YEAR ONE ANNIVERSARY REPORT

Bipartisan Infrastructure Law

November 2022

EPA

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Administrator's Message

One year ago, Congress passed the Bipartisan Infrastructure Law (BIL)—a once-in-a-generation investment in the future of our country. Historic funding from BIL will create millions of jobs, modernize our Nation's infrastructure, combat the climate crisis, and put us on a path to winning the 21st century. I'm incredibly proud of all that we've been able to accomplish over the past year. Thanks to BIL, EPA is putting billions of dollars to work to fulfill our mission of protecting public health and the environment, while prioritizing overburdened communities who unjustly bear the burdens of environmental harm and pollution.

Creating a future in which all people have clean air to breathe, clean water to drink, and the opportunity to lead a healthy life is central to all of our work at EPA, and unprecedented funding from BIL will allow us to progress further and faster than ever before. Shortly after the BIL was signed, I embarked on the first leg of our *Journey to Justice* tour to shine a spotlight on the longstanding environmental justice concerns that have plagued marginalized communities for decades. I traveled across the southern United States and met with community members in their churches and on their front porches. We saw firsthand the degree of injustice folks have to live with every day, and immediately committed to delivering long overdue protections to these communities.

President Biden understands how critical it is to ensure BIL funding reaches the communities who need it the most, and that's why this Administration established Justice40. At least 40 percent of EPA's funding from BIL will go directly to underserved communities. Many of these communities will need help applying for and securing these funds, so EPA launched the most robust technical assistance program in our history. Universities, nonprofit organizations, and tribal governments will have access to federal grants to set up Thriving Communities Technical Assistance Centers in each of our regional office areas. The Centers will help ensure federal resources are equitably distributed and meet urgent on-the-ground environmental justice challenges.

In addition to delivering on environmental justice concerns, over the last year, EPA has laid the groundwork for many large-scale cleanup and environmental restoration activities. Extensive outreach and dialogue with our tribal, state, and community partners have meant we can build programs that best meet their unique needs. For example, by September 30, 2022, EPA obligated BIL funds for cleanup activities at more than 100 Superfund National Priorities List (NPL) sites — some of the most polluted sites in the country. At the same time, EPA will continue work with our large partner networks to restore national treasures like the Chesapeake Bay, the Great Lakes, and other geographically focused program areas.

We have so much to celebrate and I'm so proud of what we've accomplished so far. I look forward to continuing our work and sharing more about how EPA is leveraging BIL funding to advance our mission and support communities across the country. You can learn more and track our progress by visiting our BIL website, epa.gov/infrastructure. While we have our work cut out for us, the future ahead is bright, and we will keep moving toward a cleaner, healthier future for all.

Thank you.

Michael S. Regan
Administrator, U.S. Environmental Protection Agency

Introduction

The Bipartisan Infrastructure Law represents the largest appropriation EPA has ever received. This is an exciting moment for the Agency to expand from its historic role as a regulatory and scientific agency to be a large-scale funder of critical infrastructure. The BIL more than doubles the Agency's annual budget each year over the next five years to fund water infrastructure, environmental cleanups, and electric school buses. It also provides funding to improve recycling programs, and prevent pollution. Implementing this legislation is a major endeavor and the Agency has risen to the occasion.

Most of the funding in this legislation is being implemented through existing programs such as the State Revolving Funds in the Office of Water and the Superfund Program in the Office of Land and Emergency Management. We have benefited tremendously from the dedicated career staff with many years of experience running these critical programs who moved quickly and efficiently to implement the funding. This has also been an opportunity for us to welcome the next generation of EPA employees; hundreds of new team members have joined the Agency in the first year to focus on implementing the Bipartisan Infrastructure Law.

We have also collaborated successfully with our state, local, tribal, and nonprofit partners across our initiatives – from water infrastructure to environmental cleanups, electric school buses to recycling education and pollution prevention, we have made incredible progress to date and our work to make the most of this opportunity is well underway.

This report is intended to share our progress with Congress, intergovernmental partners, and the public. It provides implementation updates for the Build America, Buy America Act; environmental justice; and each of our programs. We hope it helps you understand where we are a year into this exciting journey so that we can continue to work together collaboratively in the years to come.

Our BIL website, epa.gov/infrastructure, allows you to follow our progress and mark our next steps.

Financial Summary

The BIL provides EPA over $60 billion for a wide range of programs to be made available over five fiscal years from FY 2022 through 2026:

- $14.1 billion in FY 2022
- $11.2 billion in FY 2023
- $11.6 billion in FY 2024
- $12.0 billion in FY 2025
- $12.0 billion in FY 2026.

Of the $60 billion investment:

- **More than $50 billion are for clean water and drinking water projects** along with other water protection programs, the single largest federal investment in clean water ever made. With these funds, EPA will make progress on President Biden's pledge to replace within the decade the 6 to 10 million lead service lines still in the ground across the country, address the threat of PFAS pollution facing communities, and broaden efforts to protect critical water bodies that are important to communities and the economy.
- **More than $5 billion are for cleaning up longstanding pollution at Superfund and Brownfields sites, and for improving waste management and recycling systems** managed under the Resource Conservation and Recovery Act (RCRA) to restore the economic vitality of communities that have been exposed to pollution for far too long. Additionally, the BIL statute reinstated and modified the Superfund chemical excise taxes. Funds collected through this tax will be available for EPA to use during the fiscal year after they are collected. As of September 30, 2022, the U.S. Treasury collected

$413 million of these taxes, which EPA can apply towards Superfund cleanups in FY 2023. These funds are in addition to the $3.5 billion appropriated for Superfund cleanups in BIL.

- **$5 billion are for decarbonizing the nation's school bus fleet**, improving air quality for more than 25 million children who ride the bus to school each day.
- **$100 million are for the Pollution Prevention Program** to increase access to safer and more sustainable products and services. A new grant opportunity will focus on delivering environmental justice by leveraging Safer Choice and Environmentally Preferable Purchasing as tools to increase assistance to businesses serving the needs of institutions and consumers in disadvantaged communities.

