



**United States  
Environmental Protection Agency**

**FISCAL YEAR 2024**

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

**Tab 14: Evaluation and Evidence-Building for FY 2024**

**EPA-190-R-23-001**

**March 2023  
[www.epa.gov/cj](http://www.epa.gov/cj)**

**Environmental Protection Agency  
FY 2024 Annual Performance Plan and Congressional Justification**

**GOAL, APPROPRIATION SUMMARY**

Budget Authority  
(Dollars in Thousands)

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President's Budget</b>
<b>Tackle the Climate Crisis</b>	\$515,493	\$599,283	\$909,964
<b>Science &amp; Technology</b>	\$178,075	\$200,330	\$272,451
<b>Environmental Programs &amp; Management</b>	\$268,874	\$265,320	\$449,120
<b>State and Tribal Assistance Grants</b>	\$68,545	\$133,633	\$188,393
<b>Take Decisive Action to Advance Environmental Justice and Civil Rights</b>	\$278,287	\$385,330	\$758,430
<b>Environmental Programs &amp; Management</b>	\$171,184	\$264,934	\$622,844
<b>Hazardous Substance Superfund</b>	\$800	\$6,248	\$15,449
<b>State and Tribal Assistance Grants</b>	\$106,303	\$114,148	\$120,137
<b>Enforce Environmental Laws and Ensure Compliance</b>	\$756,146	\$803,726	\$757,066
<b>Science &amp; Technology</b>	\$23,100	\$23,652	\$26,177
<b>Environmental Programs &amp; Management</b>	\$466,895	\$510,167	\$626,846
<b>Inland Oil Spill Programs</b>	\$3,567	\$3,824	\$5,713
<b>Hazardous Substance Superfund</b>	\$225,248	\$225,549	\$56,729
<b>Leaking Underground Storage Tanks</b>	\$711	\$734	\$767
<b>State and Tribal Assistance Grants</b>	\$36,625	\$39,800	\$40,835
<b>Ensure Clean and Healthy Air for All Communities</b>	\$754,266	\$809,802	\$1,401,734
<b>Science &amp; Technology</b>	\$38,172	\$40,492	\$55,231
<b>Environmental Programs &amp; Management</b>	\$325,983	\$330,424	\$742,640

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President's Budget</b>
<b>Hazardous Substance Superfund</b>	\$2,408	\$2,926	\$7,013
<b>State and Tribal Assistance Grants</b>	\$387,702	\$435,960	\$596,850
<b>Ensure Clean and Safe Water for All Communities</b>	\$3,830,705	\$5,182,344	\$6,373,747
<b>Science &amp; Technology</b>	\$10,102	\$7,264	\$9,141
<b>Environmental Programs &amp; Management</b>	\$1,089,313	\$1,213,354	\$1,279,388
<b>State and Tribal Assistance Grants</b>	\$2,694,483	\$3,880,700	\$4,999,721
<b>Water Infrastructure Finance and Innovation Fund</b>	\$36,763	\$81,026	\$85,497
<b>Deepwater Horizon Natural Resource Damage Assessment</b>	\$30	\$0	\$0
<b>UIC Injection Well Permit BLM</b>	\$15	\$0	\$0
<b>Safeguard and Revitalize Communities</b>	\$1,840,703	\$1,912,643	\$1,301,017
<b>Science &amp; Technology</b>	\$67,084	\$69,911	\$122,342
<b>Environmental Programs &amp; Management</b>	\$304,947	\$303,529	\$368,101
<b>Building and Facilities</b>	\$15,940	\$14,720	\$13,082
<b>Inland Oil Spill Programs</b>	\$22,663	\$22,732	\$26,815
<b>Hazardous Substance Superfund</b>	\$1,038,760	\$1,079,928	\$281,458
<b>Leaking Underground Storage Tanks</b>	\$89,786	\$100,444	\$121,116
<b>State and Tribal Assistance Grants</b>	\$288,892	\$321,379	\$368,104
<b>Hazardous Waste Electronic Manifest System Fund</b>	\$12,631	\$0	\$0
<b>Ensure Safety of Chemicals for People and the Environment</b>	\$444,661	\$455,605	\$581,315
<b>Science &amp; Technology</b>	\$10,716	\$10,278	\$11,182
<b>Environmental Programs &amp; Management</b>	\$390,577	\$396,282	\$512,201
<b>State and Tribal Assistance Grants</b>	\$42,660	\$49,045	\$57,932
<b>Pesticide Registration Fund</b>	\$708	\$0	\$0

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President's Budget</b>
<i>Sub-Total</i>	\$8,420,261	\$10,148,733	\$12,083,273
<b>Cancellation of Funds</b>	\$0	-\$13,300	\$0
<b>TOTAL, EPA</b>	\$8,420,261	\$10,135,433	\$12,083,273

**Environmental Protection Agency  
FY 2024 Annual Performance Plan and Congressional Justification**

**GOAL, APPROPRIATION SUMMARY  
Authorized Full-time Equivalents (FTE)**

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President's Budget</b>
<b>Tackle the Climate Crisis</b>	1,171.0	1,237.2	1,467.8
<b>Science &amp; Technology</b>	450.1	470.8	528.5
<b>Environmental Programs &amp; Management</b>	670.9	683.4	852.1
<b>State and Tribal Assistance Grants</b>	50.0	83.0	87.1
<b>Take Decisive Action to Advance Environmental Justice and Civil Rights</b>	624.0	848.8	1,181.0
<b>Environmental Programs &amp; Management</b>	523.2	736.4	1,065.4
<b>Hazardous Substance Superfund</b>	2.3	13.8	29.0
<b>State and Tribal Assistance Grants</b>	98.6	98.3	86.7
<b>WCF-Reimbursable</b>	0.0	0.2	0.0
<b>Enforce Environmental Laws and Ensure Compliance</b>	2,926.8	3,173.7	3,353.6
<b>Science &amp; Technology</b>	78.4	77.8	84.1
<b>Environmental Programs &amp; Management</b>	1,914.3	2,121.0	2,292.4
<b>Inland Oil Spill Programs</b>	13.9	15.1	15.8
<b>Hazardous Substance Superfund</b>	892.2	933.8	937.9
<b>Leaking Underground Storage Tanks</b>	3.4	3.4	3.4
<b>State and Tribal Assistance Grants</b>	21.9	22.6	20.1
<b>Rereg. &amp; Exped. Proc. Rev Fund</b>	2.5	0.0	0.0
<b>Ensure Clean and Healthy Air for All Communities</b>	1,670.2	1,749.8	2,207.0
<b>Science &amp; Technology</b>	79.9	85.6	98.9
<b>Environmental Programs &amp; Management</b>	1,362.4	1,432.3	1,886.8
<b>Hazardous Substance Superfund</b>	12.3	12.1	21.0
<b>State and Tribal Assistance Grants</b>	215.6	219.8	200.2
<b>Ensure Clean and Safe Water for All Communities</b>	2,761.4	3,021.8	3,271.5
<b>Science &amp; Technology</b>	26.3	24.4	28.7
<b>Environmental Programs &amp; Management</b>	2,088.0	2,282.6	2,325.2

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President's Budget</b>
<b>State and Tribal Assistance Grants</b>	599.7	661.2	863.6
<b>Water Infrastructure Finance and Innovation Fund</b>	41.2	53.6	54.0
<b>Deepwater Horizon Natural Resource Damage Assessment</b>	4.1	0.0	0.0
<b>UIC Injection Well Permit BLM</b>	2.0	0.0	0.0
<b>Safeguard and Revitalize Communities</b>	3,323.9	3,404.4	3,642.6
<b>Science &amp; Technology</b>	153.7	155.3	231.9
<b>Environmental Programs &amp; Management</b>	1,038.3	1,085.9	1,264.9
<b>Building and Facilities</b>	20.0	17.8	13.6
<b>Inland Oil Spill Programs</b>	82.6	91.3	104.3
<b>Hazardous Substance Superfund</b>	1,796.2	1,806.0	1,766.0
<b>Leaking Underground Storage Tanks</b>	62.1	69.6	78.7
<b>State and Tribal Assistance Grants</b>	146.8	154.2	163.1
<b>Hazardous Waste Electronic Manifest System Fund</b>	12.1	11.0	11.0
<b>WCF-Reimbursable</b>	12.0	13.3	9.2
<b>Ensure Safety of Chemicals for People and the Environment</b>	1,665.5	1,679.9	1,954.0
<b>Science &amp; Technology</b>	27.5	28.5	28.5
<b>Environmental Programs &amp; Management</b>	1,364.9	1,482.0	1,757.2
<b>State and Tribal Assistance Grants</b>	28.0	34.2	32.9
<b>Rereg. &amp; Exped. Proc. Rev Fund</b>	166.8	135.3	135.3
<b>Pesticide Registration Fund</b>	78.2	0.0	0.0
<b><i>Sub-Total</i></b>	<b><i>14,142.8</i></b>	<b><i>15,115.6</i></b>	<b><i>17,077.4</i></b>
<b>TOTAL, EPA</b>	<b>14,142.8</b>	<b>15,115.6</b>	<b>17,077.4</b>

**Environmental Protection Agency  
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**Tackle the Climate Crisis**

Goal 1: Tackle the Climate Crisis—Cut pollution that causes climate change and increase the adaptive capacity of Tribes, states, territories, and communities.

**STRATEGIC OBJECTIVES:**

- Objective 1.1: Reduce Emissions that Cause Climate Change—Aggressively reduce the emissions of greenhouse gases from all sectors while increasing energy and resource efficiency and the use of renewable energy.
- Objective 1.2: Accelerate Resilience and Adaptation to Climate Change Impacts—Deliver targeted assistance to increase the resilience of Tribes, states, territories, and communities to the impacts of climate change.
- Objective 1.3: Advance International and Subnational Climate Efforts—Collaborate with Tribal, state, local, and international partners and provide leadership on the global stage to address climate change.

