\_plan.pdf](http://www.epa.gov/childrenstaskforce/federal_asthma_disparities_action_plan.pdf).

<sup>34</sup> The Healthy Housing Strategy for Action: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/healthy\\_homes/advhh](http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/advhh).

*Childhood Lead Exposures and Eliminate Associated Health Impacts*.<sup>35</sup> Implementation efforts associated with federal initiatives may be supported by other Task Force agencies or EPA program offices.

- Address the potential for unique exposures, health effects, and health risks in children during the development of agency regulations and policies with limited participation on regulatory workgroups.
- Coordinate one in-person plenary meeting of the Children's Health Protection Advisory Committee (CHPAC).

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$4,200.0 / -14.0 FTE) This streamlines activities related to the Children's Health program including: 1) the Pediatric Environmental Health Specialty Units; 2) grants to state or local organizations; 3) IRIS reviews; 4) the President's Task Force on Environmental Health Risks and Safety Risks to Children or initiating any new interagency strategies; 5) regionally-selected community-based projects addressing local children's environmental health issues; and 6) indicators presented in *America's Children and the Environment*<sup>36</sup> and *America's Children: Key National Indicators of Well-Being*.<sup>37</sup>
- (-\$317.0 / -0.9 FTE) This change streamlines activities related to Children's Health program including: implementation of community-based programs, assisting with assessing the needs of children in the regulatory development process, and assessing children's outcomes in research, science policy, and outreach.

**Statutory Authority:**

Toxic Substances Control Act; Safe Drinking Water Act; Comprehensive Environmental Response, Compensation, and Liability Act; and the Food Quality Protection Act.

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<sup>35</sup> Key Federal Programs to Reduce Childhood Lead Exposures and Eliminate Associated Health Impacts Report: [https://ptfceph.niehs.nih.gov/features/assets/files/key\\_federal\\_programs\\_to\\_reduce\\_childhood\\_lead\\_exposures\\_and\\_eliminate\\_associated\\_health\\_impactspresidents\\_508.pdf](https://ptfceph.niehs.nih.gov/features/assets/files/key_federal_programs_to_reduce_childhood_lead_exposures_and_eliminate_associated_health_impactspresidents_508.pdf).

<sup>36</sup> America's Children and the Environment (ACE) is EPA's report presenting data on children's environmental health: <https://www.epa.gov/ace>.

<sup>37</sup> The EPA contributes data and analysis of child well-being to the Federal Interagency Forum on Child and Family Statistics' annual report, America's Children: Key National Indicators of Well-Being: <https://www.childstats.gov/index.asp>.

**Environmental Education**

Program Area: Information Exchange / Outreach

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$10,138.8</i></b>	<b><i>\$8,685.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$8,685.0)</i></b>
Total Budget Authority / Obligations	\$10,138.8	\$8,685.0	\$0.0	(\$8,685.0)
Total Workyears	10.4	11.1	0.0	-11.1

**Program Project Description:**

This program ensures that Environmental Education (EE), based on science and effective education practices, is used as a tool to promote the protection of human health and the environment, encourage student engagement through service projects, advance community engagement and empowerment, and support the EPA’s priorities and programs.

**FY 2018 Activities and Performance Plan:**

The agency is eliminating its Environmental Education program in order to focus on core mission environmental work. In recognition of the significant guidance and financial support the EE program has provided to non-profit organizations, local education agencies, universities, community colleges, and state and local environmental agencies, funding for some of the environmental stewardship activities could be leveraged at the state or local level.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$8,685.0 / -11.1 FTE) This eliminates the Environmental Education program.

**Statutory Authority:**

National Environmental Education Act (NEEA); Clean Air Act, § 103; Clean Water Act, § 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.

**Executive Management and Operations**  
 Program Area: Information Exchange / Outreach

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$47,798.4</i></b>	<b><i>\$46,930.0</i></b>	<b><i>\$37,106.0</i></b>	<b><i>(\$9,824.0)</i></b>
Total Budget Authority / Obligations	\$47,798.4	\$46,930.0	\$37,106.0	(\$9,824.0)
Total Workyears	300.5	309.4	223.6	-85.8

**Program Project Description:**

This program includes various offices and functions that provide executive and logistical support to the EPA’s Administrator. In addition to the Administrator’s Immediate Office (IO), resources in this program support four headquarters offices that help the agency communicate and coordinate its work to protect human health and the environment, including the Office of Congressional and Intergovernmental Relations (OCIR), Office of Administrative and Executive Services, Office of the Executive Secretariat, and the Office of Public Affairs.

This program also supports the EPA’s Regional Administrators’ offices. The headquarters and regional offices’ activities link the agency’s engagement with outside entities, including: Congress, state and local governments, nongovernmental organizations, national and community associations, and the public. These activities include management, coordination, and establishing policy.

Within this program, key functions include: responding to Congressional requests for information; coordinating and providing outreach and liaising with state and local governments, agricultural and rural communities; and maintaining public information and communication with the press. This 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.

**FY 2018 Activities and Performance Plan:**

In FY 2018, the IO will continue providing management, leadership and direction to all of the EPA's programs and activities and develop the guidance necessary to ensure achievement of the agency’s core statutory responsibilities. In FY 2018, IO resources will primarily support critical needs for staff, including travel and workforce support.

The OCIR (which consists of the Office of Congressional Affairs and the Office of Intergovernmental Relations) serves as the EPA's principal point of contact for Congress, states, and local governments. OCIR serves as a liaison with these constituencies on the agency's major programs (e.g., Air, Water, and Pesticides) and intergovernmental issues. OCIR also serves as the advocate and ombudsman for the regional offices. OCIR and its regional counterparts serve as direct contacts for Congress and state and local government officials during environmental emergencies, keeping these constituencies abreast of the impacts and EPA’s response. In FY 2016,

OCIR managed over one thousand letters from members of Congress and governors, processed FOIAs (Freedom of Information Act), and prepared senior leaders for hearings (65 hearings in FY 2016, and 35 hearings in FY 2015) on a wide range of environmental issues.

In FY 2018, OCIR's Office of Congressional Affairs (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. In addition, OCA will coordinate with the White House's Office of Legislative and Intergovernmental Affairs and the Council for Environmental Quality on issues related to achieving the agency's goals and priorities.

The Office of Public Affairs (OPA) facilitates the exchange of information between the EPA and the public, media, Congress, and state and local governments; broadly communicates the EPA's mission to protect human health and the environment; assists in public awareness of environmental issues; and informs EPA employees of important issues that affect them. OPA generally responds to approximately 8,900 media inquiries annually, oversees the production of more than 300 videos annually, and manages more than 500,000 webpages on EPA's website.

In FY 2018, OPA will 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 multimedia and new media tools to provide stakeholders with information. The office also will work with EPA's programs to improve employee communications and collaboration, update the agency's intranet site, and use other tools to provide agency information to employees.

As the central administrative management component of the Administrator's Office (AO), the Office of Administrative and Executive Services (OAES) provides advice, tools, and assistance to the AO's programmatic operations, including: human resources management, budget and financial management, information technology and security, and audit management.

The Office of the Executive Secretariat (OEX) manages the AO's correspondence, records management and FOIA activities. The OEX correspondence team processes correspondence for the Administrator and Deputy Administrator and reviews and prepares documents for their signature. The team also manages the Administrator's primary email account. Finally, OEX operates the Correspondence Management System, which provides paperless workflow, tracking, and records management capabilities to more than three thousand registered users agencywide.

In FY 2018, the OEX will maintain critical administrative support to the Administrator, Deputy Administrator, senior agency officials, and staff in order to comply with the statutory and regulatory requirements under the Federal Records Act (FRA), FOIA, and related statutes and regulations. The OEX will complete the development and acquisition of the next-generation correspondence tracking tool and will implement the system agencywide.

Funding and FTE for the Office of Public Engagement are eliminated in FY 2018.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$8,029.0 / -73.8 FTE) This funding change streamlines the Executive Management program. The agency will focus on the core legal requirements, federal-only and national efforts, providing support to states in implementing environmental laws, and easing regulatory burden.
- (-\$1,795.0 / -12.0 FTE) This funding change eliminates the Office of Public Engagement.

**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.) (the EPA’s organic statute); Environmental Research, Development, and Demonstration Authorization Act (ERDDAA).

## Exchange Network

Program Area: Information Exchange / Outreach

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$17,066.5</i></b>	<b><i>\$16,984.0</i></b>	<b><i>\$11,784.0</i></b>	<b><i>(\$5,200.0)</i></b>
Hazardous Substance Superfund	\$1,291.4	\$1,325.0	\$838.0	(\$487.0)
Total Budget Authority / Obligations	\$18,357.9	\$18,309.0	\$12,622.0	(\$5,687.0)
Total Workyears	31.3	30.2	30.2	0.0

### **Program Project Description:**

The EPA's Environmental Information Exchange Network (EN) is a standards-based, secure approach for the EPA and its state, Tribal and territorial partners to exchange and share environmental data over the Internet. Capitalizing on advanced technology, data standards, open-source software, shared and portal 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)<sup>38</sup> is the largest component of the EN program and serves as the point of entry on the Exchange Network for environmental data transactions with the agency. CDX provides a set of core shared services that promote a leaner and more cost-effective enterprise architecture for the agency by avoiding the creation of duplicative services. It also provides a set of value-added features and services that enable faster and more efficient transactions for internal and external clients of the EPA, resulting in reduced burden.

CDX data exchange services are leveraged by the EPA's programs, regions, states, tribes, territories and other federal agencies to meet their different business needs. With CDX, a stakeholder can submit data through one centralized point of access, exchange data with target systems using Web services and utilize publishing services to share information collected by the EPA and other stakeholders. By managing loosely connected and interoperable services, data exchange needs can be met using one or all of the available services such as:

- User registration;
- External user identity management;
- Electronic signature;
- Encryption and transmission;
- Virtual exchange services (VES); and
- Data quality assurance.

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<sup>38</sup> For more information on the Central Data Exchange, please visit: <http://www.epa.gov/cdx/>.

Working in concert with CDX are the EPA's System of Registries, which are centralized shared data services to improve data quality in EPA, state, and Tribal program data, while promoting burden reduction for the reporting community. The registries manage shared data centrally for reuse by the following EN partners:

- Facility Registry Service (FRS);
- Substance Registry Services (SRS);
- TRIBES;
- Laws and Regulations Services (LRS);
- Terminology Services (TS);
- Reusable Component Services (RCS);
- Environmental Dataset Gateway (EDG);
- Registry of EPA Applications, Models, and Databases (READ); and
- Data Element Registry Services (DERS)

These shared data services catalog entities routinely referenced by the 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 fosters data consistency and data quality as well as enabling data integration. By integrating these shared data services into their online reporting forms, the EPA and its EN partners make it easier for the reporting community to discover the correct information to submit, reducing burden, which enables reuse by partner programs.

#### **FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will provide baseline functions for the Exchange Network IT systems. Schedules and plans for upgrades and modernization will be adjusted to align with capacity. As part of the E-Enterprise business strategy, the EPA will continue to carry out the following projects under the Exchange Network program: expanding the roll out of Federated Identity Management system for the EPA and its partners; developing shared facility identification services that improve quality and reduce burden on states and tribes; developing initial services for EPA's Laws and Regulations registry, which will standardize identification of and associations between regulations, laws, and EPA's programs; and deploying reusable electronic signature services to streamline Cross-Media Electronic Reporting Regulation (CROMERR) compliance. Advancements in data transport services, such as Virtual Exchange Services, will continue to provide cloud-based solutions for the EPA's state and Tribal partners.

In FY 2018 the EPA will:

- Conduct robust outreach activities to increase awareness of CROMERR services and the savings to states and tribes from using these services; and
- Approve CROMERR applications from authorized programs that propose to use the EPA's shared CROMERR services and assist co-regulators with integrating these services into their systems.

CROMERR activities are intended to assist states and tribes in the development activities associated with establishing a point of presence, exchanging data on the Network, and supporting local electronic reporting programs in a more cost effective way. The proven success of this strategy is illustrated by past improvements in performance measures, which include the number of states, Tribes and territories exchanging data with CDX (from 63 in FY 2011 to 125 in FY 2016) and unique active users (up from 56,200 in FY 2011 to 116,636 in FY 2016).

In addition, the EPA will prioritize areas of support for the System of Registries and partner applications. Keeping the information current in the registries requires constant maintenance and research. This includes:

- An adjusted schedule for priority updates to the EPA's enterprise dataset registry, the Environmental Dataset Gateway, to meet the EPA's priority of improving data accessibility, achieve compliance with Open Data Policy requirements (OMB M-13-13) and pursue the establishment of an administrative dataset registry; and
- Maintaining the list of previously entered IT resources through its catalog of IT services (e.g., widgets, Web services, reusable code). The Reusable Component Services is a resource that enables the EPA and its EN partners to reuse standard system functions in whole or in part, thus saving money and time for states and Tribal governments and the EPA.

The EPA also 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 the EPA and CBP. Due to the successful conclusion of the limited pilot test for electronic reporting and processing of EPA-regulated imports for vehicles and engines, pesticides and toxic substances, the EPA will continue to support the program in FY 2018. Such electronic reporting will aid regional enforcement coordinators by automating what is currently a manual review process and allow them to focus on key high-value monitoring and targeting activities for noncompliant imports.

In FY 2018, the Exchange Network program will continue to be a pivotal component of the E-Enterprise for the Environment strategy that supports business process change agencywide. E-Enterprise is a transformative 21st century strategy – jointly governed by states, tribes, and the EPA – that rethinks how government agencies deliver environmental protection. Under this strategy, the agency will streamline its business processes and systems to reduce reporting burden on states and regulated facilities, and improve the effectiveness and efficiency of environmental programs for the EPA, states and tribes. In this context, the agency will maintain the E-Enterprise Portal that transform the EN to a more open platform of services and make environmental data reporting, sharing and analysis faster, simpler and less expensive.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$5,200.0) This reduces the collection and exchange of environmental data with states, tribes, and regulated entities; modifies the timeline to address required modifications to the Exchange Network IT systems; reduces quality assurance of registries; and refocuses modernization efforts.

**Statutory Authority:**

Federal Information Security Management Act (FISMA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); 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); Paperwork Reduction Act (PRA); Controlled Substances Act (CSA); The Privacy Act of 1974; Freedom of Information Act (FOIA).

## Small Business Ombudsman

Program Area: Information Exchange / Outreach

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$2,378.0</b>	<b>\$1,995.0</b>	<b>\$1,965.0</b>	<b>(\$30.0)</b>
Total Budget Authority / Obligations	\$2,378.0	\$1,995.0	\$1,965.0	(\$30.0)
Total Workyears	4.6	4.9	4.6	-0.3

### **Program Project Description:**

The EPA's Small Business Ombudsman program includes both the Asbestos and Small Business Ombudsman (ASBO) and the small business activities located in the Office of Policy's Office of Regulatory Policy and Management. The ASBO serves as the agency's leading advocate for small business regulatory issues through its partnership with the EPA Regional Small Business Liaisons, state Small Business Environmental Assistance Programs (SBEAP) nationwide and hundreds of small business trade associations. These partnerships provide the information and perspective the EPA needs to help small businesses achieve their environmental goals.

The Small Business Ombudsman is a comprehensive program that provides networks, resources, tools, and forums for education and advocacy on behalf of small businesses.<sup>39</sup> The program also assists the EPA's program offices with analysis and consideration of the impacts of its regulatory actions on small businesses, helps identify less burdensome alternatives, and leads the EPA's implementation of the Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA). Under the RFA or SBREFA, the EPA evaluates the effects of its regulations on small businesses and engages with small entity representatives, the Office of Management and Budget and the Small Business Administration to help them understand the potential impacts of rules and identify less burdensome alternatives for rulemakings that may affect small businesses.

The core program functions include participating in the regulatory development process, operating and supporting the program's hotline and homepage, participating in the EPA's program and Regional Offices' small business-related meetings, and supporting internal and external small business activities. The program helps small businesses learn about new actions and developments within the EPA and helps the agency learn about the concerns and needs of small businesses. The program also provides technical assistance through the ASBO in the form of workshops, conferences, hotlines, and training forums designed to help small businesses become better environmental performers.

Beginning in FY 2018, this program will support the required functions of the Small Business Contracting program as 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 ensuring small business

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<sup>39</sup>For more information: <http://www.epa.gov/resources-small-businesses/asbestos-small-business-ombudsman>.

prime and subcontract opportunities to expand the competitive supplier base for carrying out the agency's mission. The program offers statutorily required counselling to the EPA contracting community on all aspects of the acquisition cycle. It also affords statutorily mandated advocacy and technical assistance to the various categories of small businesses, including, disadvantaged and women-owned small businesses; certified small businesses located in Historically Underutilized Business Zones (HUBZones); and service-disabled veteran-owned small businesses (SDVOSBs).

In addition, resources under this program will provide national outreach, education and assistance to increase the utilization of businesses owned and controlled by socially and economically disadvantaged individuals in procurements funded under EPA financial assistance agreements. The underlying enabling statutes establish an 8 percent and 10 percent goal for Disadvantaged Business Enterprise (DBE) participation in certain EPA-funded projects. Specifically, the Clean Air Act Amendments of 1990, 42 U.S.C. § 7601, establishes a 10 percent DBE goal for Clean Air Act research projects. Similarly, Public Law 102-389, 42 U.S. C § 4370d, establishes an 8 percent DBE Goal for prime and subcontracts awarded in support of all other authorized programs. The DBE program services are aimed at guiding the agency and its financial assistance recipients to enhance DBE opportunities consistent with those goals. It further assists in monitoring program compliance.

#### **FY 2018 Activities and Performance Plan:**

In FY 2018, the Small Business Ombudsman program will:

- Expand the quality and efficiency of technical and regulatory assistance. The ASBO is implementing a new internal and external outreach program focused on building a knowledge base of EPA and small business community needs and impacts; unifying and coordinating programs and activities by sharing information and leveraging resources; and engaging and expanding small business involvement in the regulatory process.
- Support and promote the EPA's Small Business Strategy by (1) encouraging small businesses, states, and trade associations to comment on the EPA's proposed regulatory actions, and (2) providing updates on the agency's rulemaking activities in the monthly Smallbiz@EPA electronic bulletin;
- Launch a new era of state and local partnerships by working with state SBEAPs and small business trade associations to improve the environmental performance of small businesses. ASBO will continue monitoring its grant issued to the State of Kansas to establish a website which serves as an essential conduit of both communication and education for state small business environmental assistance programs and the small business community;
- Serve as the agency's point of contact for the Small Business Paperwork Relief Act<sup>40</sup> by coordinating efforts with the agency's program offices to further reduce the information collection burden for small businesses with fewer than 25 employees;

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<sup>40</sup> For more information: <https://www.whitehouse.gov/sites/default/files/omb/assets/omb/inforeg/sbpra-hr327.pdf>.

- Assist in carrying out the EPA's implementation of the RFA, including Small Business Advocacy Panels for regulations that might have a significant and potentially adverse economic impact on a substantial number of small entities; and
- Support the EPA's efforts to limit potential adverse impacts on small entities by assisting program offices in characterizing the possible impacts of its regulations and considering alternative requirements.
- Develop a transparent and collaborative process for conducting the important small business training and technical assistance required under Section 15(k) of the Small Business Act. The One EPA process will utilize the EPA's existing collaborative tools to plan and conduct more strategically targeted training and technical assistance that effectively leverage resources to expand the agency's small business supplier pipeline.
- Streamline and increase effectiveness in tracking, analyzing and reporting the agency's small business contracting to strengthen data-driven decision making and compliance with the statutory government-wide small business goal program.
- Simplify the rules and procedures governing the DBE program to clarify program eligibility, compliance and reporting requirements and reduce the administrative burden on grant recipients. The changes will enhance DBE opportunities to compete for contracts funded under EPA assistance agreements.
- Provide DBE training and technical assistance on new program regulations and procedures.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$30.0 / -0.3 FTE) With a limited change in resources, the agency is able to ensure compliance with its statutory obligations under the Small Business Act. This funding change also incorporates the statutory functions of the Office of Small and Disadvantaged Business Utilization into this program.

**Statutory Authority:**

Toxic Substances Control Act (TSCA); Clean Air 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.); 15 U.S.C § 644(k); 42 U.S.C. § 4370d and 7601 note).

**Small Minority Business Assistance**  
Program Area: Information Exchange / Outreach

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$1,464.0</i></b>	<b><i>\$1,667.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$1,667.0)</i></b>
Total Budget Authority / Obligations	\$1,464.0	\$1,667.0	\$0.0	(\$1,667.0)
Total Workyears	8.8	8.9	0.0	-8.9

**Program Project Description:**

The EPA’s Office of Small and Disadvantaged Business Utilization (OSDBU) manages the agency’s Small Business Contracting and Disadvantaged Business Enterprise (DBE) programs.

The Small Business Contracting program is mandated under Section 15(k) of the Small Business Act, 15 U.S.C. § 644(k). The program provides expertise in expanding small business prime and subcontracting opportunities. The program offers counselling to the EPA contracting community on all aspects of the acquisition cycle. It also provides a range of advocacy, outreach and technical assistance to the various categories of small businesses, including, disadvantaged and women-owned small businesses; businesses located in Historically Underutilized Business Zones (HUBZone); and service-disabled veteran-owned small businesses (SDVOSBs).

The DBE program provides national outreach, education and assistance to increase the utilization of businesses owned and controlled by socially and economically disadvantaged individuals in procurements funded under EPA financial assistance agreements. Under the DBE program, OSDBU issues the governing program eligibility and compliance requirements.

**FY 2018 Activities and Performance Plan:**

Funding and FTE for this program will be eliminated in FY 2018. The agency will integrate its resources for Small and Disadvantaged Business activities under the Small Business Ombudsman program.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$1,667.0 / -8.9 FTE) This funding change eliminates the Small Minority Business Assistance program as part of the effort to streamline functions that can be absorbed into other programs. Key portions of this program’s activities will be shifted to the Small Business Ombudsman program.

**Statutory Authority:**

15 U.S.C § 644(k); 42 U.S.C. § 4370d; Clean Air Act Amendments of 1990, Public Law 101-549 (codified at 42 U.S.C. § 7601 note).

**State and Local Prevention and Preparedness**  
 Program Area: Information Exchange / Outreach

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$15,044.1</i></b>	<b><i>\$15,289.0</i></b>	<b><i>\$10,011.0</i></b>	<b><i>(\$5,278.0)</i></b>
Total Budget Authority / Obligations	\$15,044.1	\$15,289.0	\$10,011.0	(\$5,278.0)
Total Workyears	67.9	74.2	46.9	-27.3

**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, and property from chemical risks through advanced technologies, community and facility engagement, and improved safety systems. This regulatory framework provides the foundation for community emergency responders, facility hazard response planning, and reduction of risk posed from chemical facilities.

Under Section 112(r) of the Clean Air Act, chemical facilities that store a certain amount of extremely hazardous substances are required to implement a Risk Management Plan program. These facilities, known as Risk Management Plan (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.<sup>41</sup>

**FY 2018 Activities and Performance Plan:**

In FY 2018, the State and Local Prevention and Preparedness program will perform the following activities:

- Inspect RMP facilities to ensure compliance with accident prevention and preparedness activities. There are approximately 12,500 chemical facilities that are subject to inspections in the RMP program. Of these, approximately 1,900 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.
- Provide one basic RMP inspector training for federal and state inspectors as statutorily required.
- Maintain the national Central Data Exchange (CDX) RMP reporting center database, which is the nation’s premier source of information on chemical process risks and contains hazard

<sup>41</sup> For additional information, refer to: <https://www.epa.gov/rmp>.

information on all RMP facilities. Industry electronically submits their 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 app, which will provide free and publically available information for firefighting, first aid, and spill response activities.
- Conduct reconsideration of RMP rule as a result of three petitions for reconsideration requested under the Clean Air Act. Reconsideration may result in further amendments to the final rule.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$5,278.0 / -27.3 FTE) Funding and FTE for technical support and outreach, as well as grant support for certified RMP inspectors, will be eliminated in FY 2018.

**Statutory Authority:**

The Emergency Planning and Community Right-to-Know Act (EPCRA); the Clean Air Act (CAA), as amended by the Chemical Safety Information, Site Security, and Fuels Regulatory Relief Act, § 112(r).