Of the $14.1 billion available to the Agency in FY 2022, EPA announced that $8.7 billion would go to these programs for certain states, tribes, or territories. Of the announced dollars, $5.5 billion have been awarded through a grant, contract, or interagency agreement, or used by the Agency towards program implementation.

As of October 1, 2022, EPA has made BIL funds available in 55 states and territories.

EPA recognizes that with this historic funding from BIL, the Agency's fiduciary responsibilities are critical to ensuring the monies are spent appropriately. We continue to work closely with our Inspector General's Office to mitigate risk for waste, fraud, and abuse.

BIL FY 2022 Appropriations & Obligations as of November 1, 2022

Dollars in Millions

BIL Major Category (1)	FY 2022 BIL Appropriations (2)	Obligations (Funds Awarded) as of Nov 1, 2022
OW State Revolving Funds	$7,671.2	$4,036.4
OW Contaminant & UIC Grants	$1,044.8	$1.4
Geographic and Related Water Programs	$384.9	$206.6
Superfund	$3,482.5	$1,036.5
Brownfields	$298.5	$190.1
Recycling and RCRA Grants	$94.5	$1.2
Clean School Bus Program	$995.0	$917.6
Pollution Prevention Grants	$19.9	$11.5
Inspector General	$64.6	$2.0
Totals	$14,055.8	$6,403.4

(1) Detailed spending by BIL line item is available in appendix.
(2) Total Appropriated = Amount appropriated less IG funds that are shown as a separate line item.

Build America, Buy America Act

Congress passed the Build America, Buy America Act (BABA) concurrently with the Bipartisan Infrastructure Law in November 2021. BABA represents a transformational opportunity to build a resilient supply chain and manufacturing base for critical products in the United States that will catalyze new and long-term investments in good-paying American manufacturing jobs and businesses. Investing in Made in America products will position the United States to compete and lead in global markets in the 21st century.

EPA has a longstanding commitment to Made in America and has actively partnered with industry to ensure the use of domestically sourced iron, steel, manufactured products, and construction materials in many of our infrastructure projects. BABA expands the scope of covered programs and products while BIL increases the Agency's overall amount of infrastructure investment. Importantly, BABA applies to all federal financial assistance for infrastructure, not just those programs authorized through BIL, and it has no expiration date. EPA is well-positioned to implement BABA, having managed one of the most sophisticated federal domestic preference programs for manufacturing, administering the American Iron and Steel (AIS) program for the State Revolving Fund (SRF) and Water Infrastructure Finance and Innovation Act (WIFIA) programs since 2014.

EPA is engaged with the White House Office of Management and Budget's Made in America Office and is partnering with other federal infrastructure agencies to ensure there is a consistent and streamlined federal approach to conducting market research and engaging industry and partners. As EPA works to ensure that all recipients of BIL funding adapt to the new legislation, the measure of success for EPA and our federal partners is to effectively balance the investment in America's infrastructure with maximizing the use of domestically made goods. For example, under BIL, the Brownfields, Superfund, and multiple water infrastructure programs are ramping up domestic sourcing capabilities. The Clean School Bus program is also supporting domestic sourcing for charging equipment for electric school buses.

Advancing Environmental Justice and Civil Rights

On September 24, 2022, Administrator Regan announced the establishment of the Office of Environmental Justice and External Civil Rights (OEJECR), a new national program office charged with advancing environmental justice and civil rights compliance. EPA created OEJECR by merging three existing programs at the Agency: the Office of Environmental Justice, the External Civil Rights Compliance Office, and the Conflict Prevention and Resolution Center. The new office will:

- Improve and enhance the agency's ability to infuse equity, civil rights, and environmental justice principles and priorities into all EPA practices, policies, and programs.
- Support the fair treatment and meaningful involvement of all people with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies regardless of race, color, national origin, or income.
- Engage communities with environmental justice concerns and increase support for community-led action through grants and technical assistance.
- Enforce federal civil rights laws that prohibit discrimination on the basis of race, color, or national origin (including on the basis of limited-English proficiency); sex; disability; or age by applicants for and recipients of federal financial assistance from EPA.
- Provide services and expertise in alternative dispute resolution, environmental conflict resolution, consensus-building, and collaborative problem solving.

OEJECR's offices have been working in close collaboration with the national program offices implementing BIL funding to ensure the consideration of environmental justice in existing programs and the development of the new BIL-funded programs. Thanks to the Agency's strong shared commitment to this mission, EPA is well underway to meet and exceed the goals of the Justice40 initiative.

Some successes from the first year of BIL implementation include:

- Every financial assistance program funded through the Bipartisan Infrastructure Law has developed a strategy to ensure at least 40 percent of the funding flows to disadvantaged communities.
- School districts identified as priority areas serving low-income, rural, and, or Tribal students make up 99% of the projects that were selected.
- BIL requires that 49 percent of general base and lead service line replacement and 100 percent of emerging contaminants State Revolving Funds be awarded to disadvantaged communities under the affordability criteria as grants or forgivable loans. To meet this requirement and direct funds where they are needed most, 22 states have updated, or indicated plans to update their definitions of disadvantaged communities.
- Over 60 percent of the Superfund sites that received BIL funding are located within communities with environmental justice concerns.
- Approximately 71 percent of the Brownfields funds awarded in the first year will go to recipients with proposed projects in historically underserved areas.

Clean School Bus Program

The Bipartisan Infrastructure Law provides $5 billion over five years (FY 2022-26) for the replacement of existing diesel school buses with low and zero-emission buses through new Clean School Bus (CSB) rebates and competitive grants, open to all communities, including tribal nations, Alaska Native Villages, and communities in the US Territories. School buses travel over four billion miles each year, providing the safest transportation to and from school for more than 25 million American children. However, diesel exhaust from school buses is high in particulate matter and nitrogen oxides (NOx), contributes to poor air quality, and can disproportionately affect the health of children whose lungs are not yet fully developed and who have faster breathing rates than adults. School bus upgrades funded under this program will therefore result in cleaner air on the bus, in bus loading areas, and in the communities in which they operate.

In October 2022, EPA awarded nearly $1 billion to 389 school districts spanning 50 states, Washington, DC, and several tribes and U.S. territories. The grants will help school districts purchase over 2,400 clean school buses that will accelerate the transition to zero emission vehicles and produce cleaner air in and around schools and communities.