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President's Budget</b>	<b>FY 2024 President's Budget v. FY 2023 Enacted Operating Plan</b>
<b>Tackle the Climate Crisis</b>	<b>\$515,493</b>	<b>\$599,283</b>	<b>\$909,964</b>	<b>\$310,681</b>
Reduce Emissions that Cause Climate Change	\$391,014	\$472,195	\$679,420	\$207,224
Accelerate Resilience and Adaptation to Climate Change Impacts	\$59,081	\$61,129	\$134,864	\$73,735
Advance International and Subnational Climate Efforts	\$65,398	\$65,959	\$95,681	\$29,722
Total Authorized Workyears	1,171.0	1,237.2	1,467.8	230.6

## **Goal 1: Tackle the Climate Crisis**

*Cut pollution that causes climate change and increase the adaptive capacity of tribes, states, territories, and communities.*

### **Introduction**

Climate change is a global issue that has far-reaching human health, social, economic, and biodiversity impacts on our planet. It directly and adversely affects the United States. Climate change is accelerating the frequency and severity of wildfires and extreme weather events, such as hurricanes, floods, heat waves, and drought, and is altering sea temperature, ocean acidity, sea-level, and other global systems that support human life and biodiversity. Climate change impacts include famine, property loss, mass migrations, human conflict, species extinctions, and ecosystem failures, with significant humanitarian, economic and national security implications. Certain communities and individuals are particularly vulnerable to these impacts, including low-income communities and communities of color, children, the elderly, tribes, and indigenous people.

The impacts of climate change challenge EPA's ability to accomplish its mission of protecting human health and the environment because climate change can exacerbate existing pollution problems and environmental stressors. EPA is working with other federal agencies to reduce greenhouse gas (GHG) emissions and increase the climate resilience of the Nation, with a particular focus on protecting and helping disadvantaged communities. Climate change is a global issue, and domestic action must go hand in hand with international leadership. EPA will continue to extend its expertise internationally, while learning from the expertise of others, to help shape and advance international agreements and solutions.

In FY 2024, EPA will drive reductions in emissions that significantly contribute to climate change through regulations on GHGs, climate partnership programs, and support to tribal, state, and local governments. The Agency will accomplish this through the transformative investments in the Inflation Reduction Act (IRA), the bipartisan Infrastructure Investment Jobs Act (IIJA), and our base appropriation, which funds the core operating accounts of the Agency. In FY 2024 and beyond, EPA will ensure its programs, policies, regulations, enforcement and compliance assurance activities, and internal business operations consider current and future impacts of climate change. EPA will consult and partner with tribes, states, territories, local governments and communities, businesses, and other federal agencies to strengthen adaptive capacity. By engaging with organizations representing overburdened and underserved communities, EPA will ensure its GHG mitigation and adaptation activities address environmental justice and equity concerns for all communities. Finally, EPA plans to implement international climate engagements that result in an individual partner commitment or action to reduce GHG emissions, adapt to climate change, and improve resilience in a manner that promotes equity. The FY 2024 President's Budget includes \$909.9 million and 1,467.8 FTE for *Goal 1: Tackle the Climate Crisis*. Importantly, this total includes \$5 million for additional administrative support to ensure the sound implementation of the \$27 billion Greenhouse Gas Reduction Fund under the Inflation Reduction Act, which received an administrative set aside of less than half of one percent in that appropriation.

**Objective 1.1: Reduce Emissions that Cause Climate Change** – *Aggressively reduce the emissions of greenhouse gases from all sectors while increasing energy and resource efficiency and the use of renewable energy.*

The FY 2024 Budget includes \$679.4 million and 965.1 FTE for Objective 1.1. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, promulgate final rules to reduce GHG emissions from light duty, medium-duty, and heavy-duty vehicles; electric utility generating units; and the oil and gas industry.
- By September 30, 2026, EPA’s climate partnership programs will reduce expected annual greenhouse gas (GHG) emissions by 545 million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>). EPA’s climate partnership programs reduced 518.6 MMTCO<sub>2e</sub> of annual GHG emissions in 2019.

In FY 2024, EPA will drive significant reductions in the emissions that cause climate change through regulation of GHGs; climate partnership programs such as ENERGY STAR; support for tribal, state, and local governments; and publication of GHG emissions data. EPA regulations will cut GHG pollutants, including carbon dioxide (CO<sub>2</sub>), methane, and HFCs. EPA will collaborate closely with stakeholders to promote energy efficiency, renewable energy, and decarbonization of the Nation’s electric grid. By continuing the transition away from reliance on high-emitting fossil fuels, EPA programs will cut GHG emissions from cars, trucks, homes, and businesses.

In the FY 2024 Budget, an additional \$207.2 million and 119.8 FTE is provided to advance the Agency’s priority work to mitigate climate change. This includes activities such as issuance of final rules to set new standards for light and medium-duty vehicles, development of a final rule to set new GHG emission standards for Model Year (MY) 2030 and later heavy-duty vehicles, and finalization of rulemakings proposed in FY 2023 under the American Innovation and Manufacturing (AIM) Act.<sup>1</sup> EPA will also finalize standards for new and existing facilities in the oil and gas sector and rules to limit GHG emissions from new and existing sources in the power sector. The additional funding will bolster implementation efforts related to the Agency’s GHG rulemakings (e.g., review of state plans to implement the oil and gas or power sector rulemakings). Additional funding also is requested for EPA to update and enhance its infrastructure to track and report on GHG reductions (e.g., revisions to the Greenhouse Gas Reporting Program to require reporting of methane emissions from the oil and gas sector, and enhanced reporting of emissions from other U.S. industrial sectors).

Under the AIM Act of 2020, EPA will work with industry to phase down the production and import of HFCs, which are commonly used in refrigerators, air conditioners, and in many other applications. The AIM Act directs EPA to take steps to sharply reduce production and consumption of these harmful GHG pollutants by using an allowance allocation and trading program. This phasedown will decrease the production and import of HFCs in the United States by 85 percent over the next 15 years. A global HFC phasedown is expected to avoid up to 0.5°C of global warming by 2100. Within the additional request, \$64.4 million and 24 FTE are requested to

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<sup>1</sup> For more information on the AIM Act, please visit: <https://www.epa.gov/climate-hfcs-reduction/aim-act>

implement provisions in the AIM Act to phase down the use of HFCs, to facilitate U.S. entry to the Kigali amendment to the Montreal Protocol, and to restore staff capacity around efforts to tackle the climate crisis. For example, this investment includes resources to implement innovative IT solutions, such as a QR system and database integration across EPA and Customs and Border Patrol to help ensure that the phasedown is not undermined by illegal imports, as has happened in Europe.

EPA finalized robust federal GHG emissions standards for passenger cars and light trucks to secure pollution reductions through Model Year (MY) 2026. In FY 2024, EPA will promulgate a final rulemaking for new multi-pollutant emissions standards, including for GHG emissions, for light- and medium-duty vehicles beginning with MY 2027 and extending through and including at least MY 2030. These standards will help transition the fleet to zero and near-zero emissions. In FY 2024, EPA also will promulgate a final rulemaking to establish new GHG emissions standards for heavy-duty engines and vehicles. This rule will reduce GHG and other emissions from highway heavy-duty vehicles, the second-largest source of transportation GHG emissions. EPA will ensure additional GHG and air quality benefits by testing vehicles, engines, and fuels to certify that they comply with federal clean air, GHG, and fuel economy standards. In FY 2024, EPA is requesting an additional \$52.5 million and 46.8 FTE for the development of analytical methods, regulations, and analyses to support climate protection by controlling greenhouse gas emissions from light duty, medium-duty, and heavy-duty vehicles. The additional funding also invests in the maintenance, repair and replacement of aging test equipment and infrastructure at the National Vehicle and Fuel Emissions Laboratory.

In FY 2024, EPA will continue to work with other federal agencies to promote more sustainable and resilient communities. This includes identifying and pursuing opportunities to reduce barriers to deploying EV charging infrastructure and working with tribes, states, and communities to ensure equitable distribution and thoughtful community integration of charging infrastructure, including for electric buses and delivery and rideshare vehicles.

In meeting the requirements of Executive Order 13990: *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*<sup>2</sup> and as part of the Administration's comprehensive approach to tackling the climate crisis, EPA will issue rules to reduce CO<sub>2</sub> and methane from power plants and oil and gas facilities. These rules will be informed by robust engagement with tribes, states, communities, and regulated entities and by any guidance from the judiciary.

Through voluntary partnership programs, EPA will work to incentivize energy efficiency and further decarbonize the transportation, power generation, industrial, and building sectors. Some examples of these programs include ENERGY STAR, Green Power Partnership, Natural Gas STAR, AgSTAR, *GreenChill*, and *SmartWay*. In FY 2024, EPA will continue to implement these climate partnership programs to improve delivery of energy efficiency, clean energy, and heat mitigation solutions to historically underserved and overburdened communities. EPA also will

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<sup>2</sup> Executive Order 13990: *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis* (January 20, 2021): <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>.

continue domestic programs and international collaboration to reduce exposures to harmful emissions from cookstoves.

EPA will continue to implement the U.S. GHG Reporting Program, which collects and publishes data from more than 8,100 facilities from 41 large industrial source categories in the United States. EPA will improve models of climate change impacts, including how risks and economic impacts can be reduced under mitigation and adaptation scenarios. EPA will also continue to make the Climate Change Indicators website more accessible through enhanced visualization.