**TRI / Right to Know**

Program Area: Information Exchange / Outreach

(Dollars in Thousands)

	FY 2016 Actuals	FY 2017 Annualized CR	FY 2017 Pres Bud	FY 2018 Pres Bud v. FY 2017 Annualized CR
<i>Environmental Program &amp; Management</i>	\$13,292.4	\$13,856.0	\$8,680.0	(\$5,176.0)
Total Budget Authority / Obligations	\$13,292.4	\$13,856.0	\$8,680.0	(\$5,176.0)
Total Workyears	35.6	43.5	28.4	-15.1

**Program Project Description:**

The EPA's success in carrying out its mission to protect human health and the environment is contingent on collecting timely, high-quality, and relevant information. The Toxics Release Inventory (TRI) program<sup>42</sup> supports the EPA's mission by annually publishing, for the public, release and other waste management (e.g., recycling) and pollution prevention data on over 650 toxic chemicals from approximately 20,000 industrial and federal facilities. The TRI Program is a premiere source of toxic chemical release data for communities, non-governmental organizations, industrial facilities, academia, and government agencies.

**FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will focus on the collection of the chemical release data and making the data available to governments and the public. The TRI program, working with the EPA's Environmental Information program, will continue to provide reporting facilities with an online reporting application, TRI-MEweb, to facilitate the electronic preparation and submission of TRI reports through the EPA's Central Data Exchange (CDX). CDX manages access and authentication services for most EPA reporting systems, including the TRI. In particular, it provides a third-party authentication for reporting facilities using LexisNexis. In addition, TRI data collected by the EPA are shared with states who have an active node on CDX and are partners of the TRI Data Exchange (TDX). Facilities located in states that participate in this exchange submit reports to the EPA through CDX. The data are then downloaded by the states or transferred to their nodes using TDX. The EPA will continue to maintain the TDX used by states, tribes, and territories.

In FY 2018, the TRI program will continue to conduct approximately 600 data quality checks to help ensure the accuracy and completeness of the reported data. The TRI program will continue to publish the annual TRI National Analysis, including describing relevant trends in toxic chemical releases and other waste management and innovative approaches by industry to reduce pollution. Operations and maintenance will be reduced to meet statutory requirements for industry reporting and public access to TRI data.

As required by the Emergency Planning and Community Right-to-Know Act (EPCRA), the agency will respond to EPCRA petitions regarding TRI within 180 days after receipt. Petitions may request

<sup>42</sup> Please see: <http://www.epa.gov/tri/>

to add or delete chemicals or industry sectors on the TRI. The quantity and complexity of petitions are unknown until submitted to the agency.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$3,015.0 / -13.1 FTE) This eliminates funding for the TRI National Training Conference, TRI University Challenge, TRI Information Center, TRI Tools, and other TRI communication initiatives.
- (-\$2,161.0 / -2.0 FTE) This reduces contractual resources for system data entry enhancements, quality control support, and training and help desk services. Operations and maintenance will be reduced to meet statutory requirements for industry reporting and public access to TRI data.

**Statutory Authority:**

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

**Tribal - Capacity Building**

Program Area: Information Exchange / Outreach

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$14,056.3</i></b>	<b><i>\$14,358.0</i></b>	<b><i>\$11,731.0</i></b>	<b><i>(\$2,627.0)</i></b>
Total Budget Authority / Obligations	\$14,056.3	\$14,358.0	\$11,731.0	(\$2,627.0)
Total Workyears	87.0	87.9	72.0	-15.9

**Program Project Description:**

Under federal environmental statutes, the EPA has responsibility for protecting human health and the environment in Indian country. Under the EPA’s 1984 Indian Policy,<sup>43</sup> the agency 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, the “EPA recognizes tribes as the primary parties for setting standards, making environmental policy decisions, and managing programs for reservations consistent with agency standards and regulations” and therefore, the EPA assists tribes in developing the program to make such decisions. In the absence of a program delegation to a tribe, the EPA directly implements the program.

The EPA’s American Indian Environmental program leads the agency-wide efforts to ensure environmental protection in Indian country. Please see <http://www.epa.gov/tribal> for more information.

**FY 2018 Activities and Performance Plan:**

Overall, the agency has made steady progress towards strengthening human health and environmental protection on Tribal lands. However, the agency 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 2018.

**Capacity Building:** The EPA will provide technical assistance to encourage the development of Tribal capacity to implement federal environmental programs through several means, primarily the “treatment in a manner similar to a state” (TAS) process as well as the use of the Direct Implementation Tribal Cooperative Agreement (DITCA) authority. To date, the EPA has approved 110 TAS program delegations to tribes, including 12 with compliance and enforcement authority. The EPA also has awarded 48 DITCAs.

During FY 2018, the agency continues its targeted technical assistance and support in response to requests from Tribal governments to help them build capacity to acquire TAS status for

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<sup>43</sup> EPA Policy for the Administration of Environmental Programs on Indian Reservations available at <http://www.epa.gov/tribalportal/pdf/indian-policy-84.pdf>.

environmental programs. The agency is continuing the process of reviewing and revising how it measures progress tribes have made in developing and implementing environmental protection programs in Indian country. This effort builds on the 2013 Indian General Assistance Program (GAP) Guidance<sup>44</sup> designed to improve Tribal capacity development milestones. In FY 2018, the EPA will continue to work toward the development of an improved set of performance measures to assess and report on Tribal environmental program capacity. The EPA continues the direct implementation assessment effort to better understand the EPA's direct implementation responsibilities and activities on a program-by-program basis in Indian country.

**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."*<sup>45</sup> In FY 2018, the EPA will continue to implement this Guidance to build Tribal capacity to address environmental issues in Indian country. The EPA's work in FY 2018 also will continue to enhance the EPA-Tribal partnerships supported by the framework for joint strategic planning set forth in the 2013 Guidance.

**GAP Online:** In addition to the improved measurement scheme noted above, the EPA will continue to use GAP Online, an internet-based database that assists tribes and the EPA in developing, reviewing, and archiving GAP work plans and progress reports. The EPA and tribes use the database to negotiate and track progress with individual grantees. GAP Online creates an easily accessible record to help mitigate challenges associated with relatively high rates of staff turnover in many Tribal environmental departments.

**Tribal Consultation:** In working with the tribes, the EPA follows its *"Policy on Consultation and Coordination Policy with Indian Tribes."*<sup>46</sup> The Consultation Policy builds on the EPA's 1984 Indian Policy and establishes clear agency standards for a consultation process promoting consistency and coordination. In FY 2018, the EPA will continue to support the agency's web-based Tribal Consultation Opportunities Tracking System (TCOTS); a publically 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. Over the past four years, the EPA has provided 372 Tribal consultation opportunities.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$2,627.0 / -15.9 FTE) This reduces some Tribal capacity building efforts and eliminates grants to Tribal colleges and universities; certain Tribal small-grant programs; contract support for assessing the EPA's direct implementation responsibilities in Indian country; and contract and staff support to the National Tribal Operations Committee.

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<sup>44</sup> Please refer to <http://www.epa.gov/tribalportal/GAP-guidance-final.pdf> for further information.

<sup>45</sup> <https://www.epa.gov/tribal/2013-guidance-award-and-management-general-assistance-agreements-tribes-and-intertribal>

<sup>46</sup> Refer to <http://www.epa.gov/tribalportal/pdf/cons-and-coord-with-indian-tribes-policy.pdf> for further information.

**Statutory Authority:**

Annual Appropriation Acts; Indian Environmental General Assistance Program Act; PPA; FIFRA; CAA; TSCA; NEPA; CWA; SDWA; RCRA; CERCLA; NAFTA; MPRSA; Indoor Radon Abatement Act; OPA; and additional authorities.

Work within this Tribal Capacity Building Program supports the above authorities, as well as additional statutory authorities that influence environmental protection and affect human health and environmental protection in Indian country.

**Program Area: International Programs**

**US Mexico Border**

Program Area: International Programs

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$2,913.7</b>	<b>\$3,057.0</b>	<b>\$0.0</b>	<b>(\$3,057.0)</b>
Total Budget Authority / Obligations	\$2,913.7	\$3,057.0	\$0.0	(\$3,057.0)
Total Workyears	14.0	14.7	0.0	-14.7

**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 the EPA’s 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 United States.<sup>47</sup> In addition, over 430 thousand of the 14 million people in the region live in 1,200 colonias,<sup>48</sup> which are unincorporated communities characterized by substandard housing and unsafe drinking water. The 1983 La Paz Agreement<sup>49</sup> and the adoption of the Border Programs have 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.

The Border 2020 program identifies five long-term strategic goals to address the serious environmental and environmentally-related public health challenges, including the impact of transboundary transport of pollutants in the border region. These goals include: reducing air pollution; improving access to clean and safe water; promoting materials management; waste management; and clean sites; enhancing joint preparedness for environmental response; and enhancing compliance assurance and environmental stewardship.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The budget recognizes that state and local governments, such as communities along the border, can continue to advance environmental and health programs with a local emphasis.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$3,057.0 / -14.7 FTE) This funding change eliminates the U.S. Mexico Border Program as part of the effort to limit federal investment in lower priority activities and to focus resources on core environmental work under core statutes.

<sup>47</sup> <http://hsc.unm.edu/community/toolkit/docs2/10.USMBHC-TheBorderAtAGlance.pdf>

<sup>48</sup> <http://hsc.unm.edu/community/toolkit/docs2/10.USMBHC-TheBorderAtAGlance.pdf>

<sup>49</sup> <https://www.epa.gov/sites/production/files/2015-09/documents/lapazagreement.pdf>

**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), 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).

**International Sources of Pollution**  
Program Area: International Programs

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$6,345.0</b>	<b>\$6,418.0</b>	<b>\$4,051.0</b>	<b>(\$2,367.0)</b>
Total Budget Authority / Obligations	\$6,345.0	\$6,418.0	\$4,051.0	(\$2,367.0)
Total Workyears	35.6	38.2	14.2	-24.0

**Program Project Description:**

To achieve our domestic environmental and human health objectives, the U.S. works with international partners to address international sources of pollution, as well as the impacts of pollution from the U.S. on other countries and the global environment. Pollution impacts air, water, food crops and food chains, and can accumulate in foods such as fish. Achieving healthy environments, ecosystems, and communities provides the foundation for economic development, food security, and sustainable growth.

The EPA's work with international organizations is essential to successfully addressing transboundary pollution adversely impacting the U.S. Strengthening environmental protection abroad so that it is on par with practices in the United States helps build a level playing field for industry supporting the foreign policy objectives outlined by the White House, the National Security Council, and the Department of State.

**FY 2018 Activities and Performance Plan:**

In FY 2018, the 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, the EPA will engage with key priority countries like China to address air pollution that contributes significant pollution to the domestic and international environment. For example, China is implementing national air quality monitoring, planning, and control strategies with advice and lessons learned from the United States. Environmental policies adopted and implemented in China 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 to China.

The EPA will maintain efforts to reduce environmental threats to U.S. citizens from global contaminants impacting air, water, and food safety. In particular, the EPA will continue technical and policy assistance for global and regional efforts to address international sources of harmful pollutants, such as mercury. Because 70 percent of the mercury deposited in the U.S. comes from global sources,<sup>50</sup> both domestic efforts and international cooperation are important to address mercury pollution. For example, the EPA will continue to work with international partners and key

<sup>50</sup> <http://www.epa.gov/international/toxics/mercury/mnegotiations.html>; [www.mercuryconvention.org](http://www.mercuryconvention.org);

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. The EPA will maintain a reduced contribution to the North American Commission for Environmental Cooperation (CEC) which provides regional and international leadership to advance environmental protection, human health, and sustainable economic growth.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$3,367.0 / -24.0 FTE) This reflects a refocus of efforts on highest priority international issues.
- (+\$1,000.0) This provides funding to support the Commission for Environmental Cooperation (CEC), previously located in the Trade and Governance program, which provides regional and international leadership to advance environmental protection, human health, and sustainable economic growth.

**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), 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

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$6,231.3</b>	<b>\$5,896.0</b>	<b>\$0.0</b>	<b>(\$5,896.0)</b>
Total Budget Authority / Obligations	\$6,231.3	\$5,896.0	\$0.0	(\$5,896.0)
Total Workyears	18.6	18.0	0.0	-18.0

**Program Project Description:**

The EPA is a member of the Trade Policy Staff Committee (TPSC) and the Trade Policy Review Group (TPRG) - interagency mechanisms that provide advice, guidance, and clearance to the Office of the U.S. Trade Representative (USTR) in the development of U.S. international trade and investment policy. The EPA's role in trade negotiations is to ensure that agreements have strong environmental provisions.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The U.S. Trade Representative's Office and the Department of State lead trade negotiations and related capacity building and can continue this work.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$5,896.0 / -18.0 FTE) This funding change eliminates 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), 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, as amended by E.O. 13346.

**Program Area: IT / Data Management / Security**

**Information Security**

Program Area: IT / Data Management / Security

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$27,152.6</b>	<b>\$28,132.0</b>	<b>\$11,997.0</b>	<b>(\$16,135.0)</b>
Hazardous Substance Superfund	\$6,008.0	\$6,071.0	\$3,186.0	(\$2,885.0)
Total Budget Authority / Obligations	\$33,160.6	\$34,203.0	\$15,183.0	(\$19,020.0)
Total Workyears	12.8	14.3	12.8	-1.5

**Program Project Description:**

Information is a valuable national resource and a strategic asset to the EPA. It enables the agency to fulfill its mission to protect human health and the environment. The agency's Information Security program is designed to protect the confidentiality, availability and integrity of the EPA's information assets. The information protection strategy includes, but is not limited to:

- Policy, procedure and practice management;
- Information security awareness, training and education; risk-based governance and oversight;
- Weakness remediation;
- Operational security management;
- Incident response and handling; and
- Federal Information Security Modernization Act (FISMA) compliance and reporting.

**FY 2018 Activities and Performance Plan:**

Cybersecurity is a serious challenge to our nation's security and economic prosperity. The EPA will maintain continuous monitoring of security controls in FY 2018. Effective information security requires vigilance and the ability to adapt to new challenges every day. The EPA will continue to manage information security risk and build upon efforts to protect, defend and sustain its information assets through continued improvements to training and incident response.

In FY 2018, the EPA will continue to sustain multi-year improvements by establishing foundational capabilities and closing gaps in the security architecture. The EPA will close existing gaps by building strong authentication improvements to quickly isolate and remediate suspected or known compromised systems. These areas are cornerstone capabilities in protecting against, responding to, and mitigating risk sources. Also for FY 2018, EPA plans to include capabilities for detecting and protecting against attacks and capturing and integrating threat intelligence sources. In addition to the continued improvements, the agency will need to sustain the tools and processes implemented to date. The security architecture, associated processes and expert personnel comprise an ecosystem with cross dependencies, and the system is strongest when operating as a whole. Neglecting to implement the entire range of efforts makes protections less operational and cost effective.

In FY 2018, the EPA will continue building on progress previously made to automate and advance the information security program by:

- Increasing the use of continuous monitoring tools and processes through the Continuous Diagnostics and Mitigation (CDM) program; and
- Refining incident management capabilities.

The Continuous Diagnostics and Mitigation (CDM) program, centrally managed by the Department of Homeland Security, provides tools that will give near real-time awareness of EPA's networks and environments. CDM consists of four implementation phases when fully implemented. Data from the individual agency dashboards across the federal government will be aggregated into one federal-level dashboard maintained by the CDM program, which allows DHS to monitor and respond to federal cybersecurity threats and incidents much more quickly and efficiently. The operations and support costs of EPA's CDM Phase 1 tools and services will be partially funded by DHS at \$736 thousand in FY 2018. The agency will continue to work with DHS to implement future phases based on capacity.

The Information Security program also will continue to detect and remediate the effects of Advanced Persistent Threats to the agency's information and information systems. The agency will continue to focus on training and user-awareness to foster desired behavior, asset definition and management, compliance, incident management, knowledge and information management, risk management and technology management. These efforts will strengthen the agency's ability to adequately protect information assets. The final result will be an information security program that can rely on effective and efficient controls and processes to counter cybersecurity threats.

In FY 2018, the agency will continue Phase II of the implementation of the Homeland Security Presidential Directive 12 (HSPD-12) requirements for logical and physical access as identified in the Federal Information Processing Standards (FIPS) 201, *Personal Identity Verification (PIV) of Federal Employees and Contractors*.<sup>51</sup> This effort ensures only authorized employees have access to federal and federal-controlled facilities and information systems by requiring a higher level of identity assurance.

The EPA will improve its capabilities at the internal Computer Security Incident Response Capability (CSIRC) to support identification, response, alerting and reporting of suspicious activity. CSIRC's mission is to protect the EPA's information assets and respond to security incidents – actual and potential. This includes detecting unauthorized attempts to access, destroy, or alter the EPA's data and information resources. CSIRC will maintain relationships with other federal agencies and law enforcement entities to support the agency's mission. The incident response capability includes components such as detection and analysis; forensics; and containment and eradication activities.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

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<sup>51</sup> <http://www.nist.gov/itl/csd/ssa/piv.cfm>

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$16,135.0/ -1.5 FTE) This reduces the startup cybersecurity related improvement activities funded in FY 2016. The agency also will prioritize further improvements in the following areas: access controls for accounts that present the greatest risk; capabilities to identify and prevent inappropriate access or transmission, downloading, or use of sensitive information; and ease of regular user login process. Efforts to research and evaluate emerging technologies that enhance the agency's cybersecurity core functions will be deferred.

**Statutory Authority:**

Federal Information Security Modernization Act (FISMA); Cybersecurity Act of 2015; Government Performance and Results Act (GPRA); Government Management Reform Act (GMRA); Clinger-Cohen Act (CCA); Paperwork Reduction Act (PRA); the Privacy Act of 1974; Freedom of Information Act (FOIA).

**IT / Data Management**

Program Area: IT / Data Management / Security

(Dollars in Thousands)

	FY 2016 Actuals	FY 2017 Annualized CR	FY 2017 Pres Bud	FY 2018 Pres Bud v. FY 2017 Annualized CR
<b><i>Environmental Program &amp; Management</i></b>	<b>\$83,883.2</b>	<b>\$83,790.0</b>	<b>\$70,069.0</b>	<b>(\$13,721.0)</b>
Science & Technology	\$2,892.6	\$3,083.0	\$2,725.0	(\$358.0)
Hazardous Substance Superfund	\$14,968.1	\$13,776.0	\$8,213.0	(\$5,563.0)
Total Budget Authority / Obligations	\$101,743.9	\$100,649.0	\$81,007.0	(\$19,642.0)
Total Workyears	441.5	478.8	451.1	-27.7

**Program Project Description:**

The work performed under the Information Technology/Data Management (IT/DM) program supports human health and environmental protection by providing critical IT infrastructure and data management needed for:

- 1) Access to scientific, regulatory, policy and guidance information needed by the agency, the regulated community and the public;
- 2) Analytical support for interpreting and understanding environmental information;
- 3) Exchange and storage of data, analysis and computation; and
- 4) Rapid, secure and efficient communication.

These areas are then organized into the following functional areas: information analysis and access; data management and collection; information technology and infrastructure; and geospatial information and analysis.

This program supports the maintenance of the EPA's IT and Information Management (IT/IM) services that enable citizens, regulated facilities, states and other entities to interact with the EPA electronically to get the information they need on demand, to understand what it means, and to submit and share environmental data with the least cost and burden. The program also provides support to other agency IT development projects and essential technology to agency staff, enabling them to conduct their work effectively and efficiently.

With the introduction of the Federal Information Technology Acquisition Reform Act (FITARA), the EPA continues to revise its IT budgeting, acquisition, portfolio review, and governance processes to adopt practices that improve delivery of capability to users, drive down lifecycle costs, and ensure proper leveraging of shared services. The EPA's FITARA implementation plan<sup>52</sup> meets federal guidance and seeks to leverage existing processes to improve efficiency.

<sup>52</sup> Please see: <http://www.epa.gov/open/digital-strategy>.

## **FY 2018 Activities and Performance Plan:**

The EPA has progressively integrated new and transformative approaches to the way IT is managed across the agency. The goal of the EPA's IT/DM services is to enhance the power of information by delivering on demand data to the right people at the right time. In FY 2018, the program will strive to meet EPA's IT/IM service need while continuously improving customer experiences to allow EPA, its partners and the public to acquire, generate, manage, use and share information as a critical resource to protect human health and the environment. To accomplish this, the program will focus available capacity on the following areas:

- Improve the way EPA supports and manages the lifecycle of information;
- Modernize EPA's IT/IM infrastructure, applications and services;
- Empower a mobile workforce using innovative and agile solutions;
- Empower state and Tribal partnerships using innovative and agile solutions; and
- Align IT/IM resources with EPA's core program priorities.

In FY 2018, the EPA will continue to implement the E-Enterprise business strategy, a transformative 21<sup>st</sup> century strategy – jointly governed by states, tribes, and the EPA - for modernizing government agencies' delivery of services to support the protection of human health and the environment. Utilizing E-Enterprise, the agency will continue to streamline its business processes and systems to reduce the reporting burden on states, tribes, and regulated facilities, while also improving the effectiveness and efficiency of regulatory programs for the EPA, states and tribes. IT/DM activities will continue to facilitate limited shared services and electronic transactions with the regulated community and external partners who routinely conduct environmental business with the EPA. E-Enterprise provides a structured strategy for continuing to modernize the EPA's publicly facing systems, foundational shared infrastructure and services will continue to be essential.

The FY 2018 budget includes funding to continue to support a Digital Services team that will provide the system design expertise needed for transforming the agency's digital services to make them easier for the public to use and more cost-effective for the agency to build and maintain. The Digital Service team is a key element of the EPA's FITARA Implementation Plan. In accordance with the government wide Digital Services initiative, the EPA's digital experts will work with a limited number of agency projects to support externally facing technology solutions and improve the EPA's existing technology infrastructure. The EPA Digital Service team will continue to simplify the digital experience that people and businesses have with their government.

In FY 2018, the EPA will continue to implement its IT acquisition review process as part of the implementation of federal Common Baseline Controls for FITARA. The EPA's FITARA implementation plan increases the engagement of the agency's Chief Information Officer (CIO) in the budget process to ensure that IT needs are properly planned and resourced. In addition, FITARA controls include an established solid communication and engagement strategy for the CIO with the agency's programs and Regional Offices to ensure that their IT plans are well designed, directly drive agency strategic objectives, and follow best practices. Lastly, the controls ensure the CIO engages closely with key IT decision-makers across the EPA and fosters plans to refresh IT skills within the agency.

In FY 2018, the following IT/DM activities will continue:

- **Data Management and Collection:** Data Management and Collection efforts include support for the agency's Freedom of Information Act (FOIA). FOIA responses will be prioritized to align with available resources. Additionally, the agency enhancements of e-Discovery technology will continue on an adjusted schedule to help meet the significant increase of requests from external stakeholders. The EPA continues to operate a shared service docket processing center, called E-Rulemaking, which supporting the agency's rulemakings and administering the Paperwork Reduction Act, minimizing information collection burden on the public.
- **Geospatial:** In addition to meeting ongoing program needs, Geospatial information and analysis play a critical role in the agency's ability to respond rapidly and effectively in times of emergency. In FY 2018, 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 is able to integrate and interpret multiple data sets and information sources to support environmental decisions. Specifically, during FY 2018, the agency will focus on Geoplatform data services, dashboards, and story boards based on provided geographic information to support programmatic analysis and decision making. It also will better inform the public about the EPA's use of grant funding to protect the environment and public health. In FY 2018, the EPA also will continue to use the Geoplatform to publish internal and public mapping tools and make available a number of shareable maps, geodata services, and applications. The EPA will continue to play a leadership role in both the Federal Geographic Data Committee and the National Geospatial Platform, working with partner agencies to share geospatial technology capabilities across government.
- **Information Access and Analysis:** In FY 2018, the EPA will focus on providing core support to agency infrastructure and utilizing tools that will harness the power of data across the agency to drive better environmental results. The EPA Digital Analytics Platform (EDAP) will replace much of the data management functionality in the legacy EnviroFacts data warehouse, which is at capacity, expensive to operate, and built on relational database technologies that do not enable users to meet many of their needs. Using powerful cloud-based infrastructure, and by utilizing existing facility and substance registries, the EDAP will facilitate the integration, enhancement and consistent access of environmental data collected from across EPA programs.