The *2022 Clean School Bus Rebate Competition* used a lottery system to make awards to eligible recipients. As part of this design, the program gave priority to school districts in low-income, rural, and tribal communities. Getting cleaner buses to schools provides benefits to students, teachers, parents and drivers that can experience higher levels of asthma and other health problems from bus emissions. The vast majority of applicants met the priority definition under the 2022 Clean School Bus Rebates criteria, resulting in access to more funds for buses and electric vehicle infrastructure for schools in areas that need them the most.

Expected Results Year 2:

During year two, a new CSB competitive grant program as well as another round of rebate funding will be established to provide significant additional funding to help transition the nation's school bus fleet to cleaner vehicles. EPA plans to award $1 billion in Fiscal Year 2023.

For more information, visit our Clean School Bus website, epa.gov/cleanschoolbus.

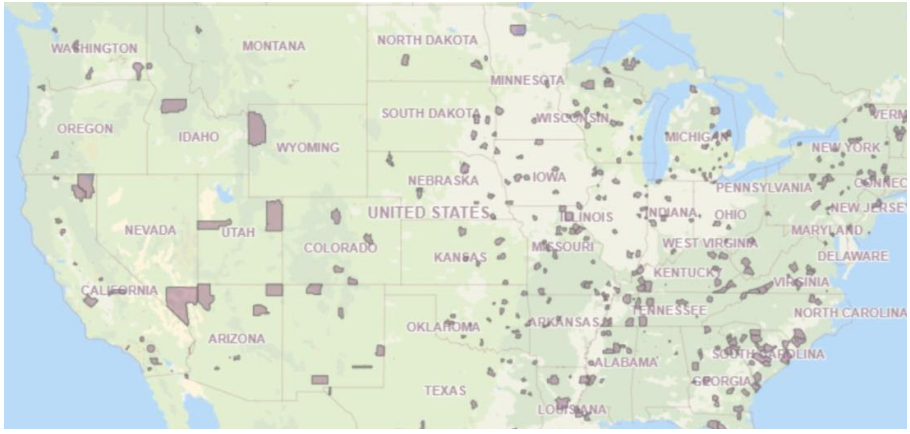


Figure: Map of the nearly 400 applications EPA received totaling almost $1 billion to support the purchase of over 2,400 clean school buses. Click here to view the interactive map and table in detail.

EPA launched the first CSB funding opportunity in May 2022. For this first funding opportunity, the program initially made available $500 million to applicants for rebates. The rebate application period closed on August 19th with tremendous response from school districts seeking to purchase electric and low-emission school buses across the country. EPA received around 2,000 applications requesting nearly $4 billion for over 12,000 buses. More than 90 percent of buses requested were for zero-emission electric buses, almost 1 percent were for cleaner compressed natural gas (CNG) buses, and about 9 percent were for cleaner propane buses. Due to the high level of interest in the program, EPA increased the amount of funding to $965M worth of school bus replacements to help meet the nationwide demand.

EPA CLEAN SCHOOL BUS

Water Infrastructure Investments

Too many communities in the United States still live without basic water infrastructure — including safe and reliable drinking water and wastewater systems. The Bipartisan Infrastructure Law created a historic opportunity to invest in communities and leverage existing federal infrastructure programs to address water infrastructure needs in underserved communities across America. Specifically, BIL delivers more than $50 billion to EPA to improve our nation's water — the single largest inestment in water resources and infrastructure that the Federal government has ever made. BIL investments will improve the resiliency of the nation's drinking, waste, and storm water infrastructure for generations to come. Through upgrades and relocation projects, the nation's water infrastructure will be better protected from extreme weather events driven by climate change.

The majority of the BIL water infrastructure funds ($43 billion) will be distributed to states through State Revolving Fund (SRF) capitalization grants, a federal-state partnership that provides communities with low-cost financing for a wide range of water infrastructure projects from sewage systems to drinking water. This includes water infrastructure projects for climate adaptation and mitigation, green infrastructure, treatment for emerging contaminants, and reduction of lead in drinking water. Nearly half of the funding is intentionally structured — through grants and principal forgiveness programs — to provide a pathway for underserved communities that might not otherwise be able to access traditional loans to address their water infrastructure needs. In FY 2022, EPA awarded $4 billion to states, tribes, territories, and the District of Columbia in capitalization grants under the 5 BIL-funded SRF programs.[1] FY 2022-2025 funding will continue to be awarded on a rolling basis as states develop a pipeline of projects and prepare Intended Use Plans.

1 There are five State Revolving Fund (SRF) BIL programs: Clean Water SRF, Drinking Water SRF, Clean Water SRF emerging contaminants, Drinking Water SRF emerging contaminants, and lead service line replacement.

President Biden has pledged 100% replacement of lead drinking water service lines in the next decade. The BIL funding for the SRF program includes a historic $15 billion investment specifically for the replacement of lead drinking water service lines and associated activities such as identification and inventory of the lead lines.[2] Lead is particularly hazardous to the health of children and infants as it is a known developmental neurotoxin that interferes with brain development. There is no safe level of lead exposure for children. In FY 2022, the first 20 state capitalization grants were awarded for lead service line identification and replacement. This is expected to fund roughly 300 projects, with nearly half of the funding flowing to disadvantaged communities.

During the first year of BIL, EPA also created a new $5 billion non-competitive grant program for small or disadvantaged communities to address emerging contaminants, including per and polyfluoroalkyl substances (PFAS), in drinking water systems. These contaminants pose multiple human health risks, such as certain cancers. As part of a government-wide effort to confront PFAS pollution, EPA made $1 billion in BIL grant funding available in FY 2022 to help communities facing disproportionate impacts of emerging contaminants, including PFAS, in their drinking water systems. For example, BIL funding could be used to develop new/alternative drinking water sources, install treatment technologies to remove or reduce PFAS contamination, or improve source water protection, among other cleanup and protection activities. The Emerging Contaminants Grant Program will help small or disadvantaged communities test for, monitor, and remediate PFAS and other emerging contaminants in their drinking water supplies. In August 2022, 55 states and territories submitted letters of intent to participate in the program, which will allow funds to be awarded next year.