In FY 2024, EPA will work to complete the annual Inventory of U.S. Greenhouse Emissions and Sinks,<sup>3</sup> and to improve inventory methodologies in areas such as oil and gas, land-use, and waste, consistent with Intergovernmental Panel on Climate Change (IPCC) guidelines. EPA will also meet upcoming Paris reporting requirements and create a new GHG emission calculator, linked to Portfolio Manager, to develop building GHG inventories that fully comply with accounting protocols and local mandates.

**Objective 1.2: Accelerate Resilience and Adaptation to Climate Change Impacts** – *Deliver targeted assistance to increase the resilience of tribes, states, territories, and communities to the impacts of climate change.*

The FY 2024 Budget includes \$134.9 million and 261.5 FTE for Objective 1.2. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, implement all priority actions in EPA’s Climate Adaptation Action Plan and the 20 National Program and Regional Climate Adaptation Implementation Plans to account for the impacts of the changing climate on human health and the environment.<sup>4</sup>
- By September 30, 2026, assist at least 400 federally recognized tribes to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.
- By September 30, 2026, assist at least 450 states, territories, local governments, and communities, especially communities that are underserved and disproportionately at risk from climate change, to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.

EPA will take necessary actions to anticipate, prepare for, and adapt to the impacts of climate change to ensure EPA continues to fulfill its mission of protecting human health and the environment even as the climate changes and disruptive impacts increase. It will also support the development of climate adaptation strategies at the local level to advance the climate resilience of tribes, states, territories, local governments, and communities across the Nation. EPA will actively engage organizations representing overburdened and underserved communities that are more vulnerable to climate impacts to ensure the Agency’s adaptation plans reflect the principles of environmental justice and equity. EPA’s commitments are part of a whole-of-government

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<sup>3</sup> For more information, please visit: <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinksb>

<sup>4</sup> These plans are available at: <https://www.epa.gov/climate-adaptation/climate-adaptation-plan>.

approach to pursue actions at home and abroad to avoid the most catastrophic impacts of climate change.

In FY 2024, EPA will continue to modernize its financial assistance programs to encourage climate-resilient investments across the Nation. The Agency will focus on ensuring that the outcomes of its investments are resilient to the impacts of climate change. In addition, EPA will lead by example and prioritize climate resiliency investments across EPA-owned facilities. EPA will conduct climate resiliency assessments at EPA-owned facilities, prioritize investments, and initiate work on priority projects. In FY 2024, EPA will continue to pursue aggressive energy, water, and building infrastructure improvements to advance the Agency's use of carbon pollution-free electricity.

The FY 2024 Budget includes additional \$45.3 million and 26.5 FTE for its work in the Climate Adaptation Program. In FY 2024, EPA will continue to implement its 2021 Climate Adaptation Action Plan as well as the 20 Climate Adaptation Implementation Plans developed by the Program and Regional Offices in FY 2022 and updated in FY 2023. Each Program and Regional Office will implement the priority actions identified in their Implementation Plans to address the five agency-wide priorities from the 2021 EPA Climate Adaptation Action Plan. These strategies are informed by the best available science and deliver co-benefits for mitigation of GHG and other pollution, public health, economic growth and job creation, national security, and environmental justice – all of which will be central to building a more resilient future. These actions will integrate climate adaptation planning into Agency programs, policies, rulemaking processes, enforcement and compliance assurance activities, financial mechanisms, and operations to ensure they are effective even as the climate changes. EPA will leverage the additional resources and FTEs provided in FY 2024 to implement selected additional priority actions identified in program and regional Climate Adaptation Implementation Plans. These additional actions will enhance the adaptive capacity and resilience of states, tribes, territories, local governments, and communities by providing technical assistance through the program and regional offices.

In FY 2024, EPA will provide targeted assistance to tribes and indigenous peoples, states, territories, local governments, communities, and businesses to bolster these groups' climate resilience efforts. The Agency will focus resources on communities with environmental justice concerns to develop new strategies that strengthen adaptive capacity and increase climate resilience across the Nation. The Agency will produce and deliver training, tools, technical assistance, financial incentives, and information the agency's partners indicate they need to adapt and to increase resilience to climate change.

All of the baseline and additional priority actions identified in the 20 Climate Adaptation Implementation Plans support at least one of the three Long Term Performance Goals in Objective 1.2. The priority actions support EPA's efforts to continue to fulfill its mission even as the climate changes and disruptive impacts increase. The additional resources also will be used to advance climate justice through the provision of grants and technical assistance and protect communities that are disproportionately affected by climate change.

**Objective 1.3: Advance International and Subnational Climate Efforts** – *Collaborate with tribal, state, local, and international partners and provide leadership on the global stage to address climate change.*

The FY 2024 Budget includes \$95.6 million and 241.2 FTE for Objective 1.3. This objective is directly supported by the following long-term performance goal in the *FY 2022 - 2026 EPA Strategic Plan*.

- By September 30, 2026, implement at least 40 international climate engagements that result in an individual partner commitment or action to reduce greenhouse gas (GHG) emissions, adapt to climate change, or improve resilience in a manner that promotes equity.

Moving forward in addressing the climate crisis calls for international as well as domestic efforts. EPA has an important role in helping countries respond to the climate crisis as well as in reducing domestic climate impacts. Progress will require both significant short-term global reductions in GHG emissions and net-zero global emissions by mid-century alongside increased and equitable adaptation and resiliency to climate change impacts. EPA's responsibilities for protection of human health and the environment mean that EPA play a critical role internationally in providing technical expertise, guidance, and capacity building to help countries set and meet ambitious GHG reductions, improving adaptive capacity, and strengthening climate governance. Specifically, EPA international work will further the environmental governance of priority partner countries so that they can implement and enforce effective climate mitigation activities and incorporate environmental justice climate principles. Without basic governance infrastructure, it is difficult for many countries to make progress on their Nationally Determined Contributions (NDCs) under the Paris Agreement, opening the Agreement to criticism about lack of developing country action on climate. EPA will enhance capacity building governance programs for priority countries with increasing GHG footprints and increase their capacity to implement partnerships as well as legislative, regulatory, and legal enforcement. These programs will also work to improve adaptive capacity and mitigation strategies of pollution burdened, vulnerable and indigenous communities.

These efforts support Executive Order (EO) 14008: *Tackling the Climate Crisis at Home and Abroad*,<sup>5</sup> which directs federal agencies to develop plans for integrating climate considerations into their international work, as appropriate and consistent with applicable law. Objective 1.3 fulfills EO 14008 by dedicating EPA expertise to help countries build capacity so they can set and meet ambitious GHG reduction commitments under the Paris Agreement, while also building resilience to current and future climate impacts. EPA's long-term aim is to implement at least 40 international climate engagements by 2026 that result in an individual partner commitment or action to reduce GHG emissions, adapt to climate change, or improve resilience in a manner that promotes equity.

As of January 2023, EPA had implemented 11 international climate engagements resulting in individual partner commitments or actions as outlined in the long-term performance goal stated above. In FY 2024 with additional resources, in anticipation of the G7 Summit in Italy, EPA would collaborate with other Federal agencies to design and implement projects for the Partnership for

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<sup>5</sup> Executive Order 14008: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

Global Infrastructure and Investment (PGII) that conform to the values and climate policy objectives of EO 14008. PGII was announced at the 2022 G7 Summit in Germany for the purpose of mobilizing public and private investment in low-and-middle-income countries for decarbonizing infrastructure and to support the Just Energy Transition Partnerships (JETP) with individual countries for the early decommissioning of coal-fired power plants and to attract private capital investment in support of efforts to decarbonize national economies.

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**Take Decisive Action to Advance Environmental Justice and Civil Rights**

Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights—Achieve tangible progress for historically overburdened and underserved communities and ensure the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in developing and implementing environmental laws, regulations, and policies.

**STRATEGIC OBJECTIVES:**

- Objective 2.1: Promote Environmental Justice and Civil Rights at the Federal, Tribal, State and Local Levels—Empower and build capacity of underserved and overburdened communities to protect human health and the environment.
- Objective 2.2: Embed Environmental Justice and Civil Rights into EPA’s Programs, Policies, and Activities—Integrate environmental justice and civil rights in all the Agency’s work to maximize benefits and minimize impacts to underserved and overburdened communities.
- Objective 2.3: Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns—Strengthen enforcement of and compliance with civil rights laws to address the legacy of pollution in overburdened communities.

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President’s Budget</b>	<b>FY 2024 President’s Budget v. FY 2023 Enacted Operating Plan</b>
<b>Take Decisive Action to Advance Environmental Justice and Civil Rights</b>	<b>\$278,287</b>	<b>\$385,330</b>	<b>\$758,430</b>	<b>\$373,099</b>
Promote Environmental Justice and Civil Rights at the Federal, Tribal, State and Local Levels	\$141,556	\$151,660	\$204,497	\$52,837
Embed Environmental Justice and Civil Rights into EPA’s Programs, Policies, and Activities	\$87,853	\$181,963	\$476,835	\$294,872
Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns	\$48,879	\$51,707	\$77,098	\$25,390
Total Authorized Workyears	624.0	848.8	1,181.0	332.3

## **Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights**

*Achieve tangible progress for historically overburdened and underserved communities and ensure the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in developing and implementing environmental laws, regulations, and policies.*

### **Introduction**

EPA will center its mission on the integration of environmental justice (EJ), equity, and civil rights across the Nation's environmental protection enterprise. We will focus on all American communities, those within the contiguous and non-contiguous states and all other territories and protectorates of the United States. By doing so, EPA will advance the promise of clean air, clean water, and safe land to communities across the country that have not fully benefitted from the Nation's decades of progress. Centering its work on justice is especially important in an era when EPA must simultaneously break the cycle of historic environmental injustices while maximizing protection for these same communities that are too often hit worst and first from the impacts of a changing climate. In the *FY 2022 – 2026 EPA Strategic Plan*, EPA added “justice and equity” to the Agency's fundamental principles,<sup>6</sup> as originally articulated by Administrator William Ruckelshaus.