In addition, the program will be closely aligned with the E-Enterprise business strategy and digital services team to provide support throughout the data lifecycle from data identification and collection through internal and external data presentation (Digital Services). The program will continue to provide analysis of environmental information to the public and the EPA's staff through My Environment, EnviroFacts, OneEPA Web, EPA National Library Network and the EPA Intranet. The program will continue to ensure compliance of the EPA's public systems with Section 508 of the Rehabilitation Act of 1973.

- **Information Technology and Infrastructure:** In FY 2018, the agency will continue to maintain essential information technology and infrastructure. The agency will adjust the schedule for replacement or upgrades to keep up with technology advancement and to align with capacity. The EPA will continue to maintain and provision: desktop computing equipment, network connectivity, e-mail and collaboration tools, application hosting, remote access, telephone services, Web and network services, and other IT-related equipment. In FY 2018, the agency will continue efforts to consolidate the EPA's data centers and computer rooms and to optimize operations within the EPA's remaining data centers. The EPA is committed to using cloud computing technologies and will have an enterprise-wide cloud hosting service in place in FY 2018.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$9,711.0/ -29.3 FTE) This resource and FTE change is a net reduction to enterprise IT systems/tools, emergency response, and agency-wide services including: shared services for Facility Registries, National Environment Policy Act Assist, Geographic Information System platform support for emergency response, and reduced support for regional libraries.
- (-\$4,071.0/ -15.5 FTE) This funding 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.
- (+\$61.0) This increases the EPA's contribution to E-Rulemaking line of business as required by the cost allocation methodology governed by this line of business's board.

**Statutory Authority:**

Federal Information Security Management Act (FISMA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Clean Air Act (CAA); Clean Water Act (CWA); Toxic Substances Control Act (TSCA); Federal Insecticide Fungicide and Rodenticide Act (FIFRA); Food Quality Protection Act (FQPA); Safe Drinking Water Act (SDWA); Resource Conservation and Recovery Act (RCRA); Government Performance and Results Act (GPRA); Government Management Reform Act (GMRA); Clinger-Cohen Act (CCA); Paperwork Reduction Act (PRA); Freedom of Information Act (FOIA); Controlled Substances Act (CSA).

**Program Area: Legal / Science / Regulatory / Economic Review**

**Administrative Law**

Program Area: Legal / Science / Regulatory / Economic Review

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$4,984.0</b>	<b>\$4,765.0</b>	<b>\$4,141.0</b>	<b>(\$624.0)</b>
Total Budget Authority / Obligations	\$4,984.0	\$4,765.0	\$4,141.0	(\$624.0)
Total Workyears	28.2	25.8	23.8	-2.0

**Program Project Description:**

This program supports the EPA’s Administrative Law Judges (ALJ) and the Environmental Appeals Board (EAB). The ALJ preside in hearings and issue initial decisions in cases initiated by the 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. The ALJ issues orders and decisions under the authority of the Administrative Procedure Act (APA) and the various environmental, civil rights, and anti-fraud statutes that establish administrative enforcement authority and implement the Constitution’s guarantee of due process.

By adjudicating disputed matters, the ALJ and the EAB further the agency’s mission to promote and protect a strong and healthy 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.

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 the EPA administers. The EAB decides petitions for reimbursement under CERCLA 106(b), hears appeals of pesticide licensing and cancellation proceedings under FIFRA, and serves as the final approving body for proposed settlements of enforcement actions initiated at the EPA headquarters. The EAB issues decisions consistent with the APA 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.

**FY 2018 Activities and Performance Plan:**

In FY 2018, the ALJ will convene formal hearings in the location of the alleged violator or violation, as required by statute. In FY 2017, the ALJ completed the business process map of its electronic filing and case management system, identifying the potential for reductions in: mailing delays for all parties, mailing costs for ALJ and alleged violators, and requests for paper documents from the ALJ in a modernized system. The schedule for modernizing the system will be adjusted in FY 2018 and review of alternatives to system replacement will proceed. In FY 2018, 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.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$624.0 / -2.0 FTE) This change is a reduction of funds for managing an electronic filing and case docketing system and for travel.

**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.) (the 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

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$1,442.1</i></b>	<b><i>\$1,043.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$1,043.0)</i></b>
Hazardous Substance Superfund	\$486.5	\$674.0	\$0.0	(\$674.0)
Total Budget Authority / Obligations	\$1,928.6	\$1,717.0	\$0.0	(\$1,717.0)
Total Workyears	6.8	6.7	0.0	-6.7

**Program Project Description:**

The EPA’s General Counsel and Regional Counsel Offices provide environmental Alternative Dispute Resolution (ADR) services and workplace conflict prevention. The EPA utilizes ADR as a method for preventing or resolving conflicts prior to engaging in formal litigation. ADR 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 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$1,043.0 / -5.3 FTE) This eliminates the centralization of conflict prevention and ADR 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; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), §§ 111, 117, 122; 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

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$11,216.7</i></b>	<b><i>\$10,052.0</i></b>	<b><i>\$8,266.0</i></b>	<b><i>(\$1,786.0)</i></b>
Total Budget Authority / Obligations	\$11,216.7	\$10,052.0	\$8,266.0	(\$1,786.0)
Total Workyears	57.5	64.0	48.3	-15.7

### **Program Project Description:**

The EPA's Civil Rights program enforces federal civil rights laws that prohibit discrimination by external recipients of EPA funds. It also enforces civil rights laws that promote equal employment opportunity and protect employees and applicants for employment from discrimination. In addition, the program provides policy guidance and technical assistance on civil rights compliance and equal employment opportunity and is responsible for carrying out the following functions:

- External Civil Rights Compliance (Title VI) functions include the enforcement of several civil rights laws that prohibit discrimination on the basis of race, color, national origin, disability, sex, and age, in programs or activities that receive federal financial assistance from the EPA. The EPA investigates and resolves external complaints, develops policy, conducts compliance reviews, provides technical assistance to recipients, and conducts outreach to communities and other stakeholders.
- Employment Complaints Resolution (Title VII) functions address complaints of employment discrimination, including those filed under Title VII of the Civil Rights Act of 1964, alleging discrimination based on race; color; religion; sex, including pregnancy, sex stereotyping, gender identity or gender expression; national origin; sexual orientation; physical or mental disability; age; protected genetic information; status as a parent marital status; political affiliation; or retaliation based on previous Equal Employment Opportunity (EEO) activity, against federal EPA employees and applicants for federal EPA employment.
- Affirmative Employment Analysis and Accountability (AEAA) functions provide leadership, direction, and advice to managers and supervisors to assist them in carrying out equal opportunity and civil rights responsibilities. In addition, the Civil Rights program oversees the EPA's continuing affirmative activities to promote equal employment opportunity. The program also is responsible for reporting under the Equal Employment Opportunity Commission's Management Directive 715 (MD-715),<sup>53</sup> which provides

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<sup>53</sup> Equal Employment Opportunity Commission, *Equal Employment Opportunity Management Directive 715, October 1, 2013.*

guidelines for identifying triggers and conducting barrier analysis within the EPA's workforce.

- Reasonable Accommodation functions carry out the 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.

### **FY 2018 Activities and Performance Plan:**

The Civil Rights program is developing strategic plans for each of the programs, including specific goals, implementation steps, and benchmarks that will serve as internal performance measures to ensure accountability for all of the functions. In FY 2018, the EPA will continue the 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."<sup>54</sup>

### **External Civil Rights, Including Title VI**

In FY 2018 the program will implement the External Compliance Program Strategic Plan for FY 2015-2020 and will support complaint docket management. The program will prioritize compliance reviews, strategic policy development, engagement of partners and stakeholders (e.g., recipients and communities), and the program's workforce planning and training.

### **Title VII**

In FY 2018, the program will focus on process improvements to: 1) ensure prompt, effective, and efficient EEO complaint docket management; 2) enhance the proactive EEO compliance program through strategic policy and training development, and the engagement of critical internal EPA partners and stakeholders; and 3) strengthen the Title VII workforce through strategic human capital planning, training, and the use of organizational development and technology resources to promote a forward looking organization. In addition, the program will:

- Train additional collateral-duty EEO Counselors providing them with at least 32 hours of mediation training. This goal will be accomplished by training the available workforce.
- Identify methods to further reduce, by an additional 10 percent from the prior year's performance, the number of days that complaints are under investigation to less than the regulatory 180 days.
- Enhance the consistency of process-related practices and improve efficiency and effectiveness of the EEO process by identifying and revising EEO complaint and other agency forms.
- Implement the "EEO Settlement Process Standard Operating Procedures" and provide additional related training.

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<sup>54</sup> For more information: <http://intranet.epa.gov/civilrights/pdfs/training/ecfr-developing-a-model-civil-rights-program.pdf>.

### **Affirmative Employment Analysis and Accountability (AEAA)**

In FY 2018, the program will focus on process improvement to: 1) ensure prompt, effective, and efficient development of critical and required reports, such as MD-715; 2) enhance the proactive Affirmative Employment function through development of strategic policy, and, training and the engagement of critical internal EPA partners and stakeholders; and 3) strengthen the AEAA workforce through strategic human capital planning, training, and the use of organizational development and technology resources to promote a forward looking organization. Consistent with this strategic approach, the program will:

- Heighten collaboration among program offices to ensure coordination of related EEO and diversity and inclusion missions.
- Ensure integration of civil rights into the EPA's strategic planning processes, organizational assessments, operating plans, and other relevant reporting vehicles.
- Ensure implementation of training on Transgender Policies and Procedures.
- Develop and implement activities, trainings, and events that assist the EPA's programs in meeting shared goals, missions, and objectives.
- Develop a process for conducting periodic surveys/focus groups in collaboration with EPA partners and through the Equal Employment Opportunity Officers, Program Management Officers, and Deputy Civil Rights Officials to collect information on best practices to ensure effective affirmative employment programs.
- Provide effective support tools for managers and supervisors in carrying out their responsibilities under MD-715 and the Diversity and Inclusion Strategic Plan.
- Develop a Special Emphasis Programs best practices toolkit.
- Develop and implement a critical activities and document management system for AEAA.

### **Reasonable Accommodations (RA) Program**

In FY 2018, the RA program will focus on process and technology improvements to: ensure prompt, effective, and efficient RA complaint docket management. The program also will enhance the proactive RA compliance function through development of strategic policy and training and the engagement of critical internal EPA partners and stakeholders, and 3) strengthen the RA program's workforce through strategic human capital planning, training, and the use of organizational development and technology resources to promote a forward looking organization. The program will:

- Continue to update and enhance the comprehensive, user-friendly electronic case, activity, and document management system.
- Update reasonable accommodation templates to improve the timeliness, efficiency, and consistency of communications.
- Continue to assess, evaluate, and further develop the on-line training curriculum for reasonable accommodation and Section 508 compliance.

In FY 2018, the EPA will reprioritize its resources for the equal employment opportunity programs

by dedicating most of its financial resources to the processing of discrimination complaints, including EEO counseling, investigations, and drafting final agency decisions.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$1,786.0 / -15.7 FTE) This streamlines support for the processing of investigations for Title VII complaints, enhancement of mandatory reporting, and improvements in the overall management of the complaints and reporting processes.

**Statutory Authority:**

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).

**Legal Advice: Environmental Program**

Program Area: Legal / Science / Regulatory / Economic Review

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$49,227.0</i></b>	<b><i>\$48,473.0</i></b>	<b><i>\$42,565.0</i></b>	<b><i>(\$5,908.0)</i></b>
Hazardous Substance Superfund	\$652.4	\$577.0	\$349.0	(\$228.0)
Total Budget Authority / Obligations	\$49,879.4	\$49,050.0	\$42,914.0	(\$6,136.0)
Total Workyears	263.1	274.6	222.6	-52.0

**Program Project Description:**

This program provides legal representational services, legal counseling and legal support for all of the agency’s environmental activities<sup>55</sup>. 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 these critical fields that the agency relies on for all of its 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 the 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.

**FY 2018 Activities and Performance Plan:**

This program provides legal representation in approximately 350 defensive judicial cases each year. Because litigation support is essential, the program will prioritize litigation in FY 2018. The program HQ and regional staff will continue to provide legal representation in judicial and administrative litigation for core agency environmental programs and for agency priorities. The program will also provide counseling outside of the litigation context in the highest priority issues arising under all the legal environmental statutes administered by EPA.

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 that are required 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 counselling agency clients on these matters.

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<sup>55</sup> Resources for legal services for Support programs are included in the Legal Advice: Support program.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$3,560.0 / -20.0 FTE) This eliminates legal support to the agency and states in implementing the Clean Power Plan under the Clean Air Act.
- (-\$2,348.0 / -31.2 FTE) This program change reduces FTE and non-pay resources for lower priority activities as the EPA will focus on litigation support for core environmental programs.

**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

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$14,692.6</b>	<b>\$15,450.0</b>	<b>\$15,548.0</b>	<b>\$98.0</b>
Total Budget Authority / Obligations	\$14,692.6	\$15,450.0	\$15,548.0	\$98.0
Total Workyears	73.8	92.8	85.8	-7.0

**Program Project Description:**

This program provides legal representational services, legal counseling and legal support for all activities necessary for the EPA’s operations.<sup>56</sup> 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 to know 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 is the source of answers, options, and advice. This program supports the EPA in maintaining high ethical standards and in complying with all laws and policies that govern the agency’s operations.

**FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will continue to address and manage information requests, legal support for work under the Civil Rights Act, and employment law. There also is an ongoing need for a high level of involvement in questions related to contracts, grants, finance, appropriations, and employment as the agency considers options for workforce reshaping.

In addition to the increase in employee and labor relations matters, litigation and appeals under the Freedom of Information Act (FOIA) has continued to increase steadily in both number and complexity. The agency will focus its resources in FY 2018 on responding to administrative appeals of initial FOIA responses and litigation. While the agency will provide targeted counselling on the most complex and challenging FOIA requests, it will redirect other counselling resources to litigation needs.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

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<sup>56</sup> Resources for legal services to support Environmental programs are included in the Legal Advice: Environmental program.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (+\$98.0 / -7.0 FTE) Resources and FTE changes represent the net of all changes in this program. The program will focus its counseling and legal advice to the highest agency priorities and focus on litigation support. Funding change represents a recalculation of base workforce costs due to adjustments in salary, essential workforce support, and benefit 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).

**Regional Science and Technology**

Program Area: Legal / Science / Regulatory / Economic Review

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$1,602.1</i></b>	<b><i>\$1,529.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$1,529.0)</i></b>
Total Budget Authority / Obligations	\$1,602.1	\$1,529.0	\$0.0	(\$1,529.0)
Total Workyears	2.3	2.0	0.0	-2.0

**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 investigations in order to provide credible scientific data on environmental pollutants and conditions to agency decision makers.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$1,529.0 / -2.0 FTE) This funding change eliminates the RS&T program. Central approach will be replaced with ad hoc efforts.

**Statutory Authorities:**

Resource Conservation and Recovery Act; Toxic Substances Control Act; Clean Water Act; Safe Drinking Water Act; Clean Air Act; Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); Pollution Prevention Act; Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (the EPA's organic statute).

## **Integrated Environmental Strategies**

Program Area: Legal / Science / Regulatory / Economic Review

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$13,429.0</i></b>	<b><i>\$11,469.0</i></b>	<b><i>\$9,151.0</i></b>	<b><i>(\$2,318.0)</i></b>
Total Budget Authority / Obligations	\$13,429.0	\$11,469.0	\$9,151.0	(\$2,318.0)
Total Workyears	53.0	55.8	46.0	-9.8

### **Program Project Description:**

The Integrated Environmental Strategies (IES) program promotes economic growth from the national level to the community level and provides tools and resources to transform the EPA into a more effective organization. Nationally, IES is focused on growing manufacturing sectors of our economy, streamlining the EPA's permitting processes, and using business process improvement approaches to increase the EPA's efficiency and reduce burden on our customers: states and the regulated community. IES also collaborates with federal, state, and municipal partners, private sector actors, and other stakeholders to implement locally-led, community-driven approaches to environmental protection and economic revitalization through technical assistance, policy analysis, and training.

### **FY 2018 Activities and Performance Plan:**

#### ***Strategic Environmental Management: Learning from Industry and States***

##### ***Industry Sectors***

In FY 2018, this program will focus on analyzing the EPA's economic and regulatory impacts on the largest manufacturing sectors of the U.S. economy. To accomplish this, the EPA will collaborate with manufacturing sectors of our economy to help understand the permitting needs of our customers and how the agency may provide better customer service. The EPA will work to identify collaborative and innovative solutions to overcome barriers to job creation and economic growth. This will lead to better-informed rulemakings, reduced burden on the regulated community, increased transparency about environmental performance, and develop efficient, effective, consensus-based solutions to environmental problems.

##### ***Permit Streamlining***

The EPA will focus on streamlining the environmental permitting processes, which impacts job growth and economic development in many sectors of the economy. This work will be done in conjunction with and in support of the President's "Memorandum Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing".<sup>57</sup>

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<sup>57</sup> For more information: <https://www.whitehouse.gov/the-press-office/2017/01/24/presidential-memorandum-streamlining-permitting-and-reducing-regulatory>.

### Lean

The EPA will continue its use of the Lean concept to increase efficiency and effectiveness in agency operations. This program coordinates the agency's implementation of the Lean concept and includes a network of liaisons in every EPA program and regional office.

The program will continue to advance business process improvements through providing access to process improvement experts, identifying projects of high strategic value, measuring process improvements (e.g., time savings and satisfaction rates), and expanding the transfer of successful approaches across EPA programs and organizations.

The program will continue to build on previous agency investments in the Lean concept by partnering with states, tribes, and local government stakeholders to share Lean results and lessons learned through Lean Action Board summits and web-based communications.

### Community-Driven Environmental Protection: Providing Technical Assistance

Technical assistance and training is the cornerstone of the EPA's cooperative approach to addressing development-related environmental challenges in communities, particularly communities that are environmentally overburdened and economically distressed. The objective is to help Tribal, state, and local governments increase their capacity to protect the environment while growing their economies, creating jobs, using public and private sector investments, and other resources more efficiently. Where appropriate, the EPA will partner with other agencies to help achieve locally-led, community-driven approaches to protecting clean air and water, while at the same time supporting economic revitalization.

### Community-Driven Environmental Protection: Developing Tools and Delivering Training

The program will continue agency analyses on emerging trends, innovative practices, and tools that support clean air, land, and water outcomes. The EPA will develop tools to help interested communities incorporate innovative approaches to infrastructure and land development policies that deliver multiple economic, community, and quality of life benefits while also managing stormwater, reducing combined sewer overflows, improving local air quality, and achieving other environmental benefits.

### Community-Driven Environmental Protection: Increasing Effectiveness of EPA's Assistance to Overburdened, Economically Distressed Communities

In FY 2018, the IES program will continue to lead the existing Cross-Agency Communities team to support the Administrator's theme of national standards and neighborhood solutions. The program will coordinate work with communities and states to identify, develop, and implement locally led solutions that the EPA will support through existing programs. Using technical assistance, existing knowledge and expertise, data, and the replication of known best practices, the program will streamline existing resources to meet the needs of overburdened, economically distressed communities.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$2,318.0 / -9.8 FTE) This streamlines the community work and eliminates the climate adaptation efforts of the IES program.

**Statutory Authority:**

Clean Water Act (CWA), § 104(b)(3); Clean Air Act (CAA), § 103; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (the EPA’s organic statute).

**Regulatory/Economic-Management and Analysis**

Program Area: Legal / Science / Regulatory / Economic Review

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$15,218.6</b>	<b>\$14,546.0</b>	<b>\$15,208.0</b>	<b>\$662.0</b>
Total Budget Authority / Obligations	\$15,218.6	\$14,546.0	\$15,208.0	\$662.0
Total Workyears	80.7	81.3	74.0	-7.3

**Program Project Description:**

The Regulatory/Economic, Management and Analysis program is responsible for reviewing agency regulations to ensure that they are developed in accordance with the governing statutes, executive orders, and agency priorities and are based on sound technical, economic and policy assumptions. As part of these responsibilities, the program identifies regulations that are overly burdensome, as well as assesses and considers the impacts of regulations on businesses, jobs, communities, government entities, and the economy more broadly. Further, the program ensures consistent and appropriate economic analysis of regulatory actions, as well as analyzes regulatory and non-regulatory approaches, and considers interactions between regulations across different environmental media. This program also ensures agency regulations comply with statutory and other Executive Order (EO) requirements, such as 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.

**FY 2018 Activities and Performance Plan:**

The program assists the Administrator and senior agency staff to implement new regulatory policy priorities, including EO 13771 (Reducing Regulation and Controlling Regulatory Costs), EO 13777 (Enforcing the Regulatory Reform Agenda), and EO 13783 (Promoting Energy Independence and Economic Growth).

In FY 2018, the EPA will continue its efforts to assess, review, and improve its regulations while considering costs and burdens to businesses, government entities, and the economy, and maximizing the net benefits to protect human health and the environment. Key program activities planned include:

- Manage the EPA’s implementation of new EOs, including management of the regulatory budget and offsetting rules, identifying deregulatory and burden reducing actions, analyzing potential areas of cost savings, staffing the Regulatory Reform Taskforce, and managing regulatory review of regulations impacting the energy sector.
- Manage the agency’s internal *Action Development Process*, *Economic Guidelines*, and related requirements (e.g., OMB Circular A-4 on Regulatory Analysis). This program will update the agency’s *Guidelines for Preparing Economic Analysis* to provide the

Administrator with quality analysis of costs, economic impacts, jobs changes, and environmental benefits to better inform decision making and the public about the consequences of regulation.<sup>58</sup>

- Apply the best economy-wide modeling tools to assess the economic effects of environmental regulatory options.
- Develop the EPA's Regulatory Agenda, while ensuring the EPA complies with new requirements under EO 13771.
- Expand and upgrade regulatory planning and tracking tools to facilitate timely decisions and coordination across programs.
- Serve as the agency's liaison with the Office of Information and Regulatory Affairs (OIRA) within OMB.
- Serve as the agency'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 the EPA's regulatory activities in a timely manner.
- Develop, in conjunction with the EPA's Research and Development programs and other agency programs (i.e., air, water, etc.), improved analytical tools to advance the EPA's risk assessment methods used in quantifying human health benefits.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (+\$237.0) This increase will enable the agency to purchase and deploy tools for economic modeling that better assess job and other economic impacts from regulations.
- (+\$150.0) This increase supports the development of a centralized regulatory action management tool that replaces existing outdated systems, streamlines data entry, facilitates electronic workflows and digital signature, incorporates tasking and reporting, and integrates with external systems such as the Federal Docket Management System and the Office of the Federal Register. The new system will improve public access to information about the EPA's regulatory efforts.
- (+\$275.0) This increase supports the demands for policy analysis to comply with new Executive Orders on regulatory reform. The increase also will support efforts to evaluate and use economy-wide modeling approaches designed to examine the distribution consequences of regulatory burdens.

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<sup>58</sup> For more information: <https://www.epa.gov/environmental-economics/guidelines-preparing-economic-analyses>.

- (-7.3 FTE) These FTE changes represent the net of all other changes in the program to streamline the agency activities in FY 2018.

**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.) (the EPA's organic statute).

**Science Advisory Board**

Program Area: Legal / Science / Regulatory / Economic Review

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$4,203.8</b>	<b>\$3,875.0</b>	<b>\$3,567.0</b>	<b>(\$308.0)</b>
Total Budget Authority / Obligations	\$4,203.8	\$3,875.0	\$3,567.0	(\$308.0)
Total Workyears	19.4	21.6	18.7	-2.9

**Program Project Description:**

Congress established the EPA’s Science Advisory Board (SAB) in 1978 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 (CAA) Amendments of 1977 to provide independent advice to the EPA Administrator on the technical bases for EPA’s National Ambient Air Quality Standards. 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, communities, states, independent research institutions, and industry. This program provides management and technical support to these advisory committees, which provide the EPA’s Administrator with independent advice and peer review on scientific and technical aspects of environmental issues, criteria, standards, regulations, and research planning.<sup>59</sup>

**FY 2018 Activities and Performance Plan:**

FY 2018 resource levels are a unique opportunity for the EPA’s SAB to reprioritize activities. Authorizing legislation and scientific integrity mandates that each peer review meets certain minimum standards for a successful independent review. The SAB and CASAC plan to conduct approximately 1-2 reviews and produce approximately 1-2 reports. Remaining funding will be committed to the ongoing database transition out of Lotus Notes.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$308.0 / -2.9 FTE) This funding change streamlines support for conducting peer reviews, hosting meetings to assess Integrated Risk Information System chemicals, and implementing business process improvements to assure logistical support is provided to help the SAB and CASAC adhere to the provisions of the Federal Advisory Committee Act.