To help communities better access BIL funding for water infrastructure, EPA has launched several technical assistance programs. For example, EPA launched a new pilot initiative in partnership with the U.S. Department of Agriculture (USDA) called Closing America's Wastewater Access Gap to provide technical assistance to 11 rural communities with significant decentralized wastewater challenges. The initiative will help participating communities assess their wastewater needs, identify potential wastewater solutions, and then pursue federal funding opportunities. EPA is also launching technical assistance efforts like the H2O Community Solutions Teams initiative and the Lead Service Line Replacement Accelerators initiative,

2 Fact sheet: The Biden-Harris Lead Pipe and Paint Action Plan

which will bring together technical and community engagement experts to partner with underserved communities to access BIL funding for water investments.

Expected Results Year 2:

Looking ahead to year two of BIL SRF implementation, EPA expects all states and territories to have successfully received SRF BIL capitalization grants. EPA expects construction to have begun on many projects included in Intended Use Plans and planning to be underway for many more. The first BIL funded lead service line inventories and replacements should be completed. EPA expects that the majority of states will continue to apply for BIL SRF grant funding over the next five funding years.

EPA announced, in partnership with USDA, the Closing America's Wastewater Access Gap (July 2022) - As part of EPA's larger BIL technical assistance efforts, this initiative will commence work in 11 areas across the country, including Lowndes County, AL, that face systemic inequities in access to wastewater and sanitation services. This, and other technical assistance programs totaling over $100 million in 2022 alone, will ensure that more underserved communities can benefit equitably from BIL investments.

Restoring and Protecting Treasured Waters

The Bipartisan Infrastructure Law delivers nearly $2 billion to EPA over 5 years (FY 2022-26) to expand and accelerate the impacts of important place-based programs that EPA administers across the United States. From the Agency's 12 Geographic Programs to our 28 National Estuary Programs (NEPs) to the Gulf Hypoxia Program, the additional funds that BIL provides will play an essential role in efforts to protect and restore coastlines, rivers, wetlands, and the ecosystems and communities that call them home. As EPA implements each of these programs, it is working with states and other partners to ensure these resources, and their benefits, are shared equitably. Furthermore, EPA is working to leverage these investments to ensure that vulnerable communities and ecosystems in these regions build their adaptive capacity to the impacts of climate change.

Through the Geographic Program, EPA will support disadvantaged communities, including by waiving certain non-federal cost-share requirements, and by developing equity strategies for each program that will help target the benefits of resources to communities most in need. Examples of BIL Geographic Program implementation progress in 2022 include:

- President Biden and Administrator Regan joined leaders from across the Great Lakes and announced that the Great Lakes Restoration Initiative would deploy nearly $1 billion in BIL funding to accelerate the cleanup of Congressionally designated Areas of Concern (AOCs). As a result, communities throughout the Great Lakes region should see the acceleration of significant environmental, economic, health, and recreational benefits. EPA projects that BIL funding will play a key role to complete work across 22 of the 25 remaining AOCs by 2030.
- The Puget Sound Program announced up to $50 million in BIL funding over five years (FY 2022-26) to support tribal environmental restoration and protection projects with 19 Federally recognized tribes.
- The Chesapeake Bay Program announced $40 million in BIL funds to states and local stakeholders to reduce nutrients, protect small watersheds, and increase ecosystem and community resilience to climate change.
- The Long Island Sound Study announced a new program, funded with up to $3 million in BIL

funds annually, to provide technical and financial assistance to integrate environmental justice considerations within ecosystem protection and related projects.

In July 2022, Administrator Regan joined other federal and local officials on his *Journey to Justice* tour at the San Juan, Puerto Rico Estuary Program to announce Agency plans to prioritize projects that benefit disadvantaged communities and that build ecosystem and community resilience to climate change, including through funding nature-based and green infrastructure projects and planning. Most of the 28 estuary programs have applied for their FY 2022 funds and can expect to receive and start deploying these resources by the end of 2022. To further support the NEPs in deploying these resources to benefit disadvantaged communities, EPA is waiving certain cost-sharing requirements for BIL grants.

On February 17, 2022, President Biden and Administrator Regan visited Lorain, Ohio to announce the investment of $1 billion from the Bipartisan Infrastructure Law. This historic investment accelerates cleanup efforts and focuses on restoration of nearly two dozen environmentally degraded sites along the Great Lakes region.

EPA's Gulf Hypoxia Program will receive more than $60 million in BIL resources over five years (FY 2022-26) to support states, tribes, and other partners to implement projects to achieve the goals of the Gulf of Mexico Hypoxia Taskforce. The Taskforce works to reduce nutrient pollution into the Mississippi River Basin with a goal of reducing the size of the hypoxic, or "dead" zone in the Gulf of Mexico, which threatens the vitality of aquatic life and the fisheries and communities that depend on it. In June 2022, EPA launched a strategy for distributing nearly $50 million to states over 5 years. All 12 of the Hypoxia Taskforce states have submitted multi-year workplans for these resources and will be breaking ground on projects throughout the next year. Projects will range from support to farmers for innovative nutrient reduction projects to optimization of wastewater treatment facilities and more.

"The Great Lakes are a vital economic engine and an irreplaceable environmental wonder, supplying drinking water for more than 40 million people, supporting more than 1.3 million jobs, and sustaining life for thousands of species. Through the investments from President Biden's Bipartisan Infrastructure Law, we will make unprecedented progress in our efforts to restore and protect the waters and the communities of the Great Lakes basin."

- EPA Administrator Michael S. Regan

Expected Results Year 2:

In year 2, EPA's place-based programs expect to deploy nearly all FY 2022 and FY 2023 BIL resources to support state and local projects and initiatives, consistent with funding agreements issued in FY 2022 and early FY 2023. Additionally, in FY 2023 each of the 40 Geographic and Estuary Programs will submit equity strategies that will help guide each program's work in ensuring that disadvantaged, underserved, and tribal communities are represented and benefit equitably from BIL resources.