EPA's goal is to achieve measurable environmental, public health, and quality of life improvements in the most overburdened, vulnerable, and underserved communities. Achieving this goal will require significant transformation and mindfulness in how EPA understands and conducts its work, including how EPA prioritizes program resources, stewards its relationships with regulatory partners and recipients of EPA funds, implements statutory authorities, and engages the communities most affected by environmental and public health threats, especially as the climate changes. Critical to achieving this goal is for EPA to proactively engage with tribes, states, and local governments to discuss and address disproportionate impacts through their implementation of EPA authorities and engage in meaningful joint planning with communities to advance community visions and priorities.

The vigorous enforcement of civil rights laws is also key to addressing systemic barriers and ensuring recipients of EPA funding make more responsible and equitable siting and permitting decisions. EPA's work on environmental justice and civil rights enforcement will be a success if it leads to reductions in longstanding racial and ethnic disparities such as in levels of air pollutants and exposure to toxins; access to clean and reliable water infrastructure, free of lead and other toxins; and management of solid waste.

EPA will work to increase its capacity to tackle environmental justice and civil rights issues and embed consideration of these issues in its programs, policies, and processes, all with the goal of improving outcomes in environmental and health conditions for communities with environmental justice concerns. The FY 2024 Budget includes \$758.4 million and 1,181 FTE to advance *Goal 2, Take Decisive Action to Advance Environmental Justice and Civil Rights*.

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<sup>6</sup> Follow the science, follow the law, and be transparent, and the additional fourth principle: advance justice and equity.

**Objective 2.1: Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels – Empower and build capacity of underserved and overburdened communities to protect human health and the environment.**

The FY 2024 Budget includes \$204.5 million and 357.6 FTE for Objective 2.1. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, all EPA programs that seek feedback and comment from the public will provide capacity-building resources to communities with environmental justice concerns to support their ability to meaningfully engage and provide useful feedback to those programs.<sup>7</sup>
- By September 30, 2026, include commitments to address disproportionate impacts in all written agreements between EPA and tribes and states (e.g., grant work plans) implementing delegated authorities.<sup>8</sup>
- By September 30, 2026, EPA programs with direct implementation authority will take at least 100 significant actions that will result in measurable improvements in Indian country.
- By September 30, 2026, all state recipients of EPA financial assistance will have foundational civil rights programs in place.<sup>9</sup>
- By September 30, 2026, increase by 40% the number of Office of Research and Development (ORD) activities related to environmental justice that involve or are applicable to tribes, states, territories, local governments, and communities.<sup>10</sup>

EPA has the responsibility to make transformative progress on environmental justice and civil rights at the tribal, state, and local levels through a whole-of-government approach that involves communities as authentic partners. In FY 2024, EPA will continue support for community-led action at new levels by providing unprecedented investments and benefits directly to communities with environmental justice concerns as well as by integrating equity throughout all Agency support programs. EPA will ensure that all relevant programs are actively supporting community efforts to engage and influence program implementation and maximize the benefits from the investment of resources to achieve meaningful change on the ground for the most impacted communities. Supporting communities as they adapt to and recover from climate change is also part of this commitment.

Critical to EPA’s success in advancing equity and justice is the responsibility to financially support the efforts of community members and organizations that provide EPA with opportunities to learn from and engage with their communities. To meet this responsibility, EPA commits to establishing the necessary policy and procurement mechanisms so that EPA is able to financially support organizations and individuals who provide EPA with community engagement, input, educational

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<sup>7</sup> First year activities of this LTPG will focus on definition and scope of program participation and what qualifies as capacity-building resources.

<sup>8</sup> First year activities of this LTPG will focus on definition and scope of written agreements and what qualifies as addressing disproportionate impacts.

<sup>9</sup> For reference only, and as an example from a smaller subset of state recipients - EPA’s proactive initiative involving foundational civil rights programs of state agencies in Regions 1, 5, and 7, which consisted of 14 state agencies, the baseline from the proactive initiative in FY 2020 was 6.5%.

<sup>10</sup> Baseline to be developed in FY 2022.

opportunities, and other forms of community expertise. In addition, the Agency will take concrete action to include the voices, experiences, and passions of the full diversity of the Nation in our workforce, such as reaching out and bringing in diverse students on paid internships, fellowships, and clerkships.

In FY 2024, EPA will continue to work proactively to integrate environmental justice and civil rights into policies and activities as a fundamental element of the Agency's relationships with federal, state, and local partners to jointly achieve beneficial changes on the ground for communities. EPA will invest in oversight, guidance, and assistance for states and local governments to embed environmental justice into their programs and enhance civil rights enforcement.

With the public engagement, partnerships, and environmental education investment of \$24 million and 24 FTE, EPA will establish and implement programs to improve its engagement, partnership, and environmental education initiatives at the regional levels and across EPA, including increased engagement with communities and Agency stakeholders and Justice40, an initiative identified in Executive Order (EO) 14008, *Tackling the Climate Crisis at Home and Abroad*.<sup>11</sup> The additional FTE and funding will support the Administrator on public engagement travel and his Journey to Justice tours across the country to hear the environmental concerns of local communities. These resources also will allow EPA to better coordinate and communicate around Justice40; Historically Black Colleges and Universities and Minority Serving Institutions engagements; expansion of public and private partnerships to reach out to a broader group of people; creation of a Youth Engagement Council for environmental learning; and strengthened environmental education work on the local level.

Equity principles and equal protection require that implementation of federal environmental law protections be as robust inside Indian country as EPA requires these protections to be outside of Indian country. EPA directly implements the majority of federal environmental programs in Indian country where EPA seeks to apply key environmental justice principles, such as equity, meaningful involvement, and fair treatment. In FY 2024, EPA will continue to ensure that direct implementation activities are fully protective of communities and will advance environmental justice for federally recognized tribes in keeping with the federal trust responsibility. With the tribal strategic investment of \$34.7 million and 166.9 FTE, an increase of \$20 million and 88.3 FTE above the FY 2023 enacted, EPA will strengthen efforts to improve public health by reducing disparities in compliance rates between Indian country and the national average through greater agency support and leadership to EPA programs and regions for planning and measuring EPA direct implementation actions in Indian country. In addition, EPA will implement the revised EPA Tribal Consultation Policy and Implementation Guidance to improve consultation practices in conformance with the Executive Order on Tribal Consultation and train EPA staff.

EPA will continue in FY 2024 its longstanding commitment to assist tribes in building the capacity to receive delegated programs. In those instances when tribal governments are authorized to implement federal programs, EPA supports tribal governments' inclusion of environmental justice

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<sup>11</sup> Executive Order 14008: *Tackling the Climate Crisis at Home and Abroad* (January 27, 2021), found at: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

principles into their programs, community engagement, and decision-making processes, and is committed to ensuring flexibilities in Indian General Assistance Program (GAP) funding for tribal environmental program implementation. Integration of environmental justice principles into all EPA activities with tribal governments and in Indian Country is designed to be flexible enough to accommodate EPA tribal program activities and goals, while meeting EPA environmental justice goals.

**Objective 2.2: Embed Environmental Justice and Civil Rights in EPA Programs, Policies, and Activities** – *Integrate environmental justice and civil rights in all the Agency’s work to maximize benefits and minimize impacts to underserved and overburdened communities.*

The FY 2024 Budget includes \$476.8 million and 575.1 FTE for Objective 2.2. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, reduce disparities in environmental and public health conditions represented by the indicators identified through the FY 2022-2023 Agency Priority Goal.<sup>12</sup>
- By September 30, 2026, 80% of significant EPA actions with environmental justice implications will clearly demonstrate how the action is responsive to environmental justice concerns and reduces or otherwise addresses disproportionate impacts.<sup>13</sup>
- By September 30, 2026, all EPA programs that work in and with communities will do so in ways that are community-driven, coordinated and collaborative, support equitable and resilient community development, and provide for meaningful involvement and fair treatment of communities with environmental justice concerns.<sup>14</sup>
- By September 30, 2026, all EPA programs and regions will identify and implement areas and opportunities to integrate environmental justice considerations and achieve civil rights compliance in their planning, guidance, policy directives, monitoring, and review activities.
- By September 30, 2026, all EPA programs and regions will implement program and region-specific language assistance plans.
- By September 30, 2026, all EPA programs and regions will implement program and region-specific disability access plans.

Meeting these commitments to achieving change on the ground and accountability for such change will be the ultimate measure of the Agency’s success at advancing environmental justice, civil rights, and equity, including the implementation of EO 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, EO 14008, *Tackling the Climate Crisis at Home and Abroad*, and EO 14091, *Further Advancing Racial Equity and Support*

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<sup>12</sup> EPA will monitor progress through a holistic system that tracks the actions and responsibilities individual national programs have identified to support reducing disparities through the implementation of their statutory authorities, coordinated efforts of regulatory partners, support for community action, and other key actions.

<sup>13</sup> First year activities of this LTPG will focus on definition and scope of significant EPA action and what qualifies as environmental justice implications, responsiveness to community concerns, and addressing disproportionate impacts.

<sup>14</sup> First year activities of this LTPG will focus on definition and scope of program participation and what qualifies as adoption of the community-driven approach.

for *Underserved Communities Through the Federal Government*.<sup>15</sup> These efforts include incorporating feedback from communities with environmental justice concerns while analyzing and addressing disproportionate impacts. The laws that Congress passed to guide EPA's work are meant to apply to all Americans. EPA must not only better support community efforts to engage with the Agency but also advance the Agency's ability to engage in community-driven work through the regions and across all programs. EPA must implement the Civil Rights Act as equally as environmental statutes.