<sup>59</sup> For more information: "<http://www.epa.gov/sab/>, <http://www.epa.gov/casac/>".

**Statutory Authority:**

Environmental Research, Development, and Demonstration Authorization Act (ERDDAA);  
Federal Advisory Committee Act (FACA); Clean Air Act.

**Program Area: Operations and Administration**

**Facilities Infrastructure and Operations**  
Program Area: Operations and Administration

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Inland Oil Spill Programs	\$679.6	\$583.0	\$680.0	\$97.0
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$304,456.9</i></b>	<b><i>\$310,948.0</i></b>	<b><i>\$301,001.0</i></b>	<b><i>(\$9,947.0)</i></b>
Science & Technology	\$71,332.8	\$68,209.0	\$68,339.0	\$130.0
Building and Facilities	\$37,184.2	\$35,573.0	\$33,377.0	(\$2,196.0)
Leaking Underground Storage Tanks	\$785.2	\$782.0	\$785.0	\$3.0
Hazardous Substance Superfund	\$69,168.0	\$74,137.0	\$59,072.0	(\$15,065.0)
Total Budget Authority / Obligations	\$483,606.7	\$490,232.0	\$463,254.0	(\$26,978.0)
Total Workyears	332.9	357.7	312.2	-45.5

**Program Project Description:**

Environmental Program and Management (EPM) resources in the Facilities Infrastructure and Operations program fund the agency’s rent, utilities, and security. This 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, printing, mail, and transportation services. Funding is allocated for such services among the major appropriations for the agency.

**FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will continue to invest to reconfigure the EPA’s workspaces, enabling the agency to release office space and reduce long-term rent costs, consistent with HR 4465<sup>60</sup>, the *Federal Assets Sale and Transfer Act of 2016*. Since FY 2012 the EPA has released over 517 thousand square feet of office space nationwide, resulting in a cumulative annual rent avoidance of nearly \$20 million across all appropriations. These savings help offset the EPA’s escalating rent and security costs. Currently planned consolidations will allow the EPA to release another estimated 336 thousand square feet of office space. For FY 2018, the agency is requesting \$163.13 million for rent, \$9.24 million for utilities, and \$25.88 million for security in the EPM appropriation.

At the requested resource levels, the EPA will continue to manage lease agreements with GSA and other private landlords, maintain EPA facilities, fleet, equipment, and fund costs associated with utilities and building security needs. The EPA also will meet regulatory Occupational Safety and Health Administration (OSHA) obligations and provide health and safety training to field staff

<sup>60</sup> For additional information, refer to: <https://www.congress.gov/bill/114th-congress/house-bill/4465>, *Federal Assets Sale and Transfer Act of 2016*.

(e.g., inspections, monitoring, On-Scene Coordinators), and track capital equipment of \$25,000 or more.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$1,395.0 / -36.4 FTE) This reflects the net change in agency activities in FY 2018 including:
  - support for employee wellness and worklife initiatives such as federal cost sharing for fitness centers, health wellness and CPR/ AED training services, and libraries;
  - preventative maintenance of facilities, equipment, and vehicle fleet;
  - custodial services; and
  - agency's mail delivery services.
- (-\$2,385.0) This decreases rent funding as planned space consolidations complete in FY 2018.
- (-\$1,811.0) This reflects the consolidation of entry points into facilities, which will decrease the number of security guards required.
- (-\$4,106.0) This reduction modifies the timing of the EPA's facility consolidations. Costs associated with moves and consolidations will be limited to supporting core agency operations in an expedited and cost effective manner.
- (-\$250.0) This eliminates programs associated with: environmental management systems; comprehensive facility energy audits; re-commissioning; and sustainable building design.

**Statutory Authority:**

Federal Property and Administration Services Act; Public Building Act; Robert T. Stafford Disaster Relief and Emergency Assistance Act; Clean Water Act; Clean Air Act; Resource Conservation and Recovery Act (RCRA); Toxic Substances Control Act (TSCA); National Environmental Policy Act (NEPA); Community Environmental Response Facilitation Act (CERFA); Energy Policy Act of 2005; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (the EPA's organic statute).

**Central Planning, Budgeting, and Finance**  
Program Area: Operations and Administration

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$70,707.8</i></b>	<b><i>\$72,047.0</i></b>	<b><i>\$64,709.0</i></b>	<b><i>(\$7,338.0)</i></b>
Leaking Underground Storage Tanks	\$426.0	\$423.0	\$423.0	\$0.0
Hazardous Substance Superfund	\$21,331.2	\$22,084.0	\$12,226.0	(\$9,858.0)
Total Budget Authority / Obligations	\$92,465.0	\$94,554.0	\$77,358.0	(\$17,196.0)
Total Workyears	458.5	493.4	394.1	-99.3

**Program Project Description:**

Activities under the Central Planning, Budgeting and Finance program support the management of integrated planning, budgeting, financial management, performance and accountability processes, and financial systems to ensure effective stewardship of resources. This includes developing, managing, and supporting a performance management system consistent with the Government Performance and Results Modernization Act for the agency that involves strategic planning and accountability for environmental, fiscal, and managerial results; providing policy, systems, training, reports, and oversight essential for the financial operations of the EPA; managing the agencywide Working Capital Fund; providing financial payment and support services for the EPA through three finance centers, as well as specialized fiscal and accounting services for many of the EPA programs; and managing the agency's annual budget process. This program also implements the Digital Accountability and Transparency (DATA) Act of 2014 and Federal Information Technology Acquisition Reform Act (FITARA) of 2015 requirements.

**FY 2018 Activities and Performance Plan:**

The EPA will continue to provide resource stewardship to ensure that all agency programs operate with fiscal responsibility and management integrity, are efficiently and consistently delivered nationwide, and demonstrate results. The EPA will maintain key planning, budgeting, and financial management activities. The EPA will sustain basic operations and maintenance of core agency financial management systems: Compass, PeoplePlus (Time and Attendance), Budget Formulation System, and related financial reporting systems.

The program will continue to support the agency's Lean efforts to continue to improve as a high performance organization and business process improvement agencywide. To date, the agency has successfully conducted several Lean events to streamline and improve financial stewardship across the agency, including the interagency agreement management process, the unliquidated obligation or deobligation process, and is proceeding with recommendations from the software applications accounting Lean processes.

In FY 2018, as the agency reprioritizes activities, the program will focus on core responsibilities in the areas of strategic planning and enterprise risk management; budget preparation; financial reporting; and, transaction processing. The EPA will adjust its timeline to modernize and modify the agency's Account Code Structure to improve tracking and reporting capabilities, maximizing the benefits within the Compass financial system. In addition, the DATA Act coordination and implementation will be performed within the defined funding levels.

In FY 2018, the EPA will continue to use the performance metrics and OMB FedStat meetings to answer fundamental business questions to mission-support services and opportunities for service improvements. The program will continue to implement FITARA requirements in accordance with the EPA's Implementation Plan.<sup>61</sup> 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.

The 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, the EPA has reviewed, sampled, and monitored its payments to protect against erroneous payments. The agency's payment streams are consistently well under the government-wide threshold of 1.5 percent and \$10 million of estimated improper payments. The EPA conducts risk assessments in its principal payment streams, including grants, contracts, commodities, payroll, travel, purchase cards, Hurricane Sandy funding, and the Clean and Drinking Water State Revolving Funds. When overpayments are identified, they are promptly recovered. The EPA has expanded its risk assessments, performed statistical sampling, set appropriate reduction/recovery targets, and implemented corrective action plans. The agency conducts these activities to reduce the potential for improper payments and ensure compliance with the Improper Payments Information Act, as amended by the Improper Payments Elimination and Recovery Act of 2010 (P.L. 111-204) and the Improper Payments Elimination and Recovery Act of 2012 (P.L. 112-248).

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$3,703.0 / -54.0 FTE) This streamlines efforts in the areas of strategic planning, enterprise risk management, budget preparation, financial reporting, and transaction processing.
- (-\$3,635.0) This focuses resources on maintenance of the agency's existing financial management systems such as, Account Code Structure, reporting tool (Compass Data Warehouse), and cost allocation.

**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.) (the EPA's organic statute).

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<sup>61</sup> For more information: <http://www.epa.gov/open/fitara-implementation-plan-and-chief-information-officer-assignment-plan>.

**Acquisition Management**

Program Area: Operations and Administration

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$30,174.3</i></b>	<b><i>\$30,406.0</i></b>	<b><i>\$24,978.0</i></b>	<b><i>(\$5,428.0)</i></b>
Leaking Underground Storage Tanks	\$152.5	\$145.0	\$138.0	(\$7.0)
Hazardous Substance Superfund	\$22,129.0	\$22,418.0	\$14,036.0	(\$8,382.0)
Total Budget Authority / Obligations	\$52,455.8	\$52,969.0	\$39,152.0	(\$13,817.0)
Total Workyears	276.7	304.5	214.2	-90.3

**Program Project Description:**

Environmental Program and Management (EPM) resources in the Acquisition Management Program support the EPA’s contract activities, which is responsible for planning, awarding and administering contracts for the agency, including 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 2018 Activities and Performance Plan:**

In FY 2018, the EPA will continue to process contract actions in accordance with Federal Acquisition Regulation (FAR) and guidance from the Office of Federal Procurement Policy (OFPP). The EPA will maintain the EPA Acquisition System (EAS).

In FY 2018, the EPA will continue to implement 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 also 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 can potentially transform the agency's acquisition process into a strategically driven function, ensuring maximum value for every acquisition dollar spent. The agency has established a goal of obtaining at least five percent savings for all strategically sourced categories of goods and services. Through FY 2016, the EPA has saved approximately \$8 million from strategic sourcing initiatives focused on VoIP, laboratory supplies, print, cellular services, shipping, office supplies, equipment maintenance, and Microsoft software. In FY 2017, the EPA anticipates between \$3 to \$4 million in savings.

In FY 2018, the EPA will continue to focus on implementing the Financial Information Technology Acquisition Reform Act (FITARA) by:

- Avoiding vendor lock-in by letting contracts with multiple vendors or confining the scope of the contract to a limited task; and
- Developing acquisition vehicles that support the agency in FITARA implementation.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$5,428.0 / -31.0 FTE) This streamlines contractor support for: helpdesk services for the EPA Acquisition System; the closeout of contracts; and existing priorities like 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). This reduction also eliminates funding for Contracts Management Assessment Program Reviews which enable the agency to self-identify and remedy internal weaknesses, and the agency's training for its acquisition community.

**Statutory Authority:**

Office of Federal Procurement Policy 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.) (the EPA's organic statute).

**Financial Assistance Grants / IAG Management**  
Program Area: Operations and Administration

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$27,202.6</b>	<b>\$25,248.0</b>	<b>\$18,564.0</b>	<b>(\$6,684.0)</b>
Hazardous Substance Superfund	\$2,845.0	\$2,889.0	\$1,591.0	(\$1,298.0)
Total Budget Authority / Obligations	\$30,047.6	\$28,137.0	\$20,155.0	(\$7,982.0)
Total Workyears	154.8	161.2	108.5	-52.7

**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 the EPA’s overall budget. Resources in this program ensure that the EPA’s management of grants and IAs meet the highest fiduciary standards, that grant/IA funding produces measurable results for environmental programs, and that the suspension and debarment program effectively protects the government’s business interest.

**FY 2018 Activities and Performance Plan:**

In accordance with the overarching 2016-2020 EPA Grants Management Plan (GMP), the EPA will continue to implement activities to achieve efficiencies while enhancing quality and accountability. The EPA will invest to modernize grant and IA IT systems by:

- The EPA will migrate away from aging Lotus Notes technology by deploying the Post-Award and Closeout modules of the Next Generation Grants System (NGGS), which has a low deployment time due to the system’s modular architecture. NGGS will demand fewer training resources as the system is based on existing grants system infrastructure. NGGS relies on a flexible platform that will enable it to adapt to changing technology and business processes and will allow it to easily integrate with other agency systems.
- Eliminating reliance on paper grant files, the agency will move to an electronic system for grants management records.
- Strengthening grant decision-making, the EPA will enhance the capability of web-based reporting tools to provide real-time information to grant managers.

In addition to IT-related investments, the GMP focuses on reducing the administrative burden on the EPA and grants recipients, and on improving grants management procedures. Specifically, the agency will continue to: 1) fully implement the streamlining reforms in OMB’s Uniform Grants Guidance; 2) streamline the EPA’s grants management by developing a comprehensive framework of effective and efficient policies; 3) review, refine, and streamline (Lean) the processes for

Intergovernmental Review; and 4) implement an expanded Grants Place of Performance (POP) policy, supported by a user-friendly mapping interface, to provide more accurate and useful locational grant data.

The EPA is a recognized leader in suspension and debarment. The agency will continue to make aggressive 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 2018, the EPA will focus suspension and debarment activity to the most egregious violations. Congress and federal courts have long recognized federal agencies' inherent authority and obligation to exclude nonresponsible parties from eligibility to receive government contracts and nonprocurement 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 in order to protect taxpayers from unscrupulous actors.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$4,593.0 / -43.1 FTE) This change reflects expected efficiencies in the processing of grant and IA awards, lower requested grant funding levels throughout the agency and a review of unliquidated obligations. The EPA will target funds to core grant and IA activities.
- (-\$840.0) The agency will focus on 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.
- (-\$190.0) This funding change streamlines training and development activities for the EPA's grants and IA workforce and recipient training.
- (-\$389.0) This funding change reflects a focus on the most egregious suspension and debarment violations.
- (-\$672.0) This funding change streamlines efforts to further develop the Grantee Compliance Database System and the Case Application for Debarment and Suspension Management System.

**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.) (the EPA's organic statute); Federal Grant and Cooperative Agreement Act; Federal Acquisition Streamlining Act, § 2455.

**Human Resources Management**  
Program Area: Operations and Administration

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$40,756.0</b>	<b>\$43,185.0</b>	<b>\$40,512.0</b>	<b>(\$2,673.0)</b>
Hazardous Substance Superfund	\$4,908.5	\$6,333.0	\$4,580.0	(\$1,753.0)
Total Budget Authority / Obligations	\$45,664.5	\$49,518.0	\$45,092.0	(\$4,426.0)
Total Workyears	216.7	247.1	223.0	-24.1

**Program Project Description:**

Environmental Programs and Management (EPM) resources for the Human Resources (HR) Management program support human capital activities throughout the EPA. To help achieve its mission and maximize employee productivity and job satisfaction, the EPA continually works to improve business processes for critical human capital functions including recruitment, hiring, employee development, performance management, and workforce planning. EPM resources also support advisory committee work aimed at managing programs that address scientific and environmental issues.

**FY 2018 Activities and Performance Plan:**

Effective workforce management is critical to the EPA's ability to accomplish its mission. The EPA's efforts in HR enterprise risk management include attracting and retaining a high-performing, diverse workforce; implementing training and development programs; delivering employee services; streamlining HR processes; and strengthening performance management, labor, and employee relations programs. The EPA will continue to support efforts that increase the quality of core operations, improve productivity, and achieve cost savings in mission-support functions including human capital management.

In FY 2018, the EPA will focus its workforce planning efforts to strategically reshape the agency based on changes in program priorities and technological advances. The EPA anticipates a spike in workforce planning needs to support the reshaping and organizational restructuring across the agency. The agency also will continue to strengthen its performance management activities, including developing management tools, targeting and providing training, leveraging the First Line Supervisors Advisory Group and performing mentoring on an as-needed basis.

The EPA will focus on delivering statutorily required services associated with the Employee Counseling Assistance Program, the Federal Worker's Compensation Program, the Drug-free Workplace Program, and Unemployment Compensation. The EPA also will continue its focus on Labor and Employee Relations (LER) by administering and/or negotiating national and Headquarters labor agreements and providing advice, guidance, and assistance to regional and local level negotiations. The EPA will continue efforts to strengthen managers' and supervisors' institutional knowledge on LER related matters; provide advisory and counseling support

agencywide; and conduct analysis of human capital information to help managers in their functions.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$2,673.0/ -24.1 FTE) This reflects a reduction for:
  - Operational support for the following HR programs being utilized agencywide: the EPA's Child Care Subsidies; the agency's recruitment and diversity and inclusion activities; the EPA's Human Resources Council (HRC) and National Partnership Council (NPC); the Phased Retirement; the Leave Bank; and the Workplace Solutions.
  - Enhancements and maintenance of the EPA's HR IT Systems including HR Line of Business (LoB), data management and analysis, troubleshooting, and change requests;
  - Maintenance of the EPA University portal that provides on-line training and professional development;
  - 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.) (the EPA's organic statute).

**Workforce Reshaping**

Program Area: Operations and Administration

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Science & Technology	\$0.0	\$0.0	\$10,995.0	\$10,995.0
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$0.0</i></b>	<b><i>\$0.0</i></b>	<b><i>\$46,719.0</i></b>	<b><i>\$46,719.0</i></b>
Hazardous Substance Superfund	\$0.0	\$0.0	\$10,437.0	\$10,437.0
Total Budget Authority / Obligations	\$0.0	\$0.0	\$68,151.0	\$68,151.0
Total Workyears	0.0	0.0	0.0	0.0

**Program Project Description:**

Environmental Protection Management (EPM) resources for the workforce reshaping program support organizational restructuring efforts throughout the U.S. Environmental Protection Agency. To help achieve its mission, the EPA will develop, review and analyze mission requirements and implement options to effectively align and redistribute the agency’s workforce based on program priorities, resource reallocation, and technological advances.

**FY 2018 Activities and Performance Plan:**

Effective workforce reshaping is critical to the EPA’s ability to accomplish its mission. The EPA will be examining our statutory functions and processes to eliminate inefficiencies and streamline our processes. Primary criteria will include effectiveness and accountability, as the EPA is focused on greater value and real results. These analyses will likely create a need to significantly reshape the workforce. The agency anticipates the need to offer voluntary early out retirement authority (VERA) and voluntary separation incentive pay (VSIP), and potentially relocation expenses, as part of the workforce reshaping effort. The use of VERA/VSIP will increase voluntary attrition and enable more focused support for the agency’s highest priority work.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (+\$46,719.0) In support of the reprioritization of agency activities, this increase will support:
  - Voluntary early out retirement authority (VERA)
  - Voluntary separation incentive pay (VSIP)
  - Workforce support costs for relocation of employees as we realign work assignments.

**Statutory Authority:**

5 U.S.C. 8336(d)(2) includes the statutory VERA provisions for employees covered by the Civil Service Retirement System; 5 U.S.C. 8414(b)(1)(B) includes the statutory VERA provisions for employees covered by the Federal Employees Retirement System; Section 1313(b) of the Chief Human Capital Officers Act of 2002 (Public Law 107-296, approved November 25, 2002) authorized the VSIP option under regulations issued by OPM, as codified in sections 3521 to 3525 of title 5, United States Code (U.S.C.).

**Program Area: Pesticides Licensing**

**Pesticides: Protect Human Health from Pesticide Risk**

Program Area: Pesticides Licensing

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Science & Technology	\$3,772.1	\$3,122.0	\$2,274.0	(\$848.0)
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$57,708.1</i></b>	<b><i>\$57,699.0</i></b>	<b><i>\$48,568.0</i></b>	<b><i>(\$9,131.0)</i></b>
Total Budget Authority / Obligations	\$61,480.2	\$60,821.0	\$50,842.0	(\$9,979.0)
Total Workyears	399.9	418.7	416.5	-2.2

**Program Project Description:**

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act (FQPA) of 1996 and the Pesticide Registration Improvement Extension Act of 2012 (known as PRIA3), the EPA is charged with protecting people from the health risks that pesticide use can pose. FIFRA requires the EPA to register pesticide products before they are allowed to be marketed for use in the United States. Registration is based on review of scientific data sufficient to demonstrate that the product can perform its intended function without unreasonable adverse effects on people or the environment.

The statutes above charge the EPA with issuing pesticide registrations and setting tolerances (maximum residue levels) for pesticides in food and animal feed and with periodically reviewing the registrations and tolerances that the agency issues, to ensure that public health is adequately protected. The program addresses these requirements by conducting risk assessments using the latest scientific methods for new and existing pesticides. The agency scientists examine the risks that pesticides pose to human health through the diet and through exposure at work, at home, in school, or at play. The EPA pesticide program also reduces the risks of disease by ensuring the efficacy of public health pesticides (pesticides that control pests or bacteria that vector disease or for other recognized health protection uses). The EPA encourages the development and use of safer pesticides and educates pesticide users and the public in general through labeling as well as public outreach.

*Pesticide Registration and Tolerance Setting*

Under the FFDCA, if a pesticide is to be used in a manner that may result in pesticide residues in food or animal feed, before it can be registered, the EPA must establish a tolerance, or maximum legal residue level or exemption from the requirement of a tolerance, for each affected food or feed commodity. To establish a tolerance, the 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.

The passage of FQPA in 1996, which amended both FIFRA and FFDCA, not only introduced this stricter safety standard, it also mandated the consideration of a number of other factors including

cumulative and aggregate effects. When assessing a pesticide registration or tolerance, the EPA must consider the cumulative effects of related pesticides with a common mode of toxicity and the potential for endocrine disruption effects and apply an appropriate safety factor to ensure the protection of infants and children as outlined below. In addition, the EPA must include aggregate exposure, including all dietary exposure, drinking water, and non-occupational exposures. All these pesticide exposures from food, drinking water, and home and garden use must be considered when determining allowable levels of pesticides in food. Since the passage of FQPA, the EPA's risk assessment process must incorporate a 10-fold safety factor (10X) for infants and children unless reliable information in the database on the chemical indicates that it can be reduced or removed. Under FQPA, even the limited, temporary use under an emergency exemption may not be allowed without the establishment of a tolerance.

To comply with statutory mandates, the EPA conducts risk assessments using the latest scientific methods to determine the risks that pesticides pose to human health, including reviewing comprehensive toxicity, residue chemistry, and other data submitted by pesticide manufacturers (registrants) as required by the EPA, and consulting public literature or other sources of supporting information regarding the pesticide's effects or exposure. Toxicity data is used to identify the hazard potential of a pesticide. Residue chemistry data is used to determine the identity and amount of pesticide in or on food. The agency reviews all data to make sure they were developed according to standard practices within the discipline and the EPA's test guidelines. In addition to toxicity and residue chemistry data, the EPA also may use other data to refine and make more realistic exposure assessments for residues on food and exposure to workers, bystanders and people who live, work, play, and go to school in treated areas. The result of these assessments could be the need for label restrictions in certain areas to reduce the exposure to safe levels. Risk assessments undergo an internal peer review and regulatory decisions are posted on the Internet for review and comment to ensure that these actions are transparent and stakeholders are engaged in decisions affecting their health and environment. When complex scientific issues arise, the agency consults the FIFRA Scientific Advisory Panel (<http://www.epa.gov/scipoly/sap/>) for independent scientific advice.

#### *Periodic Review of Registrations and Tolerances*

Not only must the EPA conduct risk assessments before the initial registration of each pesticide for each use, but the FQPA amendments introduced the requirement that every pesticide registration be reviewed at least every 15 years. This periodic review is accomplished through our Registration Review Program.<sup>62</sup> In the interest of efficiency and fairness and to facilitate the assessment of cumulative exposures, the agency reviews certain related pesticides (such as the pyrethroids and pyrethrins, the neonicotinoids, or the fumigants) at the same time. Pesticide cases may be related by chemical class or structure, mode of action, use, or for other reasons.

#### *Ensuring Proper Use and Mitigating Risks of Pesticides through Labeling*

Under FIFRA, it is illegal to use a registered pesticide in a manner inconsistent with the label instructions and precautions. Therefore, the EPA uses pesticide labels to indicate what uses are appropriate in order to ensure that the pesticide does not cause unreasonable adverse effects on human health or the environment, as determined by the risk assessment. The EPA pesticide product

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<sup>62</sup> <https://www.epa.gov/pesticide-reevaluation>.

registrations include required 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, requiring personal protective equipment for applicators, or changing the application method or rate or the time when the treated area may be reentered. Ensuring the proper use of pesticides prevents unnecessary pesticide exposure to the person applying the pesticide and people working, living, or playing nearby. It also prevents excessive residues in the food people eat and in animal feed.