Superfund

The historic funding boost from BIL invests $3.5 billion in the Superfund Remedial Program to eliminate the backlog of unfunded construction projects and expedite cleanup of ongoing remedial projects. In addition, BIL reinstated and modified Superfund chemical excise taxes from July 1, 2022, through December 31, 2031. As of September 30, 2022, the US Treasury collected a total of $413 million which will be available for EPA to use in FY 2023 for work as authorized by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund).

As of the end of fiscal year 2022, BIL funds have been obligated for new start construction projects at 44 of the 49 National Priorities List (NPL) sites identified in December 2021 to receive BIL funds for new construction work.

These cleanup projects will address legacy pollution harming public health in communities across the country. With this funding, communities living near many of the most seriously contaminated sites on the National Priorities List (NPL) will finally get the protections they deserve.

No community should have contamination near where they live, learn, work, and play. Yet, more than one in four Black and Hispanic Americans live within three miles of a Superfund site. In almost every year since 2000, EPA's Superfund appropriation had been insufficient to support the initiation of all Superfund site construction projects ready to begin cleanup work. The first wave of BIL funding finally allowed EPA to

EPA obligated more than $1 billion in BIL funds for work across more than 100 sites. Of those, over 70 NPL sites in historically underserved communities received BIL funding totaling over $760 million.

approve the initiation of work at all 49 Superfund sites with backlogged remedial construction projects in 24 states and territories and obligate funding at 44 of these sites in fiscal year 2022. Approximately 60 percent of these 49 Superfund sites are in historically underserved communities. Additionally, the first wave allowed EPA to accelerate cleanups at dozens of other sites across the country.[3] Approximately 60 percent of these 49 Superfund sites are in historically underserved communities.

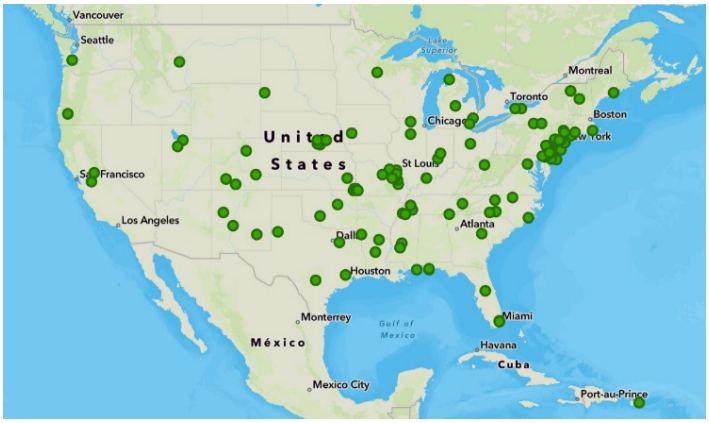


Figure: NPL sites where BIL funds have been obligated as of the end of fiscal year 2022.

There were 14 NPL sites with Native American Interest receiving BIL funding totaling almost $240 million. (Native American Interest indicates that one or more Indian tribe is directly or indirectly affected by a potential or known release at that site.)

At the **Eighteen Mile Creek Superfund site** in **Lockport**, **New York**, BIL funds will be used to excavate and dispose of lead and PCB contaminated sediment within the Creek Corridor. Cleaning up contaminated sediments in the creek will prevent possible re-contamination of adjacent floodplains, ensuring the remedy remains resilient to the impacts of climate change. BIL funds will also be used to excavate lead contaminated soil at residential properties.

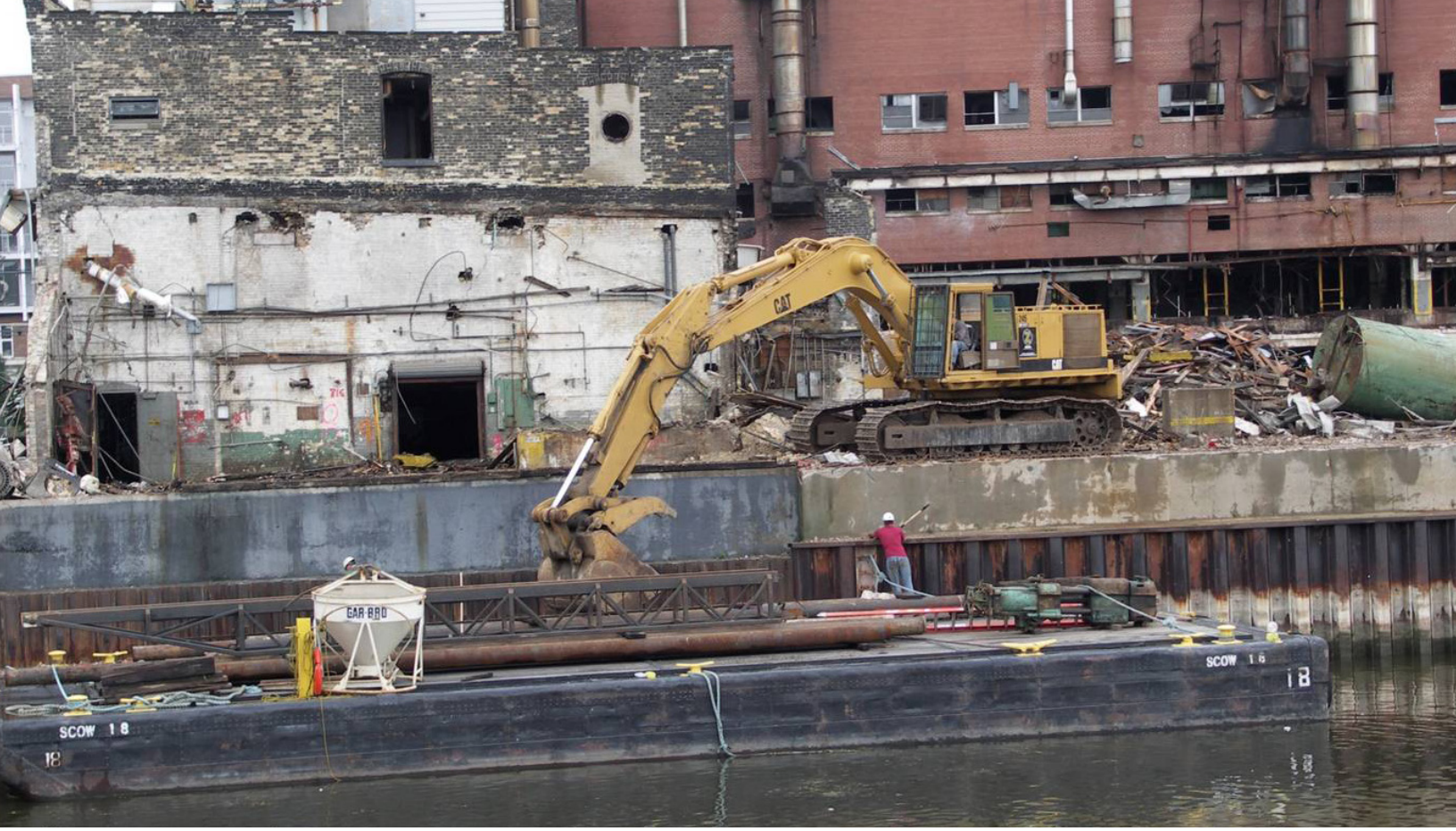
At the **Jacobs Smelter site** in **Stockton**, **Utah**, BIL funds are being used to remove approximately 70,000 tons of lead and arsenic contaminated surface and subsurface soils at the Waterman Smelter area of the site. Through this action, EPA and the State of Utah will advance efforts to reduce exposure to lead by addressing a continuing lead exposure pathway for recreational users of this area.