The majority of the resources allocated for Objective 2.2 is devoted to the Environmental Justice program with more than \$370 million and 264.6 FTE requested in FY 2024. This includes an important new investment of \$71.2 million and 50 FTE to build out a cadre of staff to serve as EJ Community Navigators, primarily through regional offices, to provide a more robust and broad coverage of relationship building, awareness, and support directly from EPA to community leaders and their local on-the-ground partners such as local governments, tribes, and academic institutions. The EJ Community Navigators will be dedicated to developing and stewarding EPA's relationships with these partners to ensure: awareness by other EPA programs of the needs of these communities thus facilitating holistic responsiveness by the agency in deploying our programs, resources, and staff; deploying EJ resources directly to these communities in a timely manner and in ways that meet the needs of the communities; a much stronger ability to proactively connect other forms of federal involvement and assistance from other agencies to leverage the multiple resource streams needed to make meaningful progress on the complex and multifaceted challenges faced by communities with EJ concerns.

In FY 2024, EPA will set ambitious goals of achieving meaningful change on the ground for communities with environmental justice concerns; identify data gaps; build tracking systems; and put in place any needed policy, guidance, or regulatory changes to achieve the goals. EPA also will ensure that Agency plans include responsibility and measurable accountability for advancing environmental justice, including the annual performance plans of key political, senior executive, and general schedule staff. EPA will develop and commit to at least 10 measures of progress towards achieving meaningful outcomes on the ground through the identification of indicators of disparities with the goal of informing EPA policy and tracking reductions over time.

In FY 2024, EPA will establish policies to ensure that actions with major significance for environmental justice and civil rights are responsive to the needs of communities, consider the results of environmental justice analyses, and reflect recommendations from the National Environmental Justice Advisory Council (NEJAC). EPA also will continue to ensure that all EPA programs develop guidance on the use of environmental justice tools such as EJSscreen and the Climate and Economic Justice Screening Tool<sup>16</sup> to support screening and analysis of program outcomes.

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<sup>15</sup> Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (January 20, 2021), found at: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>. Executive Order 14008: *Tackling the Climate Crisis at Home and Abroad* (January 27, 2021), found at: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

<sup>16</sup> For more information, please visit: <https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5>.

In FY 2024, EPA will continue to leverage and coordinate its investments in communities and collaborate with partners and other external stakeholders to advance comprehensive and strategic community-driven approaches. EPA will increase the number of programs that have fully integrated the key principles of community work into their program implementation and will continue to build on the number of collaborative partnerships centered on community priorities primarily through an update and relaunch of EPA's comprehensive public involvement policy. This effort will reestablish a consistent foundation defined by the updated policy to ensure that all EPA program implementation efforts, with a particular focus on program deployment and policy development, will be rooted in a comprehensive approach to meaningfully engaging impacted communities.

EPA will continue to communicate requirements and expectations related to environmental justice and civil rights to its employees through education, training, outreach, and technical assistance. In particular, EPA will improve employees' awareness and understanding of civil rights enforcement and strengthen intra-agency collaboration to identify whether recipient programs and activities are abiding by civil rights laws or engaging in prohibited discrimination.

**Objective 2.3: Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns** – *Strengthen enforcement of and compliance with civil rights laws to address the legacy of pollution in overburdened communities.*

The FY 2024 Budget includes \$77.1 million and 248.3 FTE for Objective 2.3. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, initiate 45 proactive post-award civil rights compliance reviews to address discrimination issues in environmentally overburdened and underserved communities.
- By September 30, 2026, complete 305 audits to ensure EPA financial assistance recipients are complying with nondiscrimination program procedural requirements.
- By September 30, 2026, complete 84 information sharing sessions and outreach and technical assistance events with overburdened and underserved communities and environmental justice advocacy groups on civil rights and environmental justice issues.

To address the legacy of pollution in overburdened communities that results from discriminatory actions, whether direct or indirect, intentional or unintentional, EPA must use the full extent of its authority and resources to enforce federal civil rights laws. EPA is required to enforce federal civil rights laws that prohibit discrimination on the basis of race, color, national origin (including limited English proficiency), disability, gender, and age, in programs or activities that receive Agency financial assistance. To ensure EPA's financial assistance is not being used in a manner that discriminates and subjects already overburdened communities to further harm, EPA must support and promote a robust and mature external civil rights compliance program for execution of EPA responsibilities and to provide a strong partner to its environmental justice program.

EPA's Office of External Civil Rights Compliance (OECRC) is committed to enforcing compliance with federal civil rights laws to address historical and systemic barriers that contribute

to the environmental injustice, overburdening, and vulnerability of communities. In FY 2024, EPA proposes to invest \$31.5 million and 143.6 FTE, an increase of \$18.6 million and 77.2 FTE above the FY 2023 enacted level, in the external civil rights program to continue to build capacity to improve oversight and enforcement of civil rights compliance and prioritize and advance EJ concerns. The additional FTE will support activities including investigations into claims of discrimination in communities and pre-award and post-award compliance activities. It is critical that, in addition to increasing the FTE for the external civil rights work done in headquarters, there be a significant increase in FTE for the regional offices specifically targeted to external civil rights work. The regional offices provide critical support to external civil rights investigations and resolutions.

In FY 2024, EPA will take actions that will address permitting decisions found to be discriminatory by EPA financial assistance recipients. Through investigations and informal resolution agreements, OECRC will address discriminatory disparities in exposure to pollutants and toxins in order to advance access to clean air, water and land and health protection. EPA will increase the number of affirmative compliance reviews targeting discrimination in critical environmental health and quality of life impacts in overburdened communities. The Agency will issue important policy guidance to clarify recipients' civil rights obligations and improve compliance through technical assistance deliveries. Further, EPA will increase the timeliness and effectiveness of complaint investigations and resolutions. In FY 2024, EPA will increase the number of meaningful engagements with overburdened communities and environmental justice groups on civil rights and environmental justice issues.

**Environmental Protection Agency  
FY 2024 Annual Performance Plan and Congressional Justification**

**Enforce Environmental Laws and Ensure Compliance**

Goal 3: Enforce Environmental Laws and Ensure Compliance—Improve compliance with the nation’s environmental laws and hold violators accountable.

**STRATEGIC OBJECTIVES:**

- Objective 3.1: Hold Environmental Violators and Responsible Parties Accountable—Use vigorous and targeted civil and criminal enforcement to ensure accountability for violations and to clean up contamination.
- Objective 3.2: Detect Violations and Promote Compliance— Ensure high levels of compliance with federal environmental laws and regulations through effective compliance tools -- including inspections, other monitoring activities, and technical assistance supported by evidence and advanced technologies.

GOAL, OBJECTIVE SUMMARY

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President’s Budget</b>	<b>FY 2024 President’s Budget v. FY 2023 Enacted Operating Plan</b>
<b>Enforce Environmental Laws and Ensure Compliance</b>	<b>\$756,146</b>	<b>\$803,726</b>	<b>\$757,066</b>	<b>-\$46,659</b>
Hold Environmental Violators and Responsible Parties Accountable	\$522,402	\$559,138	\$438,563	-\$120,575
Detect Violations and Promote Compliance	\$233,744	\$244,587	\$318,503	\$73,915
Total Authorized Workyears	2,926.8	3,173.7	3,353.6	179.9

### **Goal 3: Enforce Environmental Laws and Ensure Compliance**

*Improve Compliance with the Nation's environmental laws and hold violators accountable.*

#### **Introduction**

A robust compliance monitoring and enforcement program is necessary to ensure communities receive the environmental and human health benefits intended by environmental statutes and EPA's regulations. EPA regulates more than 1.2 million facilities subject to a variety of environmental statutes that protect human health and the environment. Likewise, EPA regulates a wide range of products, from automobiles to pesticides. In FY 2024, EPA will continue to work cooperatively with tribes, states, territories, and other federal agencies to improve compliance with environmental laws and statutes. EPA will continue to collaborate with tribes in Indian country, by both directly implementing compliance monitoring and enforcement programs and supporting and overseeing tribal implementation of approved programs. In FY 2024, EPA will provide \$757.1 million and 3,353.6 FTE to strengthen compliance with the Nation's environmental laws and hold violators accountable under *Goal 3: Enforce Environmental Laws and Ensure Compliance*.

In FY 2024, EPA will collaborate with tribes, states, territories, and other federal agencies to focus federal enforcement resources on the most serious environmental problems where noncompliance with environmental statutes and regulations is a significant contributing factor and where federal enforcement can have a significant impact on the Nation's air, water, and land. The Agency will continue to identify a small number of key areas, called National Enforcement and Compliance Initiatives (NECIs), where EPA focuses attention on the most significant, widespread environmental problems.

In FY 2024, the Agency is requesting an increase of \$22.6 million and 38.4 FTE above the FY 2023 enacted to continue rebuilding the inspector cadre, which is EPA's highest enforcement priority. A robust inspection program, including compliance and enforcement actions, is essential to advancing the promise of clean air, land, and water to the many communities across the country that have not received the full benefits from the Nation's decades of progress. Dedicated staff that can identify public health concerns and environmental regulatory violations are critical to protect communities that are underserved or disproportionately harmed by pollution. EPA's inspection programs have faced substantial resource challenges for over a decade, leading to a loss of Agency expertise and a decline in the numbers of inspections. To meet EPA's environmental justice goals and its mission to protect human health and the environment, EPA must rebuild and strengthen its inspection program by hiring and training new and existing inspectors, including in-person basic inspector trainings and travel funding for the trainings for the following programs: Clean Air Act; Safe Drinking Water Act; Clean Water Act; Resource Conservation and Recovery Act; Federal Insecticide, Fungicide, & Rodenticide Act; and Toxic Substances Control Act. Additionally, funding is needed to purchase health and safety equipment and inspection monitoring equipment. Travel funding for inspections also is essential to get inspectors into the field.