### *Reducing Pesticide Risks to People through the Registration of Lower Risk Pesticides*

To further protect human health, 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. The EPA began promoting reduced risk pesticides in 1993 by giving registration priority to pesticides that have lower toxicity to humans and non-target organisms such as birds, fish, and plants; low potential for contaminating groundwater; lower use rates; low pest resistance potential; and compatibility with Integrated Pest Management (IPM).<sup>63</sup> Biological pesticides and biotechnology often represent lower risk solutions to pest problems.

Several other countries and international organizations also have instituted programs to facilitate registering reduced risk pesticides. The EPA works with the international scientific community and the Organization for Economic Cooperation and Development (OECD) member countries to register new reduced risk pesticides and to establish related tolerances (maximum residue limits). Through these efforts, the EPA can 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 the pesticide into application equipment; applying pesticides, such as in an agricultural or commercial setting; or when they enter an area where pesticides have been applied to perform allowed tasks such as picking crops.

The Worker Protection Standard (WPS) and the certification and training rule are key elements of the EPA's strategy for reducing occupational exposure to agricultural pesticides. The EPA's revised WPS, finalized in 2015, will afford farm workers similar health protections to those already enjoyed by other workers in other jobs.

In FY 2016 and the early part of FY 2017, the EPA provided guidance materials to assist states and agricultural employers to understand the new WPS requirements that went into effect on January 2, 2017. Additional materials are under development to assist states and agricultural employers to

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<sup>63</sup> See U.S. Environmental Protection Agency, Pesticides: Health and Safety, Reducing Pesticide Risk internet site: <http://www.epa.gov/pesticides/health/reducing.htm>.

understand the additional requirements that are targeted to go into effect on January 2, 2018. In early 2017, the National Association of State Departments of Agriculture petitioned the EPA to extend the implementation date for the WPS to allow for additional time for the EPA to work with the states to ensure that sufficient materials were available to the agricultural community to successfully implement the new requirements. In April 2017, the EPA granted this petition and will soon begin the regulatory process to change the implementation date to January 2, 2019. Following signature of the new rule, the EPA immediately began an extensive schedule of trainings for state regulators and state inspectors training, because training our state co-regulators is a top priority. While resource intensive, the agency prioritized providing in-person training to states and regions to allow for face-to-face dialogue on the new requirements in the final rule issued in 2015. The EPA also had success conducting over 30 webinars in less than one year and has plans for additional webinars for the rest of FY 2017 and throughout FY 2018. For more information, see <https://www.epa.gov/pesticide-worker-safety/revisions-worker-protection-standard>.

### *Preventing Disease through Public Health Pesticides*

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 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, the EPA is required to ensure that antimicrobials maintain their effectiveness.<sup>64</sup> The EPA's Antimicrobial Testing Program has been testing hospital sterilants, disinfectants, and tuberculocides since 1991 to help ensure that products in the marketplace meet stringent efficacy standards. Other pesticides also protect public health, such as insecticides and rodenticides that combat insects and other pests that carry diseases such as West Nile virus, Lyme disease, and rabies.

### *Outreach and Education*

Giving priority to reduced risk and Integrated Pest Management (IPM)-friendly pesticides are two steps toward protecting human health. It is important for people using pesticides to be well informed, to understand the importance of reading, and following label directions and the importance of proper disposal, and they also need to understand how to protect themselves from pests that can transmit disease. The Pesticide Program invests in environmental education and training efforts for growers, pesticide applicators, and workers, as well as the public in general. The EPA will continue to work to reduce the number and severity of pesticide exposure incidents by developing effective communication, environmental education, and training programs.

### **FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will 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 reviewing, under the registration review program, pesticides that are already in the market against current scientific standards for human health. To further advance the EPA's work

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<sup>64</sup>FIFRA Section 3(h)(3), 7 U.S.C. 136a(h)(3).

supporting environmental justice and children's health, the EPA will process these registration requests with special consideration for susceptible populations, especially children. Specifically, the EPA will focus on the foods commonly eaten by children in order to reduce children's pesticide exposure where the science identifies potential concerns. The EPA uses data from various sources, including the Pesticide Data Program (PDP) and the National Health and Nutrition Examination Survey (NHANES), to assess children's potential risk from pesticides. Pesticide registration actions focus on the evaluation of pesticide products before they enter the market. The EPA will review pesticide data and impose use restrictions and instructions needed to ensure that pesticides used according to label directions also will not result in unreasonable risk. During its pre-market review, the EPA will consider human health and environmental concerns as well as the pesticide's potential benefits.

The EPA will continue to emphasize the registration of reduced risk pesticides, including biopesticides, in order to provide farmers and other pesticide users with new safer alternatives. In FY 2018, the agency, in collaboration with the United States Department of Agriculture (USDA), will work to ensure that minor use registrations receive appropriate support. The EPA will ensure that needs are met for reduced risk pesticides for minor use crops. Additionally, the 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. The EPA also will continue to support biotechnology efforts to educate the American public about pesticides related water quality issues and standards.

During FY 2018, the EPA will continue to review the registrations of existing pesticides and develop work plans for pesticides entering the review pipeline. The priority will be toward reviewing those pesticides where there is indication of a need to mitigate risk. The goal of the registration review process is to review pesticide registrations every fifteen years to ensure that pesticides already in the marketplace meet the most current scientific standards and to address concerns identified after the original registration.<sup>65</sup> The completion of the first round of these reviews is due in FY 2022. This program, as mandated by statute, supports the EPA's priorities including ensuring the safety of chemicals and protecting America's waters.

For pesticides registered before October 1, 2007, the EPA has a statutory mandate to make registration review decisions by October 1, 2022. There are 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. It is important to open dockets and develop work plans for as many cases as possible early in the process so that there is time to complete the risk assessments and make decisions by the 2022 deadline. The agency planned this ramp down in targets for opening dockets and completing work plans so it could focus its resources on completing risk assessments and making decisions to meet its statutory deadline by 2022. The EPA anticipates having completed the opening of dockets in 2017 (completed all 725). There will be zero (0) dockets in FY 2018.

In FY 2018, the agency will continue to work toward our commitment to environmental justice and protection of children's health. Under the Food Quality Protection Act, the EPA is statutorily

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<sup>65</sup> See U.S. Environmental Protection Agency, Registration Review Internet Site: [http://www.epa.gov/oppsrrd1/registration\\_review/index.htm](http://www.epa.gov/oppsrrd1/registration_review/index.htm)

required to ensure that its regulatory decisions are protective of children's health and other vulnerable subpopulations. The EPA will continue to provide locally-based technical assistance and guidance by partnering with states and tribes on implementation of pesticide decisions. Technical assistance and outreach such as workshops, demonstration projects, briefings, and informational meetings also will continue in areas including pesticide safety training and use of lower risk pesticides.

The EPA will continue to engage the public, the scientific community, and other stakeholders in its policy development and implementation. This will encourage a reasonable transition for farmers and others from the older, potentially more hazardous pesticides, to the newer pesticides that have been registered using the latest available scientific information.

In FY 2018, the EPA will continue implementing improvements to the Pesticide Registration Information System (PRISM). Work on PRISM and other areas will include streamlining operations and merging compatible and related work areas in order to maximize resources through management efficiencies and direct reporting improvements. The focus of the project is to achieve paperwork burden reduction by converting paper-based processes into electronic processes for the Pesticide program's regulated entities, creating a streamlined electronic workflow to support pesticide product registration and chemical review, and creating a centralized repository of regulatory decisions and scientific information. Overall, the project will streamline approximately 150 existing business processes.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$9,131.0 / -32.6 FTE) This reduces funding for pesticide program activities from annual appropriations with the intent to increase utilization of pesticide user fee collections. Proposed legislative language accompanying the President's Budget will expand the EPA's scope of activities that can be funded with user fees. This reduction recognizes the adoption of some process improvements in the registration and registration review processes and the completion of some upgrades to program IT systems.

**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

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$39,651.4</i></b>	<b><i>\$37,222.0</i></b>	<b><i>\$31,930.0</i></b>	<b><i>(\$5,292.0)</i></b>
Science & Technology	\$1,737.5	\$2,324.0	\$2,195.0	(\$129.0)
Total Budget Authority / Obligations	\$41,388.9	\$39,546.0	\$34,125.0	(\$5,421.0)
Total Workyears	280.4	269.3	268.4	-0.9

### **Program Project Description:**

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires the EPA to register a pesticide if, among other things, when used in accordance with labeling and common practices, the product “will also not generally cause unreasonable adverse effects on the environment.” The goal of this program is to protect the environment from the potential risks posed by pesticide use. The 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 the EPA’s Pesticide Registration Review program.

In addition to FIFRA responsibilities, the agency has distinct obligations under the Endangered Species Act (ESA).<sup>1</sup>This includes 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 National Marine Fisheries Service (NMFS) (jointly the Services).

### *Assessing the Risks Pesticides Pose to the Environment*

To accomplish the goals set out in the two statutes, the EPA conducts ecological risk assessments<sup>66</sup> to determine what risks are posed by each pesticide to plants, animals, and ecosystems that are not the targets of the pesticide and whether changes are necessary to protect the environment. The 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 goes in soil, air, and water resources). The 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. Using environmental fate data and exposure models, the EPA’s scientists estimate exposure of different animals and plants to pesticide residues in the environment. Finally,

<sup>66</sup> <http://www.epa.gov/pesticides/ecosystem/ecorisk.htm>.

these scientists integrate the toxicity information with the exposure data to determine the ecological risk from the use of the pesticide or whether it is safe for the environment and wildlife. These processes are described more fully below.

### *Assessing Toxicity to Wildlife and Plants*

Toxicology studies are carried out on plants and animals that have been chosen for testing because they broadly represent non-target organisms (living things the pesticide is not intended to kill or otherwise control). Animals and plants are exposed to different amounts of a pesticide to determine short- and long-term responses to varying concentrations. Some of the impacts on animals the EPA evaluates are the short- and long-term effects of varying amounts of pesticide exposure to insects and other invertebrates, fish, and birds. For plants, the EPA scientists assess how poisonous a pesticide is to plants, how the pesticide affects a seed's ability to germinate and emerge, as well as how healthy and vigorous the plant grows to be. Toxicological testing and scientific measurements are conducted under strict guidelines and approved methods.<sup>67</sup> Exacting standards are necessary for consistency in evaluations of pesticide safety and for comparisons among chemicals.

### *Determining the Environmental Fate of a Pesticide*

After determining the toxicity of a pesticide, it is important to find out what happens to it in the environment after it has been applied, and therefore, how it might affect the environment. Required studies measure the interaction of pesticides with soils, air, sunlight, surface water, and ground water. Some of the basic questions that must be answered in these studies are: (1) How fast and by what means does the pesticide degrade? (2) What are the breakdown chemicals? and (3) How much of the pesticide or its breakdown chemicals will travel from the application site and where will they accumulate in the environment? These tests include how the pesticide breaks down in water, soil, and light, how easily it evaporates in air and how quickly it travels through soil. The EPA uses these tests to develop estimates of pesticide concentrations in the environment. The EPA scientists evaluate the role of the drift of spray and dust from pesticide applications on pesticide residues that can cause health and environmental effects and property damage.

### *Putting the Pieces Together*

To evaluate a pesticide's environmental risks, the EPA examines all of the toxicity and environmental fate data together to determine what risks its use may pose to the environment. The process of comparing toxicity information and the amount of the pesticide a given organism may be exposed to in the environment is called risk assessment. A pesticide can be toxic at one exposure level and have little or no effect at another. Thus, the risk assessor's job is to determine the relationship between possible exposure to a pesticide and the resulting harmful effects.

If the ecosystem will not be exposed to levels of a pesticide shown to cause problems, the EPA concludes that the pesticide is not likely to harm plants or wildlife. On the other hand, if the ecosystem exposure levels are suspected or known to produce problems, the program will then work to better understand and reduce the risks to acceptable levels. If the risk assessment indicates a high likelihood of hazard to wildlife, the program may require additional testing, require that the

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<sup>67</sup> <http://www.epa.gov/raf/publications/guidelines-ecological-risk-assessment.htm>.

pesticide be applied only by specially-trained people (restricted use), or decide not to allow its use. In addition, the EPA may require monitoring of environmental conditions, such as effects on water sources, or may require additional data from the registrant. Decisions on risk reduction measures are based on a consideration of both pesticide risks and benefits.

The agency reviews all data to make sure they were developed according to standard practices within the discipline and the EPA's test guidelines. Risk assessments are peer reviewed and regulatory decisions are posted on the Internet for review and comment to ensure that these actions are transparent and stakeholders are engaged in decisions that affect their environment. When complex scientific issues arise, the agency consults the FIFRA Scientific Advisory Panel (<http://www.epa.gov/scipoly/sap/>) for independent scientific advice.

### *Risk Mitigation*

To ensure unreasonable risks are avoided, the EPA may impose risk mitigation measures such as modifying use rates or application methods, restricting uses, or denying uses. In some regulatory decisions, the EPA may determine that uncertainties in the risk determination need to be reduced and may subsequently require monitoring of environmental conditions, such as effects on water sources or the development and submission of additional laboratory or field study data by the pesticide registrant.

The EPA's Pesticide Program has been actively engaged in a number of initiatives to help prevent problems related to the drift of spray and dust from pesticide applications. These initiatives include: broadening the understanding of the science and predictability of pesticide drift based on many new studies; improving the clarity and enforceability of product label use directions and drift restrictions; facilitating the use of drift-reducing application technologies and best management practices to minimize drift; and promoting applicator education and training programs.

### *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. The EPA uses 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 as a condition of registration. When the 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, the 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 when pollinators are not present to prevent risks to pollinators such as bees.

### *Reducing Risk Through the Use of Safer Pesticides and Methods*

To further protect the environment, this program<sup>68</sup> emphasizes the use of reduced risk methods of pest control, including the use of reduced risk pesticides and helping growers and other pesticide

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<sup>68</sup> Reducing Pesticide Risk (<http://www.epa.gov/pesticides/health/reducing.htm>).

users learn about new, safer products and methods of using pesticides. The EPA began promoting reduced risk pesticides in 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 (<http://www.epa.gov/pesticides/ipm/>). Biological pesticides and biotechnology often represent lower risk solutions to pest problems.

### *Protecting Endangered Species*

The EPA is responsible for complying with the ESA. Given approximately 1,200 active ingredients in more than 17,000 products – many of which have multiple uses - and approximately 1,200 listed species with diverse biological attributes, habitat requirements, and geographic range, this presents a great challenge. As part of the EPA's determination of whether a pesticide product may be registered for a particular use, the agency assesses whether listed endangered or threatened species or their designated critical habitat may be affected by use of the product. Where risks are identified, the EPA must work with the FWS and the NMFS in a consultation<sup>69</sup> process to ensure these new or existing pesticide registrations also will meet the ESA standard. The EPA's Endangered Species Protection Program (ESPP) helps promote the recovery of listed species by determining whether pesticide use in a certain geographic area may affect any listed species. If limitations on pesticide use are necessary to protect listed species in that area, the information is related through Endangered Species Protection Bulletins. The goal of this program is to carry out the agency's responsibilities under FIFRA in compliance with the ESA, without placing unnecessary burdens on agriculture and other pesticide users.

### *Minimizing Environmental Impacts through Outreach and Education*

Through public outreach, the agency continues to encourage the use of Integrated Pest Management (IPM) and other practices to maximize the benefits pesticides can yield while minimizing the impacts on the environment. The agency develops and disseminates brochures, provides education on potential benefits of IPM, and promotes outreach on the success of IPM to encourage its use.<sup>70</sup> To encourage responsible pesticide use that does not endanger the environment, the EPA reaches out to the public through the Internet and to workers and professional pesticide applicators through worker training programs.

### **FY 2018 Activities and Performance Plan:**

In FY 2018, the 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, the EPA has a statutory mandate to make registration review decisions by October 1, 2022. 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. It is important to open dockets and develop work plans for as many cases as possible early in the process so that there is time to complete the risk assessments and make decisions by the 2022 deadline. The agency planned this ramp down in targets for opening dockets and

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<sup>69</sup> For additional information, see <https://www.epa.gov/endangered-species/assessing-pesticides-under-endangered-species-act>

<sup>70</sup> <http://www.epa.gov/pepp/ipminschoools/implementation.html>.

completing work plans so it could focus its resources on completing risk assessments and making decisions to meet its statutory deadline by 2022. The EPA anticipates having completed the opening of dockets in 2017 (completed all 725). There will be zero (0) dockets in FY 2018. In working towards meeting the October 1, 2022 statutory deadline for registration review, the EPA expects to issue approximately 60 risk assessments for public comment during FY 2018.

While review of pesticides currently in the marketplace, and implementation of decisions made as a result of these reviews are a necessary element of meeting the EPA's goals, they are not sufficient. Attaining risk reduction would be significantly hampered without availability of alternative products to these pesticides for consumers. Consequently, the success of the Registration program in ensuring the availability of effective alternative products plays a significant role in meeting the environmental outcome of improved ecosystem protection. The EPA also will continue to assist pesticide users in learning about new, safer products and methods of using existing products. The agency also will continue encouraging the use of IPM tools.

### *Protection of Endangered Species*

Under the ESA, federal agencies must ensure that the "actions" they authorize will not result in jeopardy to species listed as endangered or threatened by the Services or adversely modify designated critical habitat. While the EPA authorizes the sale, distribution, and use of pesticides according to the product labeling, the agency also will do more comprehensive risk assessments for registration activities that are protecting endangered species. During registration review, the EPA will support obtaining risk mitigation earlier in the process by encouraging registrants to agree to changes in uses and applications of a pesticide beneficial to the protection of endangered species prior to completion of the EPA's consultations with FWS and NMFS. In FY 2018, pesticide registration reviews are expected to require comprehensive environmental assessments, including determining potential endangered species impacts. This effort will continue to expand the program's workload due to the necessity of issuing data call-ins and conducting additional environmental assessments for pesticides already in the review pipeline. The EPA has a performance measure that tracks this work: The percent of registration review chemicals with identified endangered species concerns, for which EPA obtains any mitigation of risk prior to consultation with the U.S. FWS and NMFS (jointly the Services).

In FY 2018, in cooperation with the Services and the United States Department of Agriculture (USDA), the agency will continue to work toward improving compliance with the ESA. To this end, the agency continues to consider recommendations from the committee of the National Academy of Sciences (NAS') National Research Council regarding scientific and technical issues related to the methods and assumptions used by the EPA, and the services to carry out their joint responsibilities under the ESA and FIFRA. The four agencies jointly asked the NAS to identify approaches to: collect the best available scientific data and information; consider sub-lethal, indirect and cumulative effects; assess the effects of chemical mixtures and inert ingredients; use models to assist in analyzing the effects of pesticide use; effectively incorporate uncertainties into the evaluations; and use geospatial information and datasets in the course of these assessments. Since receiving the NAS report, the agencies have developed shared scientific approaches and presented those approaches to stakeholders at a virtual nationwide meeting. During FY 2018, the EPA and the Services will jointly apply these approaches to some pesticide risk assessments and,

if necessary, to consultations. These initial assessments will apply and improve the shared scientific approaches.

The EPA and the Services also have been collaborating to resolve litigation brought against the EPA for failure to consult and against the Services for failure to complete consultation. The settlement agreements will give the EPA and the Services an opportunity to pilot and implement recommendations from the 2013 NAS report with identified milestones and timelines for completing work products.

The EPA will continue to impose use limitations through appropriate label statements, referring pesticide users to EPA-developed Endangered Species Protection Bulletins, which are available on the Internet via *Bulletins Live!*<sup>71</sup> These bulletins also will, as appropriate, contain maps of pesticide use limitation areas necessary to ensure protection of listed species and compliance with the ESA. Any such limitations on a pesticide's use will be enforceable under the misuse provisions of FIFRA. Bulletins are a critical mechanism for ensuring protection of listed species from pesticide applications while minimizing the burden on agriculture and other pesticide users by limiting pesticide use in the smallest geographic area necessary to protect the species. In FY 2018, the EPA will continue revising and updating *Bulletins Live!* to provide a more interactive and more geographically discrete platform for pesticide users to understand the use limitations necessary to protect endangered or threatened species.

The agency will continue to provide technical support for compliance with the requirements of the ESA. In FY 2018, the EPA will continue the integration of state-of-the-science models, knowledge bases, and analytic processes to increase productivity and better address the challenge of potential risks of specific pesticides to specific species. Interconnection of the various databases within the program office 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 play a critical role in ensuring the production of food. The USDA is leading the federal government's effort to understand the causes of declining pollinator health and identify actions that also will improve pollinator health. The EPA is part of this effort and is focusing on the potential role of pesticides. The EPA's emphasis is to ensure that the pesticides used represent acceptable risks to pollinators and that products are available for commercial bee keepers to manage pests that impact pollinator health. The EPA is working with pesticide registrants to change pesticide labels to reduce acute exposure and ensure that pollinators are protected.

The EPA is implementing a new pollinator risk assessment framework to assess the potential effects that pesticides may have on bees through the registration and registration review programs, in cooperation with Canada and the California Department of Pesticide Regulation. In addition, the EPA is working with several other federal agencies, including USDA and DOI, to increase and improve pollinator habitat. As a part of these activities, the EPA also will assess the effects of pesticides, including neonicotinoids, on bee and other pollinator health and take action, as

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<sup>71</sup> <http://www.epa.gov/espp/bulletins.htm>.

appropriate, to protect pollinators, engage state and Tribal agencies in the development of pollinator protection plans, and expedite review of registration applications for new products targeting pests harmful to pollinators. The EPA also is working with seed companies to develop and implement strategies to reduce the release of pesticide residues during the planting process of treated seed.

Other efforts include working with stakeholders to identify and consolidate Best Management Practices (BMPs) for honey bee health and developing a web page of these BMPs with cooperation from the National Integrated Pest Management Centers and the USDA. The EPA is providing funds to land grant universities to conduct research on alternative pest control methods and BMPs that lower risks to bees while effectively controlling pests.

In 2014, the EPA required changes to pesticide labels for four neonicotinoid insecticides to limit applications to protect bees, as well as provide users of these products with more precise safety information about bees, improving and clarifying the pollinator protection requirements for 240 approved pesticide labels. These changes were made to the pesticide labels for imidacloprid, thiamethoxam, clothianidin, and dinotefuran. In FY 2018, the EPA will continue to require the new pollinator protection labeling for other outdoor foliar products that are acutely toxic to bees.<sup>72</sup>

### *Protection of Water Resources*

Reduced concentration of pesticides in water sources is an indication of the effectiveness of the EPA's risk assessment, management, mitigation, and communication activities. Using sampling data collected under the U.S. Geological Survey (USGS) National Water Quality Assessment (NWQA) program for urban watersheds, the EPA will continue to monitor the impact of our regulatory decisions for three priority chemicals – diazinon, chlorpyrifos, and carbaryl. In agricultural watersheds, the program will monitor the impact of our regulatory decisions on azinphos-methyl and chlorpyrifos and consider whether any additional action is necessary.<sup>73</sup> In FY 2018, the agency will continue to work with USGS 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 the EPA's ability to reduce exposure from these key pesticides of concern.

To measure program effectiveness, the EPA tracks reductions of concentrations of these four organophosphate insecticides that most consistently exceeded the EPA's aquatic life benchmarks for aquatic ecosystems<sup>74</sup> during the last ten years of monitoring by the USGS NWQA program. The agency will use data from 10 specified sites for urban and 10 specified sites for agricultural sites from the USGS national monitoring sites in the future to provide consistency in data reporting. The monitoring sites were selected based on history of monitoring results and anticipated consistency in reporting from these national sampling sites. The exceedances are calculated based on the number of exceedances divided by the total number of watersheds. The USGS NAWQA

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<sup>72</sup> For additional information on EPA's role in pollinator protection, see: <http://www2.epa.gov/pollinator-protection/epa-actions-protect-pollinators> and <http://www2.epa.gov/pollinator-protection/new-labeling-neonicotinoid-pesticides>.

<sup>73</sup> Gilliom, R.J., et al. 2006. *The Quality of Our Nation's Waters: Pesticides in the Nation's Streams and Ground Water, 1992–2001*. Reston, Virginia: U.S. Geological Survey Circular 1291, p 171. Available on the Internet at: <http://pubs.usgs.gov/circ/2005/1291/>.