Expected Results Year 2:

With FY 2023 BIL funds, EPA will continue to fund ongoing construction projects. NPL sites with new construction projects ready to be started in FY 2023 will be announced January 2023.

With the funding from the Bipartisan Infrastructure Law, communities overburdened by environmental pollutants will finally get the protections they deserve. At the **American Creosote Works, Inc. (Pensacola Plant)** site in **Pensacola**, **Florida**, the community around the site has been waiting and advocating for the funding to complete the cleanup for years. BIL funds will allow EPA to complete the final piece of the decades-long cleanup, which includes excavation of dioxin contaminated soil from residential properties and cleaning up and containing contamination from the remaining source areas.

3 Bipartisan Infrastructure Law: Environmental Remediation at Superfund Sites



Brownfields

The Bipartisan Infrastructure Law delivers $1.5 billion to EPA over 5 years (FY 2022-26) to award grants to communities and nonprofits to assess and clean up brownfield properties and provide technical assistance to restore sites to hubs of economic growth. EPA will target a portion of BIL resources to communities, both urban and rural, that traditionally have not participated in the Brownfields program because of the lack of local technical capacity or insufficient matching resources. BIL funding also will be used to provide supplemental funding to successful Revolving Loan Fund grant recipients who depleted their funds and have viable cleanup projects ready to start.

Brownfield projects can range from cleaning up buildings with asbestos or lead contamination to assessing and cleaning up abandoned properties that once managed hazardous substances. Once cleaned up, former brownfield properties can be redeveloped into productive uses such as grocery stores, affordable housing, health centers, museums, parks, and solar farms. Approximately 149 million Americans live within three miles of a brownfields site.

First year BIL funding is projected to result in over 880 site assessments, 78 sites cleaned-up, and 20,000 jobs leveraged in cleanup, construction, and redevelopment.

Expected Results Year 2:

The Program plans to award approximately $240 million in Brownfields Revolving Loan Fund, Cleanup, Assessment, and Technical Assistance Grants and approximately $60 million in state and tribal response program grants with 2023 BIL funds.

Kansas City, Missouri, was awarded $850,000 in BIL funding to assess and plan for cleanup at brownfield sites located around the Parade Park Homes site in downtown Kansas City. The community in this area of downtown faces disproportionately high rates of asthma, diabetes, and ranks in the 90th percentile for unemployment. The community also lives with legacy pollution due to the proximity to hazardous waste facilities.

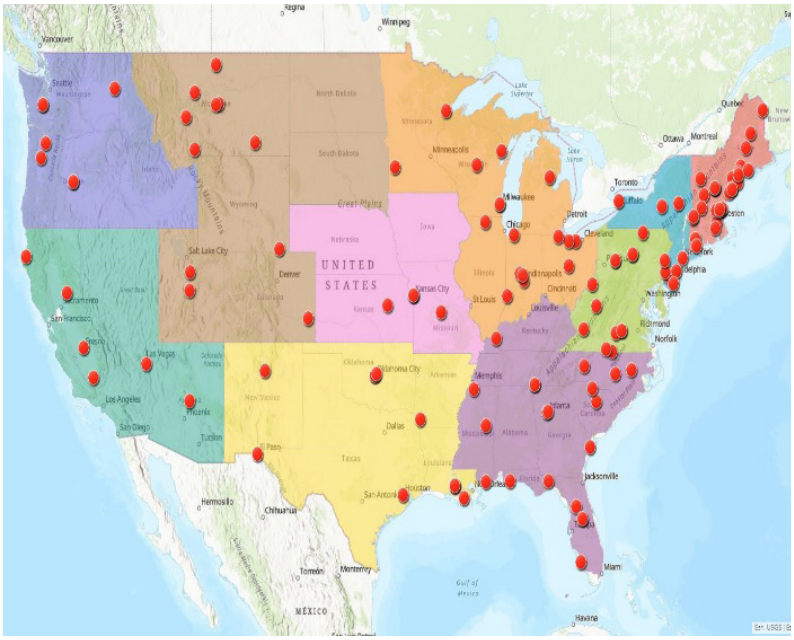


Figure: FY2022 BIL-Funded Brownfields Grant Locations

During this first year, 97 communities are expected to receive a total of approximately $72 million in Brownfields Community Wide Assessment Grants. 39 existing Revolving Loan Fund Grant recipients, who have demonstrated success in cleaning up and redeveloping brownfield sites, are expected to receive a total of $107 million in supplemental funding. Additionally, communities that do not have the capacity to manage brownfields grants have received a total of $15.6 million in obligated funds through contracts and interagency agreements for Targeted Brownfields Assessments. Approximately 71 percent of the first year awarded BIL funds will go to recipients with proposed projects in historically underserved areas that meet the Brownfields Program's criteria for Justice40.