In addition, EPA will focus on vulnerable communities and those facing substantial burdens from environmental noncompliance. In these areas, EPA will increase inspections, prioritize enforcement cases, identify remedies with tangible benefits for harmed communities, and increase engagement with communities about enforcement cases. In FY 2024, EPA also will target

compliance monitoring in overburdened and underserved communities with environmental justice concerns. EPA will continue to initiate enforcement actions to protect against children's health hazards in areas such as exposure to lead paint, the presence of lead and other contaminants in drinking water, and particulate air emissions with the potential to aggravate asthma.

The Agency will address climate change by directing resources to ensure effective enforcement responses for those sources with noncompliant emissions of greenhouse gases (GHGs), develop remedies that are consistent with GHG mitigation and climate resilience goals, and pursue violators of the Renewable Fuel Standard. In addition, EPA requests an additional \$12.1 million and 26.8 FTE above the FY 2023 enacted to enforce against the illegal importation, distribution, and use within the United States of hydrofluorocarbons (HFCs), which are chemicals with potent global warming potential, under the American Innovation and Manufacturing (AIM) Act.<sup>17</sup> In FY 2024, an increase of \$5.6 million and 6.5 FTE will support efforts to investigate and identify releases of per- and polyfluoroalkyl substances (PFAS) to the air, land, and water by actively investigating under RCRA, TSCA, CWA, SDWA, and CAA at the yet-unknown number of processing facilities, waste disposal facilities, and federal facilities where PFAS are suspected of contaminating various environmental media. PFAS released into the environment may present an urgent public health and environmental threat. EPA will continue to investigate releases, address imminent and substantial endangerment situations, and prevent exposure to PFAS, under multiple environmental statutes. OECA has been stretching its base Superfund (SF) & EPM resources to (1) issue corporate-wide information requests and analyze responses, (2) create site profiles and information databases on specific facilities, (3) obtain site-specific data, and (4) use administrative and judicial authorities to require sampling and other response actions. EPA will continue implementing the Foundations for Evidence-Based Policymaking Act,<sup>18</sup> coordinated by EPA's Evidence Act officials. The Agency will expand its evidence-based compliance program through projects developed under OECA's compliance learning agenda, which systematically identifies the most important evidence the Agency needs to gather and generate to advance its compliance goals, and ensure the Agency uses high quality data and other information to inform policy and decision making.

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<sup>17</sup> For more information on the AIM Act, please visit: <https://www.epa.gov/climate-hfcs-reduction/aim-act>

<sup>18</sup> Full-text of the Foundations for Evidence-Based Policymaking Act of 2018 may be found at: <https://www.congress.gov/bill/115th-congress/house-bill/4174/text>.

**Objective 3.1: Hold Environmental Violators and Responsible Parties Accountable – Use vigorous and targeted civil and criminal enforcement to ensure accountability for violations and to clean up contamination.**

The FY 2024 Budget includes \$438.6 million and 2,444.1 FTE for Objective 3.1. This objective is directly supported by the following long-term performance goal in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, reduce to not more than 93 the number of open civil judicial cases more than 2.5 years old without a complaint filed.<sup>19</sup>

Enforcement is essential to ensuring that everyone is protected by the Nation’s environmental laws and regulations. EPA strives to not only return violators to compliance but also obtain timely relief needed to address the underlying causes of the violations, to prevent reoccurrence, and, in appropriate cases, mitigate the harm to the communities impacted by noncompliance. EPA uses administrative enforcement and Alternative Dispute Resolution (ADR), where appropriate, in the environmental enforcement context and plans to deploy ADR to new Superfund and External Civil Rights projects. In FY 2024, EPA will invest an additional \$1.3 million and 4.1 FTE for a total of \$3.1 million and 10.0 FTE to the ADR Program to promote equity by including underserved communities in negotiations.

***Civil Enforcement***

The overall goal of EPA’s Civil Enforcement Program is to maximize compliance with the Nation’s environmental laws and regulations to protect human health and the environment. In FY 2024, EPA requests \$245.9 million and 1,041.7 FTE, an increase of \$36.7 million and 43.6 FTE above the FY 2023 enacted, to support civil enforcement efforts. EPA will encourage regulated entities to correct violations rapidly, ensure that violators do not realize an economic benefit from noncompliance, pursue enforcement to deter future violations, and continue to strengthen environmental partnerships with tribes, states, and other federal agencies. The additional resources will enhance EPA’s ability to incorporate environmental justice and climate change considerations into all phases of case development. To protect public health and ensure that private, public, and federal facilities are held to the same standard, EPA will rebuild and train headquarters and regional inspectors to inspect more facilities in the large public, private, and federal facility universe. In addition, EPA will continue to improve its sampling capability to identify regulatory violations. These resources are needed recognizing the complexity of many facilities and the inspections needed to identify the range of potential contamination. EPA will pursue enforcement actions at public, private, and federal facilities where significant violations are discovered to protect the health of surrounding communities. Lastly, EPA will provide technical and scientific support to tribes, states, and territories with authorized programs.

In FY 2024, EPA is requesting an additional \$3.4 million and 7.0 FTE to enforce the Coal Combustion Residuals (CCR) rule. The CCR Program ensures that coal ash disposal units

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<sup>19</sup> For comparison, there were 129 cases more than 2.5 years old without a complaint filed as of June 30, 2018. The number of cases fluctuates and is therefore difficult to predict how many cases will “age in” in a given year. EPA reduces the number of older cases using a number of different tools. For example, sometimes the United States government needs to file a complaint in order to make progress in resolving a case; other times, it needs to drop a claim or shift its injunctive relief or penalty demand because of litigation risk.

(landfills and surface impoundments) do not present dangerous structural stability issues (such as those that led to the catastrophic 2008 Kingston, Tennessee coal ash disaster) that could put surrounding communities in harm's way. These resources will augment the work the Agency has already started, i.e., analyzing groundwater monitoring data and the corrective action and closure efforts of facilities to determine whether facilities are complying with the regulatory requirements and adequately addressing coal ash disposal risks.

EPA has been working to improve the processes associated with enforcement actions to move more quickly in protecting the environment. To reduce the time that a facility is in violation of an environmental standard, EPA has a FY 2026 long-term performance goal (LPTG) to reduce to no more than 93 the number of open civil judicial cases more than 2.5 years old without a complaint filed. In FY 2022, EPA reduced that number to 65, surpassing the FY 2026 LPTG. EPA will continue to build upon this success to further improve upon our accomplishments in FY 2024 and beyond.

### ***Criminal Enforcement***

EPA's Criminal Enforcement Program enforces the Nation's environmental laws through targeted investigation of criminal conduct committed by individual and corporate defendants who threaten public health and the environment. EPA's Criminal Enforcement Program plays a critical role across the country supporting tribes, states, and territories that may have limited capacity to investigate and prosecute environmental crimes. In FY 2024, the Agency requests \$75.1 million and 296 FTE, an increase of \$4.4 million and 26.7 FTE above the FY 2023 enacted, to support the Criminal Enforcement Program by targeting investigations on the most egregious environmental cases.

### ***Superfund Enforcement***

In FY 2024, the Superfund Enforcement program will transition from using annual appropriations to funding activities and staff through Superfund tax receipts. Resources are expected to be at an equivalent level. The Program will continue to facilitate prompt site cleanup. EPA uses an "enforcement first" approach before turning to taxpayer dollars to fund cleanups, by maximizing Potentially Responsible Party (PRP) involvement at Superfund sites. The Superfund Enforcement Program works to ensure that viable and liable PRPs pay to clean up sites and seeks to recover costs if EPA expends Superfund dollars to clean up sites. These enforcement efforts allow the Trust Fund to be used at those sites that have no funding source other than government resources and have no other means of cleanup. Thus, Superfund enforcement efforts ensure that Superfund sites are cleaned up in a timely manner in addition to getting more sites cleaned up than would be possible using only government funds. With the availability of Superfund tax receipts in FY 2024, EPA plans to use these resources to support traditional Superfund Enforcement efforts and to place greater emphasis towards implementing Agency initiatives like Environmental Justice, PFAS, and Lead. In addition, EPA will ensure we provide DOJ essential funding to support Agency efforts, complete negotiations quicker, provide additional training, and provide greater regional support towards PRP searches and other counseling work.

**Objective 3.2: Detect Violations and Promote Compliance** – *Ensure high levels of compliance with federal environmental laws and regulations through effective compliance tools – including inspections, other monitoring activities, and technical assistance supported by evidence and advanced technologies.*

The FY 2024 Budget includes \$318.5 million and 909.5 FTE for Objective 3.2. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, send 75% of EPA inspection reports to facilities within 70 days of inspection.<sup>20</sup>
- By September 30, 2026, conduct 55% of annual EPA inspections at facilities that affect communities with potential environmental justice concerns.<sup>21</sup>

### ***Compliance Monitoring***

Effectively focusing compliance monitoring, including inspections in overburdened and underserved communities with environmental justice concerns, plays a critical role in achieving the goals EPA has set forth for protecting human health and the environment. Achieving high rates of compliance with environmental laws and regulations requires the use of a wide range of compliance tools, including compliance monitoring. Through its ongoing process of selecting National Enforcement and Compliance Initiatives in collaboration with tribes, states, and territories, EPA will focus its work on critical areas of noncompliance. In FY 2024, EPA will advance its efforts to address climate change mitigation and adaptation issues through directing of inspections, compliance monitoring, and technical assistance to sources with the most potential for noncompliant emissions of greenhouse gases.