<sup>74</sup> [http://www.epa.gov/oppefed1/ecorisk\\_ders/aquatic\\_life\\_benchmark.htm](http://www.epa.gov/oppefed1/ecorisk_ders/aquatic_life_benchmark.htm)

sites selected are the best long-term source of surface water monitoring data for a large number of pesticides and their degradates, with consistent QA procedures for both sampling and lab analysis, low detection limits, and have been used by the program for risk assessment work for over the last 15 years. 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>.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$5,292.0 / -18.8 FTE) This reduces funding for pesticide program activities from annual appropriations with the intent to increase utilization of pesticide user fee collections. Proposed legislative language accompanying the President's Budget will expand the EPA's scope of activities that can be funded with user fees.

**Statutory Authority:**

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Endangered Species Act (ESA).

**Pesticides: Realize the Value of Pesticide Availability**

Program Area: Pesticides Licensing

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$7,727.5</b>	<b>\$6,074.0</b>	<b>\$5,028.0</b>	<b>(\$1,046.0)</b>
Science & Technology	\$427.4	\$570.0	\$527.0	(\$43.0)
Total Budget Authority / Obligations	\$8,154.9	\$6,644.0	\$5,555.0	(\$1,089.0)
Total Workyears	42.0	46.5	46.3	-0.2

**Program Project Description:**

The primary federal law that governs how the EPA oversees pesticide manufacture, distribution, and use in the United States is the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Originally enacted in 1947, this law has been significantly amended several times, most recently by the Food Quality Protection Act of 1996 (FQPA) and the Pesticide Registration Improvement Extension Act of 2012 (PRIA3). FIFRA requires that the EPA register pesticides based on a finding that they will not cause unreasonable adverse effects on people and the environment, taking into account the economic, social, and environmental costs and benefits of the use of any pesticide. Each time the law has been amended, while Congress has strengthened the safety standards of the act, it continues to recognize the benefits of pesticides.

This program seeks to realize the value of pesticides that can be used safely to yield many benefits, including: to generate the nation’s abundant and wholesome food supply, to protect the public from disease-carrying pests, to protect our environment from the introduction of invasive species from other parts of the world, to kill viruses and bacteria in America’s hospitals, and to protect the nation’s homes and schools from invasive insects, rodents, molds, and other unwelcome guests.

*Addressing Special Local Needs*

FIFRA Section 24(c) and the EPA’s implementing regulations give states the authority to issue their own state-specific registrations under certain conditions, while the EPA is responsible for overseeing the general program.

States may register a new end use product or an additional use of a federally registered pesticide product if the following conditions exist:

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| <ul style="list-style-type: none"> <li>• A Special Local Need – an existing or imminent pest problem within a state for which the state lead agency, based on satisfactory supporting information, has determined that an appropriate federally registered pesticide product is not sufficiently available.</li> <li>• The additional use is covered by any necessary tolerances (maximum legal residue levels) or other clearances under the Federal Food, Drug, and Cosmetic Act (FFDCA).</li> </ul> |
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- Registration for the same use has not previously been denied, disapproved, suspended, or canceled by the EPA or voluntarily canceled by the registrant subsequent to issuance of a notice of intent to cancel because of health or environmental concerns.
- Registration is in accord with the purposes of FIFRA.

These 24(c) registrations become federal registrations in 90 days unless the EPA objects to them. The EPA's role is to ensure that each 24(c) registration meets the requirements of FIFRA.

### *Emergency, Quarantine, and Crisis Exemptions*

FIFRA Section 18, and the EPA's implementing regulations, authorize the EPA, in the event of an emergency, such as a severe pest infestation, to allow an unregistered use of a pesticide for a limited time if the EPA determines that emergency conditions exist which require such an exemption.<sup>75</sup>

An "Emergency Condition" is an urgent, non-routine situation that requires the use of a pesticide(s). Emergency exemptions may be requested by any state or federal agency, but typically come from state lead agricultural agencies. The EPA also must establish any necessary tolerances to cover pesticide residues in food, if applicable. Tolerances established for emergency exemption uses are time-limited, corresponding to the time that commodities treated under the exemption might be found in channels of trade. When needed, the OPP chemistry laboratory evaluates pesticide residues on certain foods. These real-world residue monitoring data can be used to accurately assess the risk and determine whether the risk cup would be exceeded.

A second type of emergency exemption is allowed for "public health" emergencies. A state or federal agency may request a public health emergency exemption to control a pest that will cause a significant risk to human health.

The third type of exemption, the "Quarantine" exemption, is allowed to control the introduction or spread of an invasive pest species not previously known to occur in the United States and its territories.

Finally, when the emergency is so immediate that there is not enough time to go through the normal review for an exemption and there is an immediate need, following communication with clearance by the EPA, a state or federal agency may issue a "crisis exemption" allowing the unregistered use to proceed for up to 15 days. During the consultation before the state or federal agency declares a crisis, the EPA performs a review to determine whether there are any apparent concerns, and whether the appropriate safety findings required by FIFRA likely may be made. If the EPA identifies concerns, the crisis exemption may not be allowed unless those concerns can be resolved.

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<sup>75</sup> <http://www.epa.gov/opprd001/section18/>

### *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)<sup>76</sup> or makes it more effective.” The EPA developed procedures and guidelines for expedited review of applications for registration or amendments for a reduced risk pesticide. The agency expanded the reduced risk pesticide program to include consideration of new active ingredients, new uses of active ingredients already deemed to be reduced risk, and amendments to all uses deemed to be reduced risk. The EPA gives priority to review of reduced risk pesticides and works with the regulated community and user groups to refine review and registration procedures.

### *FIFRA's Version of “Generic” Pesticides*

FIFRA authorizes the EPA to register products that are identical to or substantially similar to already registered products (known as “me too” products). Applicants for these substantially similar products may rely on, or “cite” (and offer to pay a fair share for) 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. These price declines generate competition that benefits farmers and other consumers.

### *“Minor Crops” – Addressing Growers’ Need for Pest Control*

The FQPA amendments made special provisions for minor uses of pesticides. Minor uses of pesticides are defined as uses for which pesticide product sales do not provide sufficient economic incentive to justify the costs of developing and maintaining its registrations with the EPA. “Minor” crops include many fruits and vegetables. Minor uses also include use on commercially grown flowers, trees and shrubs, certain applications to major crops such as wheat or corn where the pest problem is not widespread, and many public health applications.<sup>77</sup>

Some minor uses have been lost through lack of registrant support during the reregistration process, resulting in grower concerns that adequate pest control tools will no longer be available for many minor crops. The agency works closely with the USDA’s Inter-Regional Research Project No. 4 (IR-4)<sup>78</sup> to generate residue data for tolerances on minor crops in order to minimize the burden of data generation for minor uses. The EPA and the USDA operate early alert systems to notify growers when a pesticide use for a minor crop is about to be canceled. The EPA provides advance public notice of a proposed cancellation to allow time for another registrant to consider maintaining the pesticide use.

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<sup>76</sup> <http://www.epa.gov/pesticides/factsheets/ipm.htm>

<sup>77</sup> [http://www.epa.gov/pesticides/regulating/laws/fqpa/fqpa\\_accomplishments.htm](http://www.epa.gov/pesticides/regulating/laws/fqpa/fqpa_accomplishments.htm)

<sup>78</sup> [http://www.csrees.usda.gov/nea/pest/in\\_focus/pesticides\\_if\\_minor.html](http://www.csrees.usda.gov/nea/pest/in_focus/pesticides_if_minor.html)

### *Meeting the Need for Non-agricultural Pesticides*

Farmers are not the only ones who need pesticides. Pest control also is needed in our homes, schools, and workplaces. Pesticides control pests that spread disease like West Nile Virus, malaria and rabies, to name a few. They disinfect our swimming pools and sanitize bathrooms; they combat mold and are essential to sterilize surfaces in hospitals and other health care facilities.

### *Outreach and Education*

The agency will continue to encourage Integrated Pest Management (IPM), which emphasizes minimizing the use of broad spectrum chemicals and maximizing the use of sanitation, biological controls, and selective methods of application, and it relies on pesticide users being well-informed about the pest control options available 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.

### **FY 2018 Activities and Performance Plan:**

During FY 2018, the EPA will 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 PRIA3 timeframes. Many of these actions will be for reduced-risk pesticides, which, once registered and used by consumers, will increase benefits to society. Working together with the affected user communities, through IPM and related activities, the agency plans to accelerate the adoption of these lower-risk products.

The EPA will continue to support implementation of other IPM-related activities. The agency will engage partners in the development of tools and informational brochures to promote IPM efforts and to provide guidance to schools, farmers, other partners, and stakeholders.

Similarly, the agency will continue its work-sharing efforts with its international partners. Through these collaborative activities and resulting international registrations, international trade barriers will be reduced. When nations with whom we 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 sharing the expenses.

In FY 2018, the EPA will continue to prioritize emergency exemptions. The economic benefit of the Section 18 emergency exemptions program to growers is the avoidance of losses incurred in the absence of pesticides exempted under FIFRA's emergency exemption provisions.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$1,046.0) This reduces funding for pesticide program activities from annual appropriations with the intent to increase utilization of pesticide user fee collections. Proposed legislative language accompanying the President's Budget will expand the EPA's scope of activities that can be funded with user fees.

**Statutory Authority:**

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Federal Food, Drug, and Cosmetic Act (FFDCA), §408.

**Science Policy and Biotechnology**  
Program Area: Pesticides Licensing

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$1,362.5</i></b>	<b><i>\$1,172.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$1,172.0)</i></b>
Total Budget Authority / Obligations	\$1,362.5	\$1,172.0	\$0.0	(\$1,172.0)
Total Workyears	5.0	5.4	0.0	-5.4

**Program Project Description:**

The Science Policy and Biotechnology program provides scientific and policy expertise, coordinates the 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 Scientific Advisory Panel (FIFRA SAP), a federal advisory committee and the newly-formed Science Advisory Committee on Chemicals (SACC).

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. Statutory requirements will be absorbed by the pesticides and toxics programs.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$1,172.0 / -5.4 FTE) This funding change eliminates the Science Policy and Biotechnology program. The science advisory committee oversight required by FIFRA and TSCA will be conducted by the pesticides and toxics program offices.

**Statutory Authority:**

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); Federal Food, Drug, and Cosmetic Act (FFDCA), §408; Toxic Substances Control Act.

**Program Area: Resource Conservation and Recovery Act (RCRA)**

**RCRA: Waste Management**

Program Area: Resource Conservation and Recovery Act (RCRA)

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Hazardous Waste Electronic Manifest System Fund	\$2,910.2	\$3,667.0	\$0.0	(\$3,667.0)
<b><i>Environmental Program &amp; Management</i></b>	<b>\$57,022.8</b>	<b>\$58,986.0</b>	<b>\$41,146.0</b>	<b>(\$17,840.0)</b>
Total Budget Authority / Obligations	\$59,933.0	\$62,653.0	\$41,146.0	(\$21,507.0)
Total Workyears	315.8	332.7	205.9	-126.8

**Program Project Description:**

Under the Resource Conservation and Recovery Act (RCRA) the EPA sets national standards for managing hazardous wastes. Approximately 60,000 facilities generate and safely manage hazardous waste in the United States.<sup>79</sup> Eighty percent of the U.S. population lives within 3 miles of one of these facilities,<sup>80</sup> making national standards and procedures for managing hazardous wastes a necessity.

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.

The 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. 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. This funding supports these efforts.

The 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 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 can

<sup>79</sup> 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.

<sup>80</sup> 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.

still be released into the environment from poorly maintained hazardous waste sites that contain them.

### **FY2018 Activities and Performance Plan:**

In FY 2018, the RCRA Waste Management program will:

- Provide hazardous waste technical assistance to regions, states, and tribes regarding the development and implementation of hazardous waste programs.
- Provide technical and implementation assistance, oversight, and support to the generator community and to facilities that treat, store, and dispose of hazardous waste.
- Review and approve PCB cleanup, storage, and disposal activities to reduce exposures, particularly in sensitive areas like schools and other public spaces. The EPA will prioritize PCB cleanup approvals and expedite high priority cleanups or address those unaddressed in a timely fashion.
- Provide technical hazardous waste management assistance to tribes to encourage sustainable practices and reduce exposure to toxins from hazardous waste.<sup>81</sup>
- Directly implement the RCRA program in unauthorized states, on Tribal lands, and other unauthorized portions of state RCRA programs.
- Implement regulations to ensure protective management of coal combustion residuals (CCR). In response to historic management practices, 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 through technical assistance and guidance.
- Implement applicable provisions of the Water Infrastructure Improvements Act of 2016, which enables states to submit for EPA approval state CCR permit programs. If approved, the state program would operate in lieu of the federal rules. The agency will work closely with state partners to develop guidance and other materials needed to fully implement this law.
- Managing the Waste Import Export Tracking System (WIETS) system, which provides for the electronic submission of hazardous waste import and export notices. This saves businesses time and effort and makes shipping hazardous waste across borders more efficient. Managing hazardous waste imports and exports is a federal responsibility, non-delegable to states.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

### **FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$17,840.0 / -126.8 FTE) This streamlines the Waste Management program. The agency will prioritize work on PCB cleanup and hazardous waste disposal programs, while reducing support for technical assistance to stakeholders and assistance to tribes on solid waste management programs.

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<sup>81</sup> Of the 567 federally recognized tribes, as of September 30, 2016, 224 have an integrated waste management plan.

**Statutory Authority:**

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA), §§ 3004, 3005, 3024, 8001; Toxic Substances Control Act (TSCA), § 6.

**RCRA: Corrective Action**

## Program Area: Resource Conservation and Recovery Act (RCRA)

(Dollars in Thousands)

	FY 2016 Actuals	FY 2017 Annualized CR	FY 2017 Pres Bud	FY 2018 Pres Bud v. FY 2017 Annualized CR
<i>Environmental Program &amp; Management</i>	\$37,967.0	\$36,860.0	\$31,947.0	(\$4,913.0)
Total Budget Authority / Obligations	\$37,967.0	\$36,860.0	\$31,947.0	(\$4,913.0)
Total Workyears	208.1	205.4	172.0	-33.4

**Program Project Description:**

To reduce risks from exposure to toxics, the EPA's RCRA Corrective Action program ensures that contaminated facilities subject to RCRA are cleaned up by the responsible party, returns contaminated property to productive use, and keeps costs from being transferred to the largely taxpayer-funded Superfund program. Pursuant to EPA promulgated regulations and administrative orders under RCRA, the EPA will continue to direct financial assurance funds set aside by members of the regulated community to ensure that the funds are used to meet regulated entities' obligations and to protect taxpayers from having to pay the bill. Approximately 108 million Americans live within three miles of a RCRA corrective action facility (roughly 35 percent of the U.S. population),<sup>82</sup> and the total area covered by these corrective action sites is approximately 18 million acres.<sup>83</sup>

The EPA works in close partnership with 44 states and one territory authorized to implement the Corrective Action program<sup>84</sup> 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 worksharing, the agency serves as lead or support for a significant number of complex and challenging cleanups in both non-authorized and authorized states.

**FY 2018 Activities and Performance Plan:**

The program focuses its resources on cleaning up 3,779 priority contaminated facilities (the "2020 Baseline"), which includes highly contaminated and technically challenging sites. Currently, only 31 percent of the 2020 Baseline facilities have completed final and permanent cleanups, leaving

<sup>82</sup> U.S. EPA, Office of Land and Emergency Response Estimate. Data collected includes: (1) site information as of the end of FY 2013 from RCRAInfo; and (2) census data from the 2009-2013 American Community Survey.

<https://www.epa.gov/aboutepa/population-surrounding-3720-rcra-corrective-action-sites>

<sup>83</sup> As compiled by RCRAInfo.

<sup>84</sup> State implementation of the Corrective Action program is funded through the STAG Categorical Grant: Hazardous Waste Financial Assistance and matching state contributions.

over 2,600 facilities still needing oversight and technical support to reach final site-wide cleanup objectives. Additionally, the 2020 Baseline is a subset of approximately six thousand facilities with potential corrective action obligations under the RCRA. The program's goals are to control human exposures, control migration of contaminated groundwater, complete final cleanups for the 2020 Baseline facilities, and assess the non-2020 Baseline facilities.

In FY 2018, the EPA will:

- Prioritize and focus resources on those facilities that present the highest risk to human health and the environment and implement actions to end or reduce these threats.
- Provide technical assistance to authorized states in the areas of site characterization, sampling, remedy selection, and long-term stewardship at 2020 Baseline facilities.
- Prioritize and focus the program on completing site investigations to identify threats, establish interim remedies to reduce and eliminate exposure, and select and construct safe, effective long-term remedies that maintain the 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<sup>85</sup> 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 RCRA FIRST<sup>86</sup> toolbox developed to speed up and improve cleanups by eliminating inefficiencies in key procedural steps.
- Contribute to the maintenance of 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. As the RCRA Subtitle C system of record, 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.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$4,913.0 / -33.4 FTE) This reduction modifies the timeline for initiating cleanups and ongoing cleanups. The EPA will prioritize resources on those facilities that present the highest risk to human health and the environment.

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<sup>85</sup> For example, vapor intrusion, wetlands contamination, or extensive groundwater issues.

<sup>86</sup> For more information, visit: <https://www.epa.gov/hw/toolbox-corrective-action-resource-conservation-and-recovery-act-facilities-investigation-remedy>.

**Statutory Authority:**

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA), §§ 3004, 3005, 8001.

**RCRA: Waste Minimization & Recycling**

Program Area: Resource Conservation and Recovery Act (RCRA)

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$8,510.8</b>	<b>\$8,832.0</b>	<b>\$0.0</b>	<b>(\$8,832.0)</b>
Total Budget Authority / Obligations	\$8,510.8	\$8,832.0	\$0.0	(\$8,832.0)
Total Workyears	46.9	51.0	0.0	-51.0

**Program Project Description:**

The Resource Conservation and Recovery Act (RCRA) established the EPA’s role as a federal leader in the conservation and recovery of material. Charged to provide federal agencies, state, local governments, and industries with technical assistance on solid waste management, resource recovery, and resource conservation, the EPA established the RCRA Waste Minimization program.

Through the RCRA Waste Minimization program, the EPA collects, maintains, and shares information on the market potential of energy and materials recovered from solid waste, including information regarding the savings potential of conserving resources that go into the waste stream.<sup>87</sup> As a result, industries are able to more efficiently conserve virgin resources, including natural resources, fossil fuels, minerals, and precious metals.

Efforts in Sustainable Materials Management (SMM) seeks to efficiently and effectively minimize environmental impacts throughout the full life cycle of materials—from raw materials extraction, through transportation, processing, manufacturing, and use, as well as reuse, recycling, and disposal. This approach highlights ways to reduce waste throughout the life-cycle and to use waste materials as commodities to grow industries and associated jobs.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. State and local entities or industry groups may elect to continue work to reuse and recycle materials.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$8,832.0 / -51.0 FTE) This funding change eliminates the RCRA Waste Minimization and Recycling program in FY 2018. The EPA will focus on core environmental work.

**Statutory Authority:**

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA).

<sup>87</sup> For additional information, refer to: <https://www.epa.gov/smm>.

**Program Area: Toxics Risk Review and Prevention**

**Endocrine Disruptors**

Program Area: Toxics Risk Review and Prevention

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$6,035.4</i></b>	<b><i>\$7,539.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$7,539.0)</i></b>
Total Budget Authority / Obligations	\$6,035.4	\$7,539.0	\$0.0	(\$7,539.0)
Total Workyears	8.9	8.9	0.0	-8.9

**Program Project Description:**

The Endocrine Disruptor Screening Program (EDSP) was established in 1996 under authorities contained in the Federal Food, Drug, and Cosmetic Act (FFDCA) and the Safe Drinking Water Act (SDWA) amendments. Current activities within the EDSP include transitioning to the use of high throughput screening (HTS) and computational toxicology (CompTox) 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 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The EPA will absorb its remaining functions within the pesticides program using the currently available tiered testing battery.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$7,539.0 / -8.9 FTE) This funding change eliminates the Endocrine Disruptors program. The ongoing functions of the program can be absorbed into the pesticides program.

**Statutory Authority:**

Federal Food, Drug, and Cosmetic Act (FFDCA), § 408(p); Safe Drinking Water Act (SDWA), § 1457.

## **Toxic Substances: Chemical Risk Review and Reduction**

Program Area: Toxics Risk Review and Prevention

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$56,030.4</i></b>	<b><i>\$58,443.0</i></b>	<b><i>\$65,036.0</i></b>	<b><i>\$6,593.0</i></b>
Total Budget Authority / Obligations	\$56,030.4	\$58,443.0	\$65,036.0	\$6,593.0
Total Workyears	221.6	238.7	240.7	2.0

### **Program Project Description:**

Under the Toxic Substances Control Act (TSCA), as amended by the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act, the EPA has significant continuing and new 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 (those already in use when TSCA was first enacted in 1976 and those which have gone through review by the TSCA New Chemicals Program since),<sup>88</sup> by obtaining and evaluating chemical data and by taking regulatory and/or non-regulatory action, where appropriate, to prevent any unreasonable risk posed by their use; and
- New chemicals by reviewing and taking action on new chemical notices submitted by industry, including Pre-Manufacture Notices (PMNs), to ensure that no unreasonable risk will be posed by such chemicals upon their entry into U.S. commerce.

The new law, signed on June 22, 2016, substantially amended TSCA by providing the EPA with significant new authorities and obligations:

- *Clear and enforceable deadlines.* The EPA is now required to systematically prioritize and evaluate existing chemicals on a specific schedule, complete specified numbers of chemical risk evaluations within specified time frames, complete risk management actions within specified time frames where warranted by the findings of the evaluations, and review and make determinations on Confidential Business Information (CBI) claims within specified time frames, among other actions.
- *Requirement to address risks.* The EPA is required to take timely action to address identified risks by imposing requirements specified in Section 6(a) which can include: prohibiting, restricting, or modifying the manufacture, processing, distribution in commerce or

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<sup>88</sup> 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.

commercial use and modifying the labeling, recordkeeping, and other restrictions so that the chemical will no longer present an unreasonable risk.

- *Increased transparency of chemical data while protecting legitimate confidential information.* The EPA is required to review all chemical identity Confidential Business Information (CBI) claims for certain types of submissions and for 25% of most other CBI claims within 90 days.
- *Requirement that the EPA make an affirmative determination of safety on every new chemical.* Previously, new chemicals were reviewed in 90 days and were allowed to enter the marketplace unless the EPA made a specific determination that regulatory controls were needed. Now, continuing with a mandated 90-day timeframe, an affirmative determination must be made by the EPA that a new chemical substance will present, may present, or is not likely to present an unreasonable risk to human health or the environment; or that the available information is insufficient to enable the agency to make any of the above determinations. Unless the EPA determines that the substance is not likely to present unreasonable risk, the agency must issue an order or rule that imposes conditions sufficient to protect against any such unreasonable risk before the chemical can enter the marketplace.

In addition, the Act provided a sustainable source of funding for the EPA to carry out its new responsibilities. The agency will now be able to collect user fees from chemical manufacturers and processors to defray up to 25% of its costs for administering certain sections<sup>89</sup> of TSCA, as amended, subject to an overall cap of \$25 million a year in effect for the first three years after enactment.<sup>90</sup> Fee levels may be adjusted on a recurring three-year basis for inflation and to ensure that fees are sufficient to defray up to 25% of the costs to carry out certain sections of TSCA, as amended.

A rule to implement the fee collection provisions of the new law is currently under development. The statute allows the EPA to consider collecting fees from chemical manufacturers (including importers) and processors who:

- Are required to submit test data (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 or process a chemical substance that is subject to a risk evaluation (TSCA Section 6); or
- Request that the EPA conduct risk evaluation on an existing chemical (TSCA Section 6), subject to the agency's approval of the request.

The agency expects to finalize this rule and collect fees beginning in February 2018.

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<sup>89</sup> 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.

<sup>90</sup> 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.

## **FY 2018 Activities and Performance Plan:**

In FY 2018, the resources requested by the EPA will support continued implementation of the new TSCA law, with emphasis on meeting the critical mandates and timelines applicable to chemical testing, pre-market review of new chemicals, chemical risk evaluation and management, review and determinations on incoming CBI claims and other statutory priorities. At the same time, the agency will continue to carry out ongoing base program activities.