Recycling and Waste Management

Transforming U.S. Recycling and Waste Management:

Improper waste management continues to disproportionately impact people of color, residents of low-income communities, and those living in tribal nations and territories. The Bipartisan Infrastructure Law provides EPA with new authority and unprecedented funding to support local waste management infrastructure and recycling programs. Some communities that lack waste management infrastructure do not have curbside waste collection services, recycling, or composting programs. This increases the burden on landfills, decreases their capacity, and increases greenhouse gas emissions. Importantly, methane from landfills creates eight percent of global greenhouse gas emissions from the anaerobic decomposition of food waste in landfills. Food waste is the single most common material sent to landfills in the U.S., comprising 24 percent of what goes to landfills. Preventing food waste increases food security, promotes resource and energy conservation, and helps address climate change.

BIL provides $350 million for EPA to implement the Solid Waste Infrastructure for Recycling grant program authorized under the 2020 Save Our Seas 2.0 Act and authorizes a new Recycling Education and Outreach grant program. This substantial investment will transform recycling and solid waste management by helping communities modernize local waste management systems and improve education and outreach on how to recycle right. Funds will be used to help state, local, territorial, and tribal governments improve outreach on proper recycling, as well as provide a model recycling program toolkit.

BIL also provides $10 million to develop and promote safe, economical best practices for collecting batteries to increase recycling and $15 million for EPA to develop a voluntary labeling program for batteries. Many people don't know where or how to recycle batteries.

To ensure that EPA designed these new programs with the input of all affected communities, EPA embarked on a substantial outreach effort in 2022. EPA conducted 115 feedback sessions and collected input through a Request for Information. These activities generated valuable insights on recycling challenges, barriers, and needs to inform each program's design.

Expected Results Year 2:

During year two, EPA anticipates announcing the availability of $140 million in funding for the Solid Waste Infrastructure for Recycling and Recycling Education and Outreach grant programs, available to states, tribes, territories, and local governments. For more information, visit the Transforming U.S. Recycling and Waste Management website.

115

participant engagement meetings held across the country on National Recycling Strategy/ Bipartisan Infrastructure Law activities

4,719

participants representing states, Tribal Nations, local government, nongovernmental organizations, and industry reached through meetings

Pollution Prevention Grants

The Bipartisan Infrastructure Law provides $100 million over 5 years, ($20 million per year through 2026) to expand the current Pollution Prevention (P2) grant program, which will triple the annual funding available to states, Tribes, and other eligible entities to "promote the use of source reduction techniques by businesses."[4] This expanded P2 Grant Program will advance the Biden-Harris Administration's priorities on mitigating climate change and targeting communities with environmental justice concerns.

12% of the Pollution Prevention BIL funds are going directly to tribes.

P2 projects help reduce or eliminate pollutants from entering waste streams or being released into the environment prior to recycling, treatment, or disposal. Less pollution means fewer hazards posed to public health and the environment. It is often cheaper for businesses to prevent pollution from being created, than to clean it up afterwards or pay for control, treatment, or disposal of commercial or hazardous waste. P2 also promotes the reduction in the use of water, energy, and other raw materials, which also translates to savings for business and less greenhouse gas emissions.

In FY 2022, the P2 Program continued to focus on five program priorities or National Emphasis Areas (NEAs) for applicants to choose from and added an NEA specifically for tribes; five industrial sector NEAs and one for federally recognized tribes and intertribal consortia working in Indian Country. EPA also encouraged the applicants to emphasize P2 technical assistance that can address environmental justice concerns in underserved communities. Focusing technical assistance on the NEAs provides the opportunity for synergies between P2 grantees, businesses, partners, and other stakeholders affiliated with similar sectors or communities. By encouraging this collaborative engagement, information, expertise, lessons learned, training, and tools can be more easily shared among others working in similar NEAs. In addition, applicants were able to use a newly developed P2 Environmental Justice Mapping Tool to aid in identifying and targeting facilities that are in or adjacent to disadvantaged communities.

4 Pollution Prevention Act of 1990

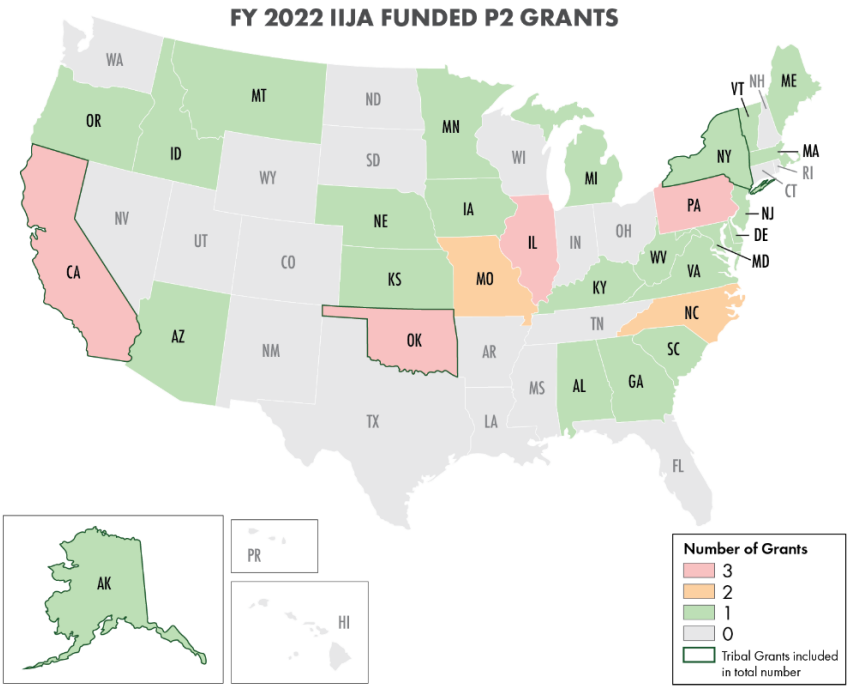
In the first year of BIL implementation, EPA's Pollution Prevention program anticipates awarding 39 BIL grants totaling approximately $12M, including awards to tribes located in Alaska, California, New York, and Oklahoma.