EPA will continue to emphasize the importance of providing facilities with a completed inspection report in a timely manner notifying the facility of any potential compliance issues. In FY 2024, EPA is requesting a total of \$3.3 million and 3.0 FTE to expand software solutions for field inspectors to improve the effectiveness and efficiency of compliance inspections conducted by EPA and authorized states. Smart Tools software allows EPA to use its compliance monitoring resources more efficiently and to make inspection reports more available to regulated entities and to the public in affected communities.

In FY 2024, EPA is requesting a total of \$3.1 million and 1.0 FTE to support the Agency's Compliance Advisor Program (previously called Circuit Riders Program), which reduces noncompliance at small public water systems (PWSs) and small wastewater treatment facilities (WWTFs) by providing hands-on technical assistance. To date, Compliance Advisors have provided support to approximately 199 small PWSs and 63 WWTFs in under-resourced communities nationwide. Hundreds more small systems and facilities across the Nation need technical support to help them achieve and stay in compliance and provide clean and safe water to the communities they serve.

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<sup>20</sup> For comparison, 46% of inspection reports were sent within 70 days of inspection at the end of FY 2018.

<sup>21</sup> The baseline for this measure is 27% based on average of FY 2017 - FY 2019.

In FY 2024, EPA will continue its implementation of the Evidence Act by continuing its work on the “Drinking Water Systems Out of Compliance” learning priority area of EPA’s Learning Agenda. EPA also will expand its ongoing work with tribes, states, and academic experts to develop and implement OECA’s compliance learning agenda: prioritizing the most pressing programmatic questions; conducting evidence-based studies to address these questions; and identifying effective and innovative approaches for improving compliance.

In FY 2024, EPA will continue the data system modernization effort to better support tribes, states, local governments, federal partners, and the public’s need for information with modernized technology and it will implement EPA’s enterprise-wide Digital Strategy with shared IT services. For example, EPA is requesting an increase of \$22.9 million and 5.0 FTE to modernize the Agency’s enforcement and compliance assurance data systems. These resources will complement those provided to EPA under the Inflation Reduction Act that are targeted for improving enforcement technology, inspection software, and other related purposes. Modernization will facilitate EPA’s efforts to better target noncompliance that impacts overburdened and vulnerable communities and will increase the availability of information about environmental conditions in those communities and elsewhere.

Through the State Review Framework, EPA periodically reviews authorized state compliance monitoring and enforcement programs for Clean Air Act (CAA) Stationary Sources, Resource Conservation and Recovery Act (RCRA) Hazardous Waste facilities, and the Clean Water Act National Pollutant Discharge Elimination System (NPDES) dischargers. This review is conducted using criteria agreed upon by states to evaluate performance against national compliance monitoring or enforcement program standards. When states do not achieve standards, the Agency works with them to make progress. However, EPA may take a lead implementation role when authorized states have a documented history of failure to make progress toward meeting national standards. In total, EPA provides \$165.3 million and 520.4 FTE to detect violations and promote compliance with environmental laws, an increase of \$50.9 million and 41.5 FTE above the FY 2023 enacted budget.

#### ***Categorical Grants: Pesticides Enforcement***

In FY 2024, EPA is requesting a total of \$25.6 million funding cooperative agreements to support state and tribal compliance and enforcement activities under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The resources will be used to rebuild programmatic capabilities between EPA and partner agencies; provide vital training programs to EPA, state, territory, and tribal partners; and help address environmental justice concerns in overburdened and vulnerable communities.

#### ***Categorical Grants: Toxic Substances Compliance***

In FY 2024, EPA is requesting a total of \$6.9 million to continue focusing on compliance monitoring programs to prevent or eliminate unreasonable risks to health or the environment associated with chemical substances such as asbestos, lead-based paint, and polychlorinated biphenyls (PCBs), and to encourage states to establish their own compliance and enforcement programs for lead-based paint and asbestos.

**Environmental Protection Agency  
FY 2024 Annual Performance Plan and Congressional Justification**

**Ensure Clean and Healthy Air for All Communities**

Goal 4: Ensure Clean and Healthy Air for All Communities—Protect human health and the environment from the harmful effects of air pollution.

**STRATEGIC OBJECTIVES:**

- Objective 4.1: Improve Air Quality and Reduce Localized Pollution and Health Impacts—Reduce air pollution on local, regional, and national scales to achieve healthy air quality for people and the environment.
- Objective 4.2: Reduce Exposure to Radiation and Improve Indoor Air—Limit unnecessary radiation exposure and achieve healthier indoor air quality, especially for vulnerable populations.

GOAL, OBJECTIVE SUMMARY  
Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President's Budget</b>	<b>FY 2024 President's Budget v. FY 2023 Enacted Operating Plan</b>
<b>Ensure Clean and Healthy Air for All Communities</b>	<b>\$754,266</b>	<b>\$809,802</b>	<b>\$1,401,734</b>	<b>\$591,932</b>
Improve Air Quality and Reduce Localized Pollution and Health Impacts	\$657,185	\$705,042	\$1,241,622	\$536,580
Reduce Exposure to Radiation and Improve Indoor Air	\$97,081	\$104,760	\$160,112	\$55,352
Total Authorized Workyears	1,670.2	1,749.8	2,207.0	457.1

## **Goal 4: Ensure Clean and Healthy Air for All Communities**

*Protect human health and the environment from the harmful effects of air pollution.*

### **Introduction**

All people regardless of race, color, national origin, or income deserve to breathe clean air outside and indoors, and it is especially important to protect the health of vulnerable and sensitive populations including children and persons adversely affected by persistent poverty or inequality. Numerous scientific studies have linked air pollution and specific pollutants to a variety of health problems and environmental impacts. Long-term exposure to elevated levels of certain air pollutants is associated with increased risk of cancer, premature mortality, and damage to the immune, neurological, reproductive, cardiovascular, and respiratory systems. Levels of harmful air pollutants have continued to decline even as the economy has grown significantly over the long term. Between 1970 and 2021, the combined emissions of six key pollutants dropped by 78 percent, while the U.S. economy remained strong – growing 292 percent over the same period.<sup>22</sup> Yet poor air quality still affects millions of people across the country, affecting near- and long-term health and quality of life. EPA will continue to build on its historic progress and work to assure clean air for all Americans, with a particular focus on those in underserved and overburdened communities.

In FY 2024, EPA will work to ensure clean and healthy air for all communities by reducing emissions of ozone-forming pollutants, particulate matter, and air toxics. In the FY 2024 Budget, EPA is requesting an investment of \$132.5 million and 33 FTE to modernize the Nation's air quality and radiation monitors and to make their supporting information systems more reliable and resilient in emergencies, such as wildfires and radiation events, and better able to produce near real-time data to assess and communicate exposure risks to vulnerable populations. EPA also will work to address high-risk indoor air quality pollutants in homes, schools, and workplaces. The Agency will rely on proven approaches including innovative market-based techniques, public and private-sector partnerships, community-based approaches, regulatory and technical assistance programs that promote environmental stewardship, public education, and programs that encourage adoption of cost-effective technologies and practices. Understanding that many sources of air pollutants also are sources of greenhouse gases (GHG), the Agency will look to control strategies that can reduce both air pollution and mitigate the impacts of climate change. In the FY 2024 Budget, \$1.402 billion and 2,207.0 FTE are allocated to Goal 4 to advance EPA efforts in protecting human health and the environment from the harmful effects of air pollution.

**Objective 4.1: Improve Air Quality and Reduce Localized Pollution and Health Impacts –**  
*Reduce air pollution on local, regional, and national scales to achieve healthy air quality for people and the environment.*

The FY 2024 Budget includes \$1.242 billion and 1,833.2 FTE for Objective 4.1. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

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<sup>22</sup> For additional information, please visit: <https://gispub.epa.gov/air/trendsreport/2022/>

- By September 30, 2026, reduce ozone season emissions of nitrogen oxides (NO<sub>x</sub>) from electric power generation sources by 21% from the 2019 baseline of 390,354 tons.
- By September 30, 2026, improve measured air quality in counties not meeting the current National Ambient Air Quality Standards (NAAQS) from the 2016 baseline by 10%.
- By September 30, 2026, strive to ensure all people with low socio-economic status (SES) live in areas where the air quality meets the current fine particle pollution (PM<sub>2.5</sub>) National Ambient Air Quality Standards (NAAQS).
- By September 30, 2026, ensure U.S. consumption of hydrochlorofluorocarbons (HCFCs) is less than 76.2 tons per year of ozone depletion potential.<sup>23</sup>

In FY 2024, EPA will work collaboratively with tribal and state air agencies to maintain and improve the Nation's air quality. EPA will focus particularly on advancing environmental justice by engaging with local communities that have been historically underserved on key activities including technical assistance, regulation development, and financial assistance. In FY 2024, \$366.7 million and 1079.7 FTE are allocated to the Federal Support for Air Quality Management Program to implement climate and clean air regulations and programs, which is an increase of \$207.6 million and 200.4 FTE above the FY 2023 enacted. This includes resources for activities such as supporting the NAAQS review and implementation work, taking timely action on State Implementation Plans (SIPs) to reduce the SIP backlog, and environmental justice activities. This also includes additional resources for modernizing the Nation's ambient air monitoring network and for supporting community-scale monitoring.

Taking into account the most current research findings on health effects and changing conditions from a warming climate, EPA will continue to review the NAAQS and make revisions, as appropriate. Specifically, the President directed EPA to review the 2020 Particulate Matter (PM) NAAQS and the 2020 Ozone NAAQS.<sup>24</sup> EPA will work to improve air quality in areas not in attainment with the NAAQS, including assisting tribes and states in developing Clean Air Act-compliant SIPs. EPA will continue reviewing regional haze SIPs, working closely with states to improve visibility in the country's national parks and wilderness areas.