The agency already has made considerable progress in carrying out work activities required to be completed within one year after enactment of the new law. Key achievements include: the identification of the first 10 chemicals to be evaluated under the new law for potential risks to human health and the environment, identification of five mercury compounds to be subject to export restrictions, completion of proposals for several framework rules needed to implement provisions of the law (Inventory Rule, Risk Evaluation Rule, Prioritization Process Rule), and determinations have been made under the new law on 565 New Chemical notifications from enactment of the Lautenberg Chemical Safety Act (LCSA) in June 2016 through February 2017.<sup>91</sup> Future implementation activities will expand on the considerable progress already made.

### *Primary TSCA Implementation Activities – TSCA Sections 4, 5, 6, 8, and 14*

The new law, amending several elements of TSCA, provided mandates and authorities to the EPA for implementation responsibilities in the following primary areas: mandatory requirement for the EPA to evaluate existing chemicals with clear and enforceable deadlines; new risk-based safety standard; new requirement that the EPA must make an affirmative finding on the safety of a new chemical or significant new use of an existing chemical before it is allowed into the marketplace; and increased public transparency for chemical information. This section describes activities associated with these primary mandates and authorities.

The EPA is responsible for reviewing all new chemical submissions to determine whether the chemicals may pose unreasonable risk to human health or the environment if they were to enter U.S. commerce, and to take steps, where needed, to prevent such risks. Each year, the EPA assesses and manages, as necessary, the potential risks from approximately 1,000 new chemicals, including nanoscale materials and products of biotechnology, prior to their entry into the marketplace.

The law's new requirements resulted in changes to the new chemical review process. The new law requires that an affirmative determination be made by the EPA on whether a new chemical substance will present, may present, or is not likely to present an unreasonable risk (or that available information is insufficient to enable any of these determinations to be made) before the chemical substance can proceed to the marketplace. Since enactment, the program has been developing and implementing a process for administering the "not likely to present an unreasonable risk" finding (including new documentation and publication requirements), and administering the provision of the new law which requires that EPA make an affirmative determination for both intended and reasonably foreseen uses of new chemicals as well as the new finding of "insufficient information to make a reasoned evaluation." As a result, the workload involved in new chemical review has

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<sup>91</sup> <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/frank-r-lautenberg-chemical-safety-21st-century-act-5>

increased. In FY 2018, the agency expects to review over 1,000 new chemical submissions, take appropriate testing and risk management actions, and make affirmative determinations. The program also will evaluate the data submitted under requirements of existing Section 5 Consent Orders and address submitted Notices of Commencement (NOCs) when a new chemical is about to enter commerce. In FY 2018, the agency will continue to effectuate improvements to internal data and tracking systems to address the new mandates under TSCA as amended.

Under TSCA Section 6, as amended, the EPA is required to maintain an ambitious schedule for initiating and completing chemical risk evaluations of existing chemicals and, where risks are identified, for initiating and completing regulatory actions to address those risks.

- (a) Risk Evaluations: On December 19, 2016, the EPA identified the first 10 chemicals that will undergo risk evaluation under the new law (Designation of Ten Chemical Substances for Initial Risk Evaluations Under the Toxic Substances Control Act, 81 FR 91927), triggering a statutory deadline to issue documents identifying the scope of those evaluations within six months and to complete the risk evaluations within three years. In FY 2018, the agency will be working to advance these risk evaluations through the draft, peer review/public comment, and final stages, with a goal of completion no later than December 2019.

For the EPA-initiated risk evaluations beyond the first 10 chemicals noted above, the EPA must establish and implement a risk-based prioritization process to determine which chemicals will be evaluated, identifying them as either “high” or “low” priority substances as set forth in TSCA Section 6(b)(1)(A). A high priority designation is required when the EPA determines, without consideration of cost or other non-risk factors, that the chemical may present an unreasonable risk of injury to health or the environment due to potential hazard and a route of exposure, including to susceptible subpopulations [TSCA Section 6(b)(1)(B)]. High priority designation triggers a requirement that the EPA conduct a risk evaluation to determine whether a chemical substance presents an unreasonable risk of injury to health or the environment, without consideration of costs or other non-risk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulations [TSCA Section 6(b)(4)(F)]. The statute also expands the scope of the EPA’s risk evaluations to include all conditions of use of the chemical intended, known, or reasonably foreseen and requires that they be completed within 3 years (with a possibility of 6-month extension) [TSCA Section 6(b)(4)(G)].

The EPA is required to begin a risk evaluation for another chemical each time a risk evaluation is completed such that the EPA maintains the pace of 20 EPA-initiated risk evaluations underway from the end of calendar year 2019 forward [TSCA Section 6(b)(2)]. In FY 2018, the agency plans to commence the process for identifying an additional 10 chemicals for which risk evaluation will be initiated during 2018-2019, in order to ramp up to having twenty risk evaluations underway by the end of 2019. The agency expects to initiate up to 5 new risk evaluations by the end of FY 2018 to begin to build the base to have 20 EPA-initiated risk evaluations underway by the end of 2019. The law also directs the agency to designate at least 20 chemicals as low-priority substances by the end of calendar year 2019. In FY 2018, the agency intends to commence the process for identifying these low-priority substances.

The law includes provisions allowing manufacturers to request the EPA to conduct evaluations of specific chemicals. The EPA may undertake manufacturer-requested risk evaluations that meet the agency's acceptance criteria at levels up to 50% of the number of the EPA-initiated evaluations underway. Manufacturers requesting evaluations of chemicals that are on the TSCA Work Plan must pay fees defraying 50% of the agency's costs for conducting those evaluations. Manufacturers requesting evaluations of chemicals that are not on the TSCA Work Plan must pay fees covering 100% of the agency's costs for conducting those evaluations.

- (b) Risk Reduction Actions: When unreasonable risks are identified through the risk evaluations, the EPA must finalize risk management actions to address the unreasonable risk within two years, or up to four years if an extension is needed. Costs and availability of alternatives will be considered when determining appropriate action to address risks. Implementation must begin as quickly as possible, but no later than five years after the final regulation in the case of bans and phase-outs of chemicals.

TSCA section 6(h) establishes a fast process to address certain PBT chemicals on the 2014 TSCA Work Plan. For these chemicals, unless a manufacturer requests that they undergo a risk evaluation, a risk evaluation is not required, and action to reduce exposure to the extent practicable must be proposed no later than three years after enactment of the Lautenberg amendments (by June 2019) and finalized 18 months later. The EPA determined that seven chemicals met the PBT criteria set forth in the new law and subsequently received a request that two be evaluated under TSCA Section 6. The EPA has begun section 6 exposure reduction work on the remaining five PBT chemicals.

In FY 2018, the EPA plans to continue to consider comments received for two proposed Section 6(a) rules to address risks identified in chemical assessments, for specific uses of trichloroethylene (TCE) (spot cleaning and aerosol degreasing, vapor degreasing) and for methylene chloride and N-methylpyrrolidine (NMP) use in paint removers, completed prior to enactment of the TSCA amendments, as authorized by Section 26(l).

The agency receives and analyzes Substantial Risk Notifications submitted by industry pursuant to Section 8(e), which requires the EPA to be notified immediately when a company learns that a substance or mixture presents a substantial risk of injury to health or the environment. The EPA may use the information it receives in 8(e) notices in determining whether to take further action.

TSCA Section 4 authorizes the EPA to require testing of a chemical substance or mixture by manufacturers (including importers). The 2016 TSCA amendments provided new test order and consent agreement authorities which are designed to expedite the agency's collection of testing information for prioritizing and conducting chemical risk evaluations for new and existing chemicals. In FY 2018, the EPA may utilize these authorities to require testing on approximately 12 chemicals in connection with the prioritization and risk evaluation processes, where such testing is needed. The agency will continue to review test data submitted from prior test rules and enforceable consent agreements. As in past years, the EPA will make use of Toxics Release Inventory (TRI) data in prioritizing chemicals for collection of testing information and evaluation of potential risks.

The amendments to TSCA also promote the use of non-animal alternative testing methodologies. The agency will publish an Alternative Testing Methods Strategy by June 2018, two years after the date of enactment, as required by the new law.

In addition, in FY 2018, the EPA will continue to issue Significant New Use Rules (SNURs) for existing chemicals, where applicable. This will be a priority for certain uses no longer ongoing that are identified through the scoping activities conducted as part of the risk evaluations for the first 10 priority chemicals. The agency has the authority to monitor and control significant new uses of existing chemical substances where other uses are no longer ongoing. With a notification of a new use, the agency initiates an evaluation focusing on the health and environmental effects of the substance's significant new use.

The TSCA amendments establish new substantiation requirements for certain types of confidentiality (CBI) claims from submitters, require the EPA to review and make determinations on most new CBI claims for the identity of chemicals and a subset of other types of CBI claims, direct the EPA to develop policies and procedures for sharing TSCA CBI with states, tribes, health and medical professionals, first responders, and others; require the EPA to review CBI claims for chemical identity relating to active chemical substances in commerce to determine if they are still warranted; and direct the EPA to establish guidance for structurally descriptive generic names that must be provided when specific chemical identity is claimed as CBI. In addition, any CBI claim made for a chemical identity by manufacturers or processors during reporting to establish the active TSCA Inventory must be reviewed and determinations made no later than five years after the establishment of the active inventory listing. The current Inventory has over 17,000 chemicals on the confidential portion. In order to comply with these new provisions, the EPA is developing new or enhanced information systems to accommodate tracking of CBI reviews and changes to electronic reporting applications.

Under the amendments to TSCA, the EPA is required to designate chemical substances on the TSCA Chemical Substance Inventory as either "active" or "inactive" in U.S. commerce. To facilitate this, the EPA is required to promulgate a rule, by one year after enactment, requiring industry to report chemical substances on the TSCA Inventory that were manufactured (including any that were imported) for non-exempt commercial purposes during the ten-year time period prior to enactment. Reporting is expected to occur during the last quarter of FY 2017 and the first quarter of FY 2018 for manufacturers, and up to the first half of FY 2018 for processors. The EPA will use notices received to identify reported substances as active on the TSCA Inventory. Substances for which no notices are received will be identified as inactive on the Inventory. The EPA expects to publish the first TSCA Inventory with active and inactive designations in the fourth quarter of FY 2018.

The law also requires both manufacturers and processors to notify the EPA in the future when they anticipate re-introducing into U.S. commerce substances listed as inactive on the TSCA Inventory. This future reporting will commence after the publication of the TSCA Inventory in the fourth quarter of FY 2018.

### *Other TSCA Mandates and Activities*

In April 2017, as required under the new law, the EPA published, in the Federal Register, an inventory of supply, use, and trade of mercury and mercury compounds in the U.S., to be updated every three years. By June 2018, the agency must promulgate a rule establishing reporting requirements for persons who manufacture or import mercury and mercury-added products, or intentionally use mercury in a manufacturing process. In FY 2018, the EPA will develop an electronic reporting interface and database within CDX, and activities and material needed for outreach to instruct potentially affected stakeholders on how to report required information.

The Mercury Export Ban Act prohibits the export of certain specific mercury compounds, the TSCA 2016 amendments direct the EPA to publish a list of additional mercury compounds that will be subject to export bans. The agency completed this step in 2016. Every five years, the agency also must submit a report to Congress addressing any continuing export of those mercury compounds, with recommendations as to whether further regulation is warranted.

Section 21 of TSCA authorizes citizen petitions for the issuance, amendment, or repeal of a rule promulgated under TSCA Sections 4 (rules requiring chemical testing), 6 (rules imposing risk mitigation controls on chemicals), 8 (rules requiring submission of information), 5 (or orders under Section 4 or 5). Since September 2007, 20 citizen petitions have been filed with the EPA under this authority. The agency must grant or deny a Section 21 petition within 90 days; if the EPA grants a petition, the requested action must be initiated in a timely fashion.

### *Other Business Lines in Support of TSCA Implementation*

- Continuing enhancement of the TSCA Chemical Information System (CIS) to reduce manual handling of data, increase accessibility of 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, 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, as well as other new data reported to the EPA under TSCA (e.g., Section 5 Premanufacture Notices (PMNs), Section 12(b) data, and Section 8 (d), 8(e), and 8(c) submissions).

In FY 2018, the agency will continue implementation of required TSCA activities not affected by the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act amendment. These activities include:

- Implementing regulations under the TSCA Title VI Formaldehyde Standards for Composite Wood Products Act (Public Law 111-199). Title VI establishes national emission standards for formaldehyde in new composite wood products;<sup>92</sup>
- Continuing to implement the Mercury Export Ban Act (MEBA);<sup>93</sup> and providing responses to any requests for exemption from applicable export prohibitions. Continuing to carry out work necessary to support compliance with the Minamata Treaty on Mercury, to which the U.S. is a party.
- Providing firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts, as well as provide for operation and maintenance of the online database (FLPP)<sup>94</sup> that supports the processing of applications for training providers, firms, and individuals.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$8,601.0 / -53.6 FTE) This shifts funding for 53.6 FTE from annual appropriations to new TSCA fee collections. Fee collections are expected to begin in quarter two of FY 2018.
- (+53.6 FTE) This shifts 53.6 FTE to new TSCA fee collections from annual appropriations.
- (+\$14,364.0) This provides funding to support implementation of new responsibilities required by the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act.
- (+\$830.0 / +2.0 FTE) This provides funding for firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts, as well as provides for operation and maintenance of the online database (FLPP) that supports the processing of applications for training providers, firms, and individuals.

**Statutory Authority:**

Toxic Substances Control Act (TSCA), Sections 2-30, as amended by the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act (enacted June 2016).

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<sup>92</sup> See <http://www2.epa.gov/formaldehyde/formaldehyde-emission-standards-composite-wood-products>

<sup>93</sup> MEBA prohibits the export of elemental mercury as of January 1, 2013, among other requirements for the EPA, DOE, and other federal agencies.

<sup>94</sup> <https://ssoprod.epa.gov/sso/jsp/flppLogin.jsp>

**Pollution Prevention Program**

Program Area: Toxics Risk Review and Prevention

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$11,982.4</i></b>	<b><i>\$13,115.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$13,115.0)</i></b>
Total Budget Authority / Obligations	\$11,982.4	\$13,115.0	\$0.0	(\$13,115.0)
Total Workyears	53.1	58.1	0.0	-58.1

**Program Project Description:**

The Pollution Prevention (P2) program is a tool for advancing environmental stewardship and sustainability by federal, state, and Tribal governments; businesses; communities and individuals. The P2 program seeks to alleviate environmental problems by achieving reductions in the generation of hazardous releases to air, water, and land; reductions in the use of hazardous materials; reductions in the generation of greenhouse gases; and reductions in the use of water. The P2 program also helps businesses and others reduce costs as a result of implementing these preventative approaches.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. Based on previous investments in P2 solutions made under this program/project, partners are expected to be able to continue to share best practices and seek additional pollution prevention solutions.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$13,115.0 / -58.1 FTE) This funding change eliminates the Pollution Prevention program.

**Statutory Authority:**

Pollution Prevention Act of 1990 (PPA), §§ 6602-6610; Toxic Substances Control Act (TSCA), § 10.

**Toxic Substances: Lead Risk Reduction Program**  
 Program Area: Toxics Risk Review and Prevention

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<i>Environmental Program &amp; Management</i>	\$13,051.2	\$13,250.0	\$0.0	(\$13,250.0)
Total Budget Authority / Obligations	\$13,051.2	\$13,250.0	\$0.0	(\$13,250.0)
Total Workyears	68.9	72.8	0.0	-72.8

**Program Project Description:**

The EPA is working to reduce the number of children with blood lead levels of five micrograms per deciliter or higher through multiple programs.<sup>95</sup> The Lead Risk Reduction program has worked to reduce the disparities in blood lead levels between low-income children and non-low-income children.<sup>96</sup>

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. Lead paint certifications will continue under the Chemical Risk Review and Reduction program. Other forms of lead exposure are addressed through other targeted programs, such as lead pipe replacement with the SRFs.

The EPA will continue to provide firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts, as well as provide for operation and maintenance of the online database (FLPP) that supports the processing of applications for training providers, firms, and individuals, through the Chemical Risk Review and Reduction program.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$13,250.0 / -72.8 FTE) This funding change eliminates the Lead Risk Reduction program. 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), §§ 401-412.

<sup>95</sup> Jacobs, D.E.; Clickner, R.P.; Zhou, J.Y.; Viet, S.M.; Marker, D.A.; Rogers, J.W.; Zeldin, D.C.; Broene, P.; and Friedman, W. (2002). The prevalence of lead-based paint hazard in U.S. housing. *Environmental Health Perspectives*, 110(10): A599-A606

<sup>96</sup> Centers for Disease Control and Prevention. Fourth Report on Human Exposure to Environmental Chemicals, Updated Tables, (September 2012). Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention. <http://www.cdc.gov/exposurereport/>

**Program Area: Underground Storage Tanks (LUST / UST)**

**LUST / UST**

## Program Area: Underground Storage Tanks (LUST / UST)

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$11,083.4</i></b>	<b><i>\$11,273.0</i></b>	<b><i>\$5,612.0</i></b>	<b><i>(\$5,661.0)</i></b>
Leaking Underground Storage Tanks	\$9,159.3	\$9,222.0	\$6,364.0	(\$2,858.0)
Total Budget Authority / Obligations	\$20,242.7	\$20,495.0	\$11,976.0	(\$8,519.0)
Total Workyears	100.6	108.1	68.8	-39.3

**Program Project Description:**

Releases of petroleum from underground storage tanks (UST) can contaminate groundwater, the drinking water source for many Americans. Environmental Program and Management (EPM) resources in the Leaking Underground Storage Tank (LUST) /Underground Storage Tank (UST) program help prevent releases by providing states<sup>97</sup> and tribes with technical assistance training, and guidance.

The 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.

**FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will:

- Implement a targeted UST Tribal program, including inspections, enforcement, compliance assistance, and data management.
- Within available resources, provide technical assistance, compliance help, and expert consultation to state, Tribal, and other agency partners 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.
- Work with states and tribes regarding UST compatibility with alternative fuels. Work in this area is important given the national growth in biofuels and other emerging fuels, and

<sup>97</sup> 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.

the significant findings regarding the increasing prevalence of corrosion of UST system equipment containing ethanol or diesel fuels.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$5,661.0 / -27.2 FTE) This change reflects a reduced workload due to the proposed elimination of the LUST Prevention and the Categorical Grant Underground Storage Tanks programs. With remaining 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.

**Program Area: Water: Ecosystems**

**National Estuary Program / Coastal Waterways**

Program Area: Water: Ecosystems

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b>\$25,862.3</b>	<b>\$26,672.0</b>	<b>\$0.0</b>	<b>(\$26,672.0)</b>
Total Budget Authority / Obligations	\$25,862.3	\$26,672.0	\$0.0	(\$26,672.0)
Total Workyears	38.8	43.6	0.0	-43.6

**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.<sup>98</sup>

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$26,672.0 / -43.6 FTE) This funding change eliminates the National Estuary Program/Coastal Waterways program. The 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, Section 320; Estuaries and Clean Waters Act of 2000; Protection and Restoration Act of 1990; North American Wetlands Conservation Act.

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<sup>98</sup> For more information, visit <https://www.epa.gov/nep>.

## Wetlands

Program Area: Water: Ecosystems

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$21,065.5</i></b>	<b><i>\$21,025.0</i></b>	<b><i>\$18,115.0</i></b>	<b><i>(\$2,910.0)</i></b>
Total Budget Authority / Obligations	\$21,065.5	\$21,025.0	\$18,115.0	(\$2,910.0)
Total Workyears	136.4	137.3	115.0	-22.3

### **Program Project Description:**

The EPA's Wetlands program has two primary components: the Clean Water Act (CWA) Section 404 regulatory program and the state and Tribal development program. Major activities of the program include improving management and public understanding of wetland programs and legal requirements; reviewing Section 404 permit applications submitted to the U.S. Army Corps of Engineers (USACE) or authorized states; and assisting in the development of state and Tribal wetland protection programs under the CWA.

### **FY 2018 Activities and Performance Plan:**

The EPA will work with states and tribes to target the Wetlands Protection program funds to core statutory requirements while providing states and tribes with flexibility to best address their particular priorities.

#### Clean Water Act Section 404:

USACE is responsible for managing the day-to-day permit processes nationwide under Section 404 of the CWA. The EPA is statutorily required to provide input to the USACE as it develops proposed permits. The EPA and USACE will work together to evaluate options for improving efficiencies in federal CWA permitting that could help reduce potential costs and delays, increase consistency and predictability, and improve protection of public health and the environment.

In FY 2018, the EPA also will conduct activities pursuant to responsibilities as a member of the Gulf Coast Ecosystem Restoration Council authorized under the RESTORE Act.

#### Build State and Tribal Wetlands Program:

In addition, the EPA will continue to work with states and tribes interested in assuming administration of the CWA Section 404 program. The EPA will continue to administer Wetland Program Development Grants in support of state and Tribal wetland programs, with a focus on working more efficiently with states and tribes to achieve specific program development outcomes.<sup>99</sup>

<sup>99</sup> For more information, visit <http://www.epa.gov/owow/wetlands/> or <http://www.cfda.gov>.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$2,910.0 / -22.3 FTE) This streamlines the Wetlands program. The EPA will work with states and tribes to target funds to core requirements while providing flexibility to address particular priorities.

**Statutory Authority:**

Clean Water Act, § 404.

**Program Area: Water: Human Health Protection**

**Beach / Fish Programs**

Program Area: Water: Human Health Protection

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$1,779.8</i></b>	<b><i>\$1,978.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$1,978.0)</i></b>
Total Budget Authority / Obligations	\$1,779.8	\$1,978.0	\$0.0	(\$1,978.0)
Total Workyears	3.2	3.8	0.0	-3.8

**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 locally caught fish with contaminants at levels of concern.

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 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The agency will encourage states to continue this work within ongoing core programs.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$1,978.0 / -3.8 FTE) This funding change eliminates the Beach/Fish Program, which is a mature, well-established program that can continue to be implemented at the local level.

**Statutory Authority:**

Clean Water Act, § 104.

## Drinking Water Programs

Program Area: Water: Human Health Protection

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$96,372.2</i></b>	<b><i>\$96,341.0</i></b>	<b><i>\$80,044.0</i></b>	<b><i>(\$16,297.0)</i></b>
Science & Technology	\$3,975.8	\$3,512.0	\$3,657.0	\$145.0
Total Budget Authority / Obligations	\$100,348.0	\$99,853.0	\$83,701.0	(\$16,152.0)
Total Workyears	511.4	522.7	443.3	-79.4

### **Program Project Description:**

The EPA's Drinking Water Program is based on a multiple-barrier and source-to-tap approach to protecting public health from contaminants in drinking water. The EPA protects public health through: (1) source water assessment and protection programs; (2) promulgation of new or revised, scientifically sound National Primary Drinking Water Regulations (NPDWRs); (3) training, technical assistance, and financial assistance programs to enhance public water system capacity to comply with existing and new regulations; (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.<sup>100</sup>

### **FY 2018 Activities and Performance Plan:**

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 (PWSs) that are subject to national drinking water standards.<sup>101</sup> In FY 2018, the EPA will continue its core mission to protect the public from contaminants in drinking water by: (1) developing new and revising existing drinking water standards; (2) supporting states, tribes, and water systems in implementing standards; (3) enabling financing of infrastructure projects while promoting sustainable management of drinking water systems; and (4) implementing the underground injection control (UIC) program.

In FY 2016, 91 percent of the population served by Community Water Systems (CWSs) received drinking water that met all applicable health-based drinking water standards. Ongoing compliance challenges include violations related to the Total Coliform Rule, the Lead and Copper Rule, the Stage 2 Disinfectants and Disinfection Byproducts Rule, and the Nitrates regulation.

<sup>100</sup> For more information, please see <https://www.epa.gov/ground-water-and-drinking-water> and <https://www.cfd.gov>

<sup>101</sup> U.S. Environmental Protection Agency Safe Drinking Water Information System (SDWIS/FED), <http://water.epa.gov/scitech/datait/databases/drink/sdwisfed/index.cfm>.