EPA anticipates all selections will be fully awarded by the first quarter of FY 2023.

Expected Results Year 2:

In FY 2023, the Pollution Prevention program will announce two new competitive grant opportunities, which will focus more intensively on advancing environmental justice priorities and addressing climate impacts. One grant opportunity will leverage Safer Choice and Environmentally Preferable Purchasing (EPP) tools to assist businesses in disadvantaged communities in accessing safer and more sustainable products and services to serve the needs of institutions and consumers. The other grant opportunity will leverage the Toxics Release Inventory (TRI) and other agency chemical release databases to target P2 technical assistance and pollution prevention solutions for businesses that are in or adjacent to communities with environmental justice concerns. EPA's Pollution Prevention program expects to increase the use of evaluation tools to improve data quality and evidence building to better measure the success of the program.

First Year IIJA/BIL Pollution Prevention Grants to States and Tribes



EPA Announces $350,000 Pollution Prevention Grant to Montana State University [Press Release Sept. 8, 2022]

In September 2022, EPA announced the award of a $350,000 P2 grant to Montana State University to fund work that incorporates tribal knowledge and western scientific policies and procedures to prevent pollution. The grant will build a statewide intertribal council and support a partnership between MSU's Native American Studies department and the Salish Kootenai College to create pollution prevention toolkits that incorporate Tribal Ecological Knowledge (TEK) with existing pollution prevention practices.

APPENDIX

Appendix 1. EPA's Bipartisan Infrastructure Law Funding Allocations

For more information, visit our BIL website, epa.gov/infrastructure or click here.

EPA BIL Programs by National Program & Funding Category

BI Line Item	Total BIL Appropriation Amount (1)	FY 2022 BIL Appropriations	Obligations (Funds Awarded) as of Nov 1, 2022
Office of Water (OW)	**$50,193,089,000**	**$9,100,802,000**	**$4,244,415,376**
OW State Revolving Funds	**$43,244,009,000**	**$7,671,186,000**	**$4,036,425,764**
Clean Water State Revolving Loan Funds	$11,672,004,500	$7,671,186,000	$4,036,425,764
Drinking Water State Revolving Loan Funds	$11,672,004,500	$1,895,343,000	$1,389,004,997
Drinking Water State Revolving Loan Funds - Lead Service Line Replacement	$14,925,000,000	$1,895,343,000	$1,169,657,503
Clean Water State Revolving Loan Funds - Emerging Contaminants	$995,000,000	$2,985,000,000	$1,168,418,154
Drinking Water State Revolving Loan Funds - Emerging Contaminants	$3,980,000,000	$99,500,000	$41,574,186
OW Contaminant & UIC Grants	**$5,024,750,000**	**$796,000,000**	**$267,770,924**
Addressing Emerging Contaminant Grants	$4,975,000,000	$1,044,750,000	$1,399,018
UIC Grants	$49,750,000	$49,750,000	$212,396
Geographic and Related Water Programs	**$1,924,330,000**	**$384,866,000**	**$206,590,595**
Great Lakes Restoration Initiative	$995,000,000	$199,000,000	$114,832,423
Chesapeake Bay	$236,810,000	$47,362,000	$41,296,894
San Francisco Bay	$23,880,000	$4,776,000	$150,751
Puget Sound	$88,555,000	$17,711,000	$8,838,984
Long Island Sound	$105,470,000	$21,094,000	$17,650,771
Gulf of Mexico	$52,735,000	$10,547,000	$32,844
South Florida	$15,920,000	$3,184,000	$14,772
Lake Champlain	$39,800,000	$7,960,000	$7,685,513
Lake Pontchartrain	$52,735,000	$10,547,000	$62,659
Southern New England Estuaries	$14,925,000	$2,985,000	$1,513,603
Columbia River Basin	$78,605,000	$15,721,000	$1,912,043
Pacific Northwest	$3,980,000	$796,000	$528,128
National Estuary Program Grants	$131,340,000	$26,268,000	$4,612,179
Gulf Hypoxia Action Plan	$59,700,000	$11,940,000	$7,430,924
Drinking Water Programs - Class VI Wells	$24,875,000	$4,975,000	$28,108

Office of Land and Emergency Management (OLEM)	**$5,348,125,000**	**$3,875,525,000**	**$1,227,786,811**
Superfund	**$3,482,500,000**	**$3,482,500,000**	**$1,036,505,507**
Superfund Remedial	$3,482,500,000	$3,482,500,000	$1,036,505,507
Brownfields	$1,492,500,000	$298,500,000	$190,052,756
Brownfields	**$1,194,000,000**	**$238,800,000**	**$188,550,951**
Brownfields	$298,500,000	$59,700,000	$1,501,805
Recycling and RCRA Grants	**$373,125,000**	**$94,525,000**	**$1,228,548**
Battery Recycling Best Practices	$9,950,000	$9,950,000	$126,453
Voluntary Battery Labeling Guidelines	$14,925,000	$14,925,000	$155,024
Solid Waste Infrastructure Financing - Save Our Seas Act Grants	$273,625,000	$54,725,000	$739,151
Recycling Grants	$74,625,000	$14,925,000	$207,920
Office of Air and Radiation (OAR)	**$4,975,000,000**	**$995,000,000**	**$917,633,436**
Clean School Bus Program	$4,975,000,000	$995,000,000	$917,633,436
Office of Chemical Safety and Pollution Prevention (OCSPP)	**$99,500,000**	**$19,900,000**	**$11,549,855**
Pollution Prevention Grants	$99,500,000	$19,900,000	$11,549,855
Inspector General	**$269,286,000**	**$64,573,000**	**$1,998,019**
Inspector General	$269,286,000	$64,573,000	$1,998,019
Grand Total	**$60,885,000,000**	**$14,055,800,000**	**$6,403,383,498**

(1) Total Appropriated = Amount appropriated less IG funds that are shown as a separate line item.

Appendix 2. White House Bipartisan Infrastructure Law (BIL) Maps Dashboard

The White House Bipartisan Infrastructure Law (BIL) Maps Dashboard includes maps and visual representations intended to be illustrative of the scope of the BIL and the impact on American communities.

EPA
epa.gov/infrastructure