## Water Infrastructure

With the aging of the nation's critical water infrastructure and a growing need for investment, the drinking water and wastewater sectors face a significant challenge to maintain and advance the achievements attained in protecting public health and the environment. The EPA's water and wastewater sustainability efforts are designed to promote more effective management of water systems to continuously improve their performance and achieve long-term sustainability.

In addition, the EPA's FY 2018 budget includes resources for continued operation of the Water Infrastructure and Resiliency Finance Center to help communities across the country improve their wastewater, drinking water, and stormwater systems, particularly through innovative financing and building resiliency. These investments are designed to enhance system capacity and ultimately increase the efficiency and effectiveness of available water infrastructure funding. The FY 2018 budget also continues to provide funding for the Environmental Finance Centers which deliver financial outreach services, such as technical assistance, training, expert advice, and full cost pricing analysis to states, local communities, and small businesses.

The EPA will continue to support financing and construction of drinking water infrastructure and encourage public water systems to adopt sustainable management practices by doing the following:

- Provide states with funds, through the Drinking Water State Revolving Fund (DWSRF) capitalization grants, for low-interest loans to assist utilities with financing drinking water infrastructure needs and to support utility compliance with Safe Drinking Water Act (SDWA) standards;
- Encourage states to consider using the set-asides in the DWSRF to build water system technical and managerial capacity;
- Provide effective oversight of the DWSRF funds;
- Advise states on maintaining their capacity development and operator certification programs to support compliance by public water systems with the SDWA and to enable water systems, especially small systems, to meet statutory prerequisites for receiving infrastructure financing; and
- Encourage states to develop state-centric tools, in lieu of national tools, to assist water systems with capacity development.

## Drinking Water Implementation

In FY 2018, 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 distribution systems. In particular, the EPA will continue to focus on working with states to optimize corrosion control treatment to minimize exposure to lead. The EPA also will continue to require states to report violations data at all public water systems for all rules, including requirements to protect against *Cryptosporidium*, to control disinfection byproducts, and to implement the Revised Total Coliform Rule.

While most small systems consistently provide safe and reliable drinking water to their customers, many small systems face challenges with aging infrastructure, complying with regulatory

requirements, workforce shortages and high staff turnover, increasing costs, and declining rate bases. In FY 2016, small community water system violations made up 94 percent of overall violations;<sup>102</sup> however, in Indian Country, only 88 percent of the population served by CWSs received drinking water that met all applicable health-based standards. The EPA will continue to focus on small systems by strengthening and targeting financial assistance, in coordination with state infrastructure programs, to support rehabilitation of the nation's infrastructure. The agency also will look for ways to promote partnerships among water systems to build capacity and work with states and tribes, as well as with utility associations, third-party technical assistance providers, and other federal partners, to promote the sustainability practices that are the foundation for building technical, managerial, and financial capacity, known as Capacity Development.<sup>103</sup>

In FY 2018, the agency will continue to streamline its business processes and systems to reduce reporting burden on states and regulated facilities, and improve the effectiveness and efficiency of regulatory programs for the EPA, states, and tribes.

Key to addressing the most pressing public water system issues is being able to identify which systems have the greatest need and then efficiently interacting with those systems. In FY 2018, the EPA will continue work with states to develop SDWIS Prime, the management and reporting tool used by the majority of state drinking water programs. SDWIS Prime is a centralized infrastructure technology system that will replace SDWIS State and other systems that are hosted and operated separately by each primacy agency. Benefits of this transition to SDWIS Prime include improvements in program efficiency and data quality, greater public access to drinking water data, facilitation of electronic reporting, reductions in reporting burdens on laboratories and water utilities, reductions in data management burden for states, and ultimately reduction in public health risk. In FY 2018, the EPA will complete SDWIS modernization with the release of SDWIS Prime. SDWIS Prime will be a centralized infrastructure technology system that replaces SDWIS State and other systems that are currently hosted and operated separately by each primacy agency.

In FY 2016, the EPA released the Compliance Monitoring Data Portal (CMDP) enabling drinking water utilities and laboratories to report data electronically to primacy agencies with fewer errors and in a more efficient manner. The portal increases data accuracy and completeness and once fully implemented, could decrease the overall reporting burden for primacy agencies by hundreds of thousands of hours. Primacy agencies can use the portal-reported data to make more informed decisions about water system compliance and focus their limited resources on preventing and responding to public health problems. In FY 2017, the EPA is assisting primacy agencies in transitioning to and utilizing CMDP, and will continue this assistance in FY 2018.

In FY 2018, the EPA also will conduct the following activities to facilitate compliance with rules:

- Oversee the national Public Water System Supervision (PWSS) program by administering the PWSS 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 (i.e., microbial pathogens and disinfection byproducts, other chemicals, and radiological contaminants);

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<sup>102</sup> <https://www.epa.gov/waterdata/drinking-water-tools>.

<sup>103</sup> Read more on Capacity Development at <http://water.epa.gov/type/drink/pws/smallsystems/index.cfm>.

- Offer training and technical assistance on a prioritized basis, using materials developed in prior years, to states, tribes, and public water systems for the Lead and Copper Rule (LCR);
- Directly implement the Aircraft Drinking Water Rule, designed to protect millions of people who travel on over five thousand aircraft in the U.S., if necessary to address identified significant risks; and
- Directly implement the drinking water program where states do not have primacy (*e.g.*, Wyoming, the District of Columbia, and Tribal lands), focused on actions that are under court order or address significant identified risks.

### Drinking Water Standards

To assure the American people that their water is safe to drink, the EPA's drinking water regulatory program monitors for a broad array of contaminants, evaluates whether contaminants are of public health concern, and regulates contaminants when there is a meaningful opportunity for health risk reduction for persons served by public water systems. In addition, the EPA will work to reduce lead risks through revisions to the Lead and Copper Rule (LCR), and regulations to implement the Water Infrastructure Improvement for the Nation Act and the Reduction of Lead in Drinking Water Act. The EPA will continue its communication with states, tribes, and communities, to understand local perspectives on the quality of drinking water.

The agency also will continue to evaluate and address drinking water risks in FY 2018, including:

- Preparing a proposed national primary drinking water regulation for perchlorate by October 2018 in accordance with a consent decree. Conducting analyses to establish a health based goal for the regulation, evaluating costs and benefits of alternative regulatory requirements, and consulting with stakeholders.
- Proposing revisions to the LCR and evaluating public comments on the proposed revisions. The EPA received comprehensive recommendations from the National Drinking Water Advisory Council (NDWAC) and other concerned stakeholders on potential steps to strengthen the LCR. The agency will propose regulatory revisions based upon this input and based upon the Water Infrastructure Improvement for the Nation Act. The EPA will conduct an evaluation of the costs and benefits of potential revisions. The EPA will evaluate the public comments on the proposed revisions and begin development of final rule revisions to the LCR.
- Evaluating the public comments and any additional data received on the proposed rule that makes changes to existing regulations based on the Reduction of Lead in Drinking Water Act (RLDWA) and the Community Fire Safety Act that prohibits the use and introduction into commerce of lead pipes, plumbing fittings or fixtures, and solder and flux. In developing the final rule, the EPA will consider public comments and additional data received. The EPA plans to publish the final rule in FY 2019.
- Collecting and analyzing health effects and occurrence data to assess contaminants on the fourth contaminant candidate list (CCL 4), that includes Perfluorooctanoic Acid (PFOA), Perfluorooctanesulfonic acid (PFOS), and 1-4 Dioxane, for regulatory determinations. Evaluation of these contaminants in FY 2018 is critical for the Agency to publish preliminary determinations, consider comments, and publish final regulatory determinations by the SDWA deadline (January 2021).
- Collecting information on microbial pathogens (*e.g.*, *Legionella*) and disinfection byproducts.

## Source Water Protection

The EPA will continue to partner with states, drinking water utilities, and other stakeholders to identify and address current and potential sources of drinking water contamination. These efforts are integral to the sustainable infrastructure effort because source water protection can reduce the need for additional drinking water treatment and the associated additional infrastructure costs and energy usage, while better protecting public health. In the past three years, states of emergency have been declared due to source water contamination from harmful algal blooms on Lake Erie, and a leaking chemical storage tank leak on the Elk River that lead to “do not drink” and “do not use” advisories in Toledo, OH and Charleston, WV respectively, that prevented access to safe drinking water for residents, hospitals, schools, and businesses in these communities, causing economic impacts in the tens of millions of dollars. These events highlight the importance of safe drinking water to public health and local economies, and, in particular, the need to prioritize threats and protect drinking water sources.

In FY 2018, the agency will:

- Work with stakeholder organizations to encourage continuing engagement in the Source Water Collaborative,<sup>104</sup> which works to leverage resources, support efforts to assist communities in source water protection activities and projects, and promote ongoing efforts to protect drinking water sources.
- Develop new and revised drinking water health advisories that will support state needs for information for their own standards setting processes. Where data is not available, the EPA will leverage resources from states and international bodies on chemical safety. The EPA’s health advisories provide information to water quality managers on the human health effects of and methods to sample and treat water contaminants, but are not enforceable national drinking water standards.
- Continue to support users of the existing data-layers of the Drinking Water Mapping Application for Protecting Source Waters (DWMAPS)<sup>105</sup> through the EPA’s geoplatform. This online GIS-based application enables states, utilities, and others to combine national datasets previously integrated with DWMAPS with their own datasets, such as chemical storage facilities and sensitive drinking water intakes, to evaluate threats to drinking water. DWMAPS also allows users to leverage CWA data to analyze and coordinate water quality assessments, impaired waters, and point source permit information to protect drinking water sources.

## Underground Injection Control (UIC)

In order to safeguard current and future underground sources of drinking water from contamination, the UIC program regulates the construction, operation, permitting, and closure of injection wells that place fluids underground for storage, disposal, enhanced recovery of oil and gas, and minerals recovery. The number of UIC wells, especially Class II oil- and gas-related wells, has risen significantly in recent years, and this trend is expected to continue. Additionally, as population growth, land use changes, and drought exacerbate water supply challenges in many areas of the

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<sup>104</sup> <https://www.epa.gov/sourcewaterprotection/source-water-collaborative>.

<sup>105</sup> <https://www.epa.gov/sourcewaterprotection/dwmaps>.

country, management of water availability has become increasingly important in providing safe and reliable drinking water to communities.

In FY 2018, the EPA will continue to provide some technical support to states and tribes in making permitting decisions, evaluating approaches to providing oversight related to implementation of underground injection regulations, and directly implement the UIC regulations where the EPA has primary authority. Activities 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, recognizing the important role that energy extraction, including natural gas development, plays in our energy future;
- 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 in a rapidly growing energy sector to prevent endangerment of underground sources of drinking water;
- Working towards transferring primary enforcement authority for Class II and Class VI Geologic Sequestration wells from the EPA direct implementation to state programs that apply for primacy. For example, the EPA approved primary enforcement responsibility of Class II wells for the State of Kentucky, which took effect on March 21, 2017. The EPA also will continue working with the State of Michigan on its draft application to assume Class II primacy, and with North Dakota on its application to assume Class VI primacy;
- Promoting implementation of a nationally consistent and predictable approach to reviewing and approving aquifer exemption requests;
- Promoting voluntary strategies for improving compliance with Class II regulations, including risks from induced seismic events from disposal wells;
- Working with Region 9 and the State of California to review and approve aquifer exemptions so that the state program is consistent with the Safe Drinking Water Act and UIC regulations;
- Continuing to identify aquifer exemption records to add to the national aquifer exemption data set;
- Providing technical assistance, tools, and strategies to states for improving implementation of UIC programs, including approaches to reduce the number of earthquake events related to underground injection activities; and
- Using national UIC data to assist with program oversight of state and the EPA UIC programs.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$6,303.0) This program reduction reflects a refocus on core work in the SDWA for FY 2018.

- (-\$9,994.0 / -77.3 FTE) Resources and FTE changes represent the net of all other changes in the program and streamlining of activities.

**Statutory Authority:**

Safe Drinking Water Act (SDWA); Clean Water Act.

**Program Area: Water Quality Protection**

**Marine Pollution**

Program Area: Water Quality Protection

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$10,757.8</i></b>	<b><i>\$10,142.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$10,142.0)</i></b>
Total Budget Authority / Obligations	\$10,757.8	\$10,142.0	\$0.0	(\$10,142.0)
Total Workyears	37.5	37.4	0.0	-37.4

**Program Project Description:**

The EPA’s Marine Pollution Program partners with other agencies, including the Department of Defense, the National Oceanic and Atmospheric Administration (NOAA), and others to integrate management of oceans and coasts. This program aims to: 1) ensure marine ecosystem protection; 2) manage ocean dumping of dredged material and limit and prevent disposal of wastes and other materials in the ocean; 3) address emerging environmental threats to the marine and coastal water quality; 4) protect sensitive marine habitats; and 5) gather data and undertake research to inform policy and program decisions for protection of the marine and near coastal environment.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. The EPA will seek opportunities to continue to meet statutory mandates through the national water program.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$10,142.0 / -37.4 FTE) This funding change eliminates the Marine Pollution program. Other federal agencies may continue to support these efforts.

**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

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$202,080.5</i></b>	<b><i>\$199,875.0</i></b>	<b><i>\$174,975.0</i></b>	<b><i>(\$24,900.0)</i></b>
Total Budget Authority / Obligations	\$202,080.5	\$199,875.0	\$174,975.0	(\$24,900.0)
Total Workyears	986.8	1,023.9	937.1	-86.8

**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 rivers, lakes, and streams. The EPA works with states and tribes to make continued progress toward clean water goals.

**FY 2018 Activities and Performance Plan:**

The EPA will work with states and tribes to target funds to core requirements while providing states and tribes with flexibility to best address their particular priorities for Surface Water Protection.

Program Implementation

In FY 2018, the EPA will continue to provide scientific water quality criteria information, review and approve state water quality standards, and review and approve state lists of impaired waters. Water quality criteria and standards provide the scientific and regulatory foundation for water quality protection programs under the CWA. The EPA will continue to support state and Tribal programs by providing scientific water quality criteria information as required by CWA Section 304. The 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 at 40 CFR part 131.

The EPA will continue to establish or revise effluent guidelines as required under the CWA, as well as complete an annual review and biennial plan. As required under CWA Section 304(h), the EPA will revise existing and adopt new analytical test methods for measuring pollutants in wastewater to incorporate cheaper, safer, faster, more sensitive and/or more accurate analytical test methods.

The EPA will work with states and other partners on Total Maximum Daily Loads (TMDLs) as required by CWA Section 303(d) and on other 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. The EPA will work with states and tribes on strengthening their Section 303(d) programs so they strengthen Section 303(d) plans and ensure they are effective. Support also will be provided to control nonpoint sources of pollution and ensure the protection of high-quality waters.

The EPA will continue working with states and tribes to support the statistically valid National Aquatic Resource Surveys (NARS) of the condition of the nation's waters which support CWA Section 305(b). The EPA will continue working with states and tribes to implement base water quality monitoring and enhancements to develop data that serve multiple CWA programs in a cost-efficient and effective manner. The EPA will continue supporting state and Tribal water quality data exchange and tools to maximize use of data from multiple organizations to support water quality management decisions.

The EPA and the Army Corps of Engineers are implementing the President's Executive Order<sup>106</sup> directing the Administrator of the EPA and the Assistant Secretary of the Army for Civil Works to review the 2015 Clean Water Rule and publish for notice and comment a proposed rule rescinding or revising the rule, as appropriate and consistent with law.

In FY 2018, the 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 CWA, works with states to structure the permit program to better support comprehensive protection of water quality on a watershed basis.

### Infrastructure

The EPA will continue its robust support of the nation's infrastructure. The EPA will focus efforts to leverage and encourage public and private collaborative efforts and investments in improving the Nation's water infrastructure.

This program/project supports the policy and fiduciary oversight of the Clean Water State Revolving Fund program, which provides low-interest loans to help finance wastewater treatment facilities and other water quality projects. The program supports work toward ensuring the good financial condition of the State Revolving Funds.

The FY 2018 budget continues to provide funding for the Environmental Finance program which will help communities across the country improve their wastewater and stormwater systems, particularly through innovative financing.

### Program Oversight/Accountability

States and tribes are important partners for implementing the CWA. For programs where states and tribes have primacy, the agency will focus on providing oversight and assistance. In addition, as required under the CWA and Executive Orders 12866, 135638, and 13771, the EPA will continue to support cost/benefit analysis for CWA regulatory and deregulatory actions.

The agency will continue to develop and work with states to use the updated Assessment and TMDL Tracking Implementation System (ATTAINS) to track improvements in impaired waters.

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<sup>106</sup> Presidential Executive Order on Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the "Waters of the United States" Rule available at: <https://www.whitehouse.gov/the-press-office/2017/02/28/presidential-executive-order-restoring-rule-law-federalism-and-economic>

This tool will reduce burden on states to track and report progress in meeting water quality standards in waters targeted for local action and greatly improve evidence-based tracking of local actions to improve water quality.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$24,900.0 / -86.8 FTE) This streamlines the Surface Water Protection program, including the elimination of the \$3.075 million WaterSense program and also activities under the Urban Waters program.

**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.

**Program Area: Indoor Air and Radiation**

**Indoor Air: Radon Program**  
Program Area: Indoor Air and Radiation

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Science & Technology	\$378.9	\$172.0	\$0.0	(\$172.0)
<b><i>Environmental Program &amp; Management</i></b>	<b>\$2,759.3</b>	<b>\$2,904.0</b>	<b>\$0.0</b>	<b>(\$2,904.0)</b>
Total Budget Authority / Obligations	\$3,138.2	\$3,076.0	\$0.0	(\$3,076.0)
Total Workyears	8.5	10.6	0.0	-10.6

**Program Project Description:**

Title III of the Toxic Substances Control Act (TSCA) authorizes the EPA to undertake a variety of activities to address the public health risk posed by exposure to indoor radon. Under the statute, the 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 29 years, the EPA's radon program has provided important guidance and significant funding to help states establish their own programs.

**FY 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. This is a mature program where states have the technical capacity to continue this work.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$2,904.0 / -10.6 FTE) This funding change eliminates the Indoor Air: Radon program.

**Statutory Authority:**

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

**Reduce Risks from Indoor Air**  
Program Area: Indoor Air and Radiation

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$12,972.9</i></b>	<b><i>\$13,707.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$13,707.0)</i></b>
Science & Technology	\$260.4	\$209.0	\$0.0	(\$209.0)
Total Budget Authority / Obligations	\$13,233.3	\$13,916.0	\$0.0	(\$13,916.0)
Total Workyears	37.6	40.7	0.0	-40.7

**Program Project Description:**

Title IV of the Superfund Amendments and Reauthorization Act of 1986 (SARA) authorizes the 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. The 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 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. This is a mature program where states have the technical capacity to continue this work.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$13,707.0 / -39.1 FTE) This funding change eliminates the Reduce Risks from Indoor Air program.

**Statutory Authority:**

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

**Radiation: Protection**

Program Area: Indoor Air and Radiation

(Dollars in Thousands)

	FY 2016 Actuals	FY 2017 Annualized CR	FY 2017 Pres Bud	FY 2018 Pres Bud v. FY 2017 Annualized CR
<i>Environmental Program &amp; Management</i>	\$8,371.0	\$8,427.0	\$0.0	(\$8,427.0)
Science & Technology	\$2,064.5	\$1,831.0	\$0.0	(\$1,831.0)
Hazardous Substance Superfund	\$2,194.2	\$1,981.0	\$0.0	(\$1,981.0)
Total Budget Authority / Obligations	\$12,629.7	\$12,239.0	\$0.0	(\$12,239.0)
Total Workyears	52.9	59.1	0.0	-59.1

**Program Project Description:**

The EPA has general and specific duties to protect human health and the environment from harmful and avoidable exposure to radiation under 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.

The EPA's Radiation Protection Program carries out these responsibilities through its federal guidance and standard-setting activities, including: regulatory oversight at the Department of Energy's Waste Isolation Pilot Plant (WIPP);<sup>107</sup> 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 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018.

The EPA will explore alternatives to continue to meet its statutory obligation to implement its regulatory oversight responsibilities for Department of Energy (DOE) activities at the Waste Isolation Pilot Plant (WIPP) facility, as mandated by Congress in the WIPP Land Withdrawal Act of 1992.

The EPA also will explore alternatives for its requirement, under the Atomic Energy Act, to establish health and environmental protection standards for exposures to radiation.

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<sup>107</sup> Additional information at: <http://www.epa.gov/radiation/wipp/background.html>.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$8,427.0 / -36.8 FTE) This funding change eliminates the Radiation: Protection program.

**Statutory Authority:**

Atomic Energy Act of 1954; 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); Clean Air Act; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); 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.

**Radiation: Response Preparedness**  
Program Area: Indoor Air and Radiation

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Science & Technology	\$3,716.5	\$3,774.0	\$3,339.0	(\$435.0)
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$2,047.1</i></b>	<b><i>\$2,545.0</i></b>	<b><i>\$2,257.0</i></b>	<b><i>(\$288.0)</i></b>
Total Budget Authority / Obligations	\$5,763.6	\$6,319.0	\$5,596.0	(\$723.0)
Total Workyears	35.5	39.2	31.5	-7.7

**Program Project Description:**

The 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”). The EPA continues to respond to radiological emergencies and conducts essential national and regional radiological response planning and training and develops response plans for radiological incidents or accidents.

**FY 2018 Activities and Performance Plan:**

In FY 2018, the EPA will evaluate its resources and streamline 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. The EPA will design essential training and exercises to enhance the RERT’s ability to fulfill the EPA’s responsibilities and improve overall radiation response preparedness.<sup>108</sup>

In FY 2018, the EPA will streamline efforts 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 use guidance addressing lessons learned from incidents and exercises to ensure the effective delivery of EPA support in coordination with other federal and state response agencies.

The EPA will continue to participate in essential planning and implementing international and federal 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 continue to train state, local, and federal officials and provide technical support on priority

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<sup>108</sup> For additional information, see: <https://www.epa.gov/radiation/radiological-emergency-response-expertise-and-equipment>.

issues to federal and state radiation, emergency management, solid waste and health programs responsible for radiological emergency response and the development of preparedness programs.

The EPA will continue to develop and use both laboratory and field measurement methods, procedures, and quality systems to support expedited assessment and characterization of outdoor and indoor areas impacted with radiological contamination. These methods and procedures will support rapid assessment and triage of impacted areas (including buildings, indoor environments, and infrastructure) and the development of cleanup strategies.

A list of FY 2018 performance measures and targets is located in the FY 2018 Performance Measures tab.

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$288.0 / -3.4 FTE) This streamlines technical support for programs that are responsible for radiological emergency response and development of their own preparedness programs. The EPA will evaluate its resources and streamline across radiological emergency response activities and assets to focus on the most essential preparedness work.

**Statutory Authority:**

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Homeland Security Act of 2002; Atomic Energy Act of 1954; 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); 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).

**Program Area: Congressional Priorities**

**Water Quality Research and Support Grants**  
Program Area: Congressional Priorities

(Dollars in Thousands)

	<b>FY 2016 Actuals</b>	<b>FY 2017 Annualized CR</b>	<b>FY 2017 Pres Bud</b>	<b>FY 2018 Pres Bud v. FY 2017 Annualized CR</b>
Science & Technology	\$10,378.5	\$14,073.0	\$0.0	(\$14,073.0)
<b><i>Environmental Program &amp; Management</i></b>	<b><i>\$12,678.0</i></b>	<b><i>\$12,676.0</i></b>	<b><i>\$0.0</i></b>	<b><i>(\$12,676.0)</i></b>
Total Budget Authority / Obligations	\$23,056.5	\$26,749.0	\$0.0	(\$26,749.0)
Total Workyears	4.1	4.0	0.0	-4.0

**Program Project Description:**

The purpose of these cooperative agreements 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 2018 Activities and Performance Plan:**

Resources and FTE have been eliminated for this program in FY 2018. States have the ability to develop technical assistance plans for their water systems using Public Water System Supervision funds and set-asides from the Drinking Water State Revolving Fund (DWSRF).

**FY 2018 Change from FY 2017 Annualized Continuing Resolution (Dollars in Thousands):**

- (-\$12,676.0) This funding change eliminates the Water Quality competitive grant program since resources are available through other existing programs and states are best positioned to develop technical assistance plans for their water systems.

**Statutory Authority:**

SDWA, 42 U.S.C. §300j-1c, Section 1442. CWA104(b)(3).