EPA will reduce air pollution by focusing on the transportation sector's largest contributors to criteria pollutant and GHG emissions: light-duty vehicles (LDVs) and heavy-duty vehicles (HDVs). EPA will continue to work to ensure that Clean Air Act requirements are met for new transportation projects with heavy-duty diesel traffic, such that they do not worsen air quality near communities with environmental justice concerns. The Agency will collaborate with a broad range of stakeholders to develop targeted, sector-based, and place-based strategies for diesel fleets, including school buses, ports, and other goods movement facilities.

In FY 2024, EPA will continue to operate nationwide and multi-state programs, such as the Acid Rain Program (ARP) and the Cross-State Air Pollution Rules (CSAPR), that address major global, national, and regional air pollutants from the power sector and other large stationary sources. EPA also will work on several regulatory actions related to criteria air pollutants, air toxics, and GHG

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<sup>23</sup> The U.S. HCFC consumption baseline is 15,240 ODP-weighted metric tons effective as of January 1, 1996.

<sup>24</sup> Executive Order 13990: *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis* (January 20, 2021): <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>.

pollution from power plants. EPA has made significant progress in reducing emissions from power plants through the ARP and CSAPR. Together, as of 2021, the Programs delivered a 94% reduction of sulfur dioxide and an 85% reduction in nitrogen oxide emissions from 1990 levels. For FY 2021, there has been 100% compliance for power plants in the ARP and CSARP allowance trading programs.<sup>25</sup>

As part of a forward-looking air toxics strategy, EPA will address regulatory and emerging issues and improve access to air toxics data. The Agency will continue implementing an approach that develops and shares air toxics data faster and more regularly to the public, allowing for increased transparency and the ability to see trends and risks over time. By 2024, EPA will continue reporting the most current air toxics data each year in the annual Air Trends Report and an online interactive tool, instead of the previous three to four-year cycle for reporting air toxics data, and providing that data at an increased spatial resolution.

EPA will continue to protect and restore the stratospheric ozone layer by reducing the use, emission, import, and production of ozone-depleting substances in the U.S. By 2026, U.S. consumption of HCFCs, chemicals that deplete the Earth's protective ozone layer, will be less than 76.2 tons per year of ozone depletion potential compared to the 2015-2019 target of 1,520 tons per year. As a result of global action to phase out ozone-depleting substances, the ozone layer is expected to recover to its pre-1980 levels by mid-century. As a Party to the Montreal Protocol, the U.S. must incrementally decrease HCFC consumption and production, culminating in a complete HCFC phaseout in 2030. These reductions in consumption and production help protect the stratospheric ozone layer, which shields all life on Earth from harmful solar ultraviolet (UV) radiation. Scientific evidence demonstrates that ozone depleting substances used around the world destroy the stratospheric ozone layer, which raises the incidence of skin cancer, cataracts, and other illnesses through overexposure to increased levels of UV radiation. Under the American Innovation and Manufacturing (AIM) Act, EPA will continue to phase down the production and consumption of hydrofluorocarbons, review and list alternatives that are safer for the ozone layer, as well as facilitate the transition to next-generation technologies.

EPA also will seek to address air quality challenges presented by wildfires. Wildfire smoke can make up approximately 30 percent of total PM<sub>2.5</sub> emissions in some regions of the U.S., aggravating heart and lung disease and causing premature death. In FY 2024, EPA requests additional resources for air monitoring and will continue to support work that will identify, predict, and communicate where smoke events are occurring, especially for overburdened and underserved communities impacted by wildfire issues. EPA also requests \$7 million for Wildfire Smoke Preparedness Grants, a competitive grant funding to be awarded to tribes, states, public pre-schools, local educational agencies, and non-profit organizations to better prepare buildings for wildfire smoke.

The Agency will continue to develop and make available the necessary technical data and tools to support air quality planning and environmental justice analyses, such as *AirNow*, the Air Quality System, and the National Emissions Inventory. The Agency also will develop new and enhanced applications of environmental justice analytics to inform how power sector rules can mitigate

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<sup>25</sup> For additional information, please visit: <http://www3.epa.gov/airmarkets/progressreports/index.html>

impacts on overburdened communities. This effort will include modeling of power sector emissions down to the county level as well as improved representation of fine particulate matter that includes toxic heavy metals. EPA also will continue to test, evaluate, and refine draft tools for incorporating environmental justice considerations into EPA-issued permits and ensure opportunities for meaningful public involvement in the permit process. Early and meaningful dialogue between a permit applicant and a community is especially important in communities that have historically been underrepresented in the permitting process or that potentially bear a disproportionate burden of an area's pollution to promote environmental justice. Providing specific information about the pollution and related health impacts of a permit action may alleviate community's concerns about the facility or educate the public about other sources of exposure.

**Objective 4.2: Reduce Exposure to Radiation and Improve Indoor Air** – *Limit unnecessary radiation exposure and achieve healthier indoor air quality, especially for vulnerable populations.*

The FY 2024 Budget includes \$160.1 million and 373.7 FTE for Objective 4.2. This objective is directly supported by the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, prevent 2,250 lung cancer deaths annually through lower radon exposure as compared to the FY 2020 baseline of 1,684 prevented lung cancer deaths.

To improve indoor air and reduce exposure to radiation, EPA leads programs that educate the public about radiation and indoor air quality concerns, including radon, asthma triggers, and poor ventilation. These programs promote public action to reduce potential risks in homes, schools, and workplaces. Because Americans spend most of their time indoors, where pollutant levels are often significantly higher than outdoors, poor indoor air quality is a major health concern. For example, radon is a leading cause of lung cancer, responsible for 21,000 lung cancer deaths annually. Nearly 24 million Americans have asthma, and low-income, communities of color suffer disproportionately. Indoor allergens and irritants play a significant role in making asthma worse and triggering asthma attacks. These concerns have been heightened during the past two years of the COVID pandemic, when people have had to spend more time indoors, elevating the importance of effective ventilation.

To better address these human health risks from indoor air and radiation, the FY 2024 Budget includes \$5.3 million with 12.4 FTE for the Indoor Air Radon Program and \$47.6 million with 71.4 FTE for the Reducing Risks from Indoor Air Program. EPA will continue programs to reduce exposures to radon through home testing and mitigation, promote in-home asthma management, improve air quality in homes and schools, and build capacity for tribes and communities across the country to comprehensively address indoor air risks.

In-home asthma management is a critical component of asthma care, particularly in low-income populations. EPA, in partnership with the Centers for Disease Control (CDC) and the U.S. Department of Housing and Urban Development (HUD) through the Federal Asthma Disparities Action Plan, will support state Medicaid Programs and private health plans to pay for in-home

asthma interventions through reimbursement mechanisms<sup>26</sup>. In addition, EPA will reduce asthma disparities for low-income people and communities of color by supporting public health and housing organizations to train community health workers to deliver in-home asthma interventions and care. In FY 2024, EPA is measuring delivery of technical assistance, tools, and grants to equip community-based programs and the organizations that support them to deliver evidence-based, comprehensive asthma care.

In FY 2024, EPA will collaborate with public and private sector organizations to provide clear and verifiable protocols and specifications for promoting good indoor air quality and support adoption of these protocols and specifications into existing healthy, energy efficiency, and green building programs and initiatives to promote healthy buildings for a changing climate. EPA also will equip the housing sector with guidance to promote the adoption of these best practices with the aim of creating healthier, more energy efficient homes, including for low-income families. EPA also will equip school leaders to make science-based decisions and implement sustainable ventilation, filtration and other indoor air quality improvements for healthy school environments. To reduce the high public health risks from exposure to indoor radon, EPA will co-lead the National Radon Action Plan, a multisector public-private coalition committed to eliminating avoidable radon-induced lung cancer in the U.S. and addressing radon as a health equity challenge. EPA will continue to provide State Indoor Radon Grant funding and technical assistance to tribes and states, with a focus on increasing access to testing and mitigation in underserved communities. This work supports the Administration's Cancer Moonshot Initiative.

EPA responds to radiological emergencies; conducts essential national and regional radiological response planning and training; and develops response plans for radiological incidents or accidents. In FY 2024, EPA will continue to fill gaps in the expertise that is critical for essential preparedness work, restoring critical capacity to meet EPA's core mission. EPA will maintain personnel expertise, capabilities, and equipment readiness of the radiological emergency response program under the National Response Framework and the National Contingency Plan, including the Agency's Radiological Emergency Response Team. EPA also is requesting additional funding of \$1.7 million and 3.4 FTE in the FY 2024 Budget to support efforts to restore EPA's staff expertise, analysis, and capacity in the Indoor Air Radon Program in order to better lead the federal government's response to radon and to implement the Agency's own multi-pronged radon program. EPA will provide oversight of the Waste Isolation Pilot Plant, including review of the U.S. Department of Energy's plans for additional waste panels and surplus plutonium disposal, to ensure safe long-term disposal of radioactive waste and the continued cleanup of nuclear weapons program legacy sites.

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<sup>26</sup> For more information, please visit: <https://www.epa.gov/asthma/coordinated-federal-action-plan-reduce-racial-and-ethnic-asthma-disparities>

**Environmental Protection Agency  
FY 2024 Annual Performance Plan and Congressional Justification**

**Ensure Clean and Safe Water for All Communities**

Goal 5: Ensure Clean and Safe Water for All Communities—Provide clean and safe water for all communities and protect our nation’s waterbodies from degradation.

**STRATEGIC OBJECTIVES:**

- Objective 5.1: Ensure Safe Drinking Water and Reliable Water Infrastructure—Protect public health from the risk of exposure to regulated and emerging contaminants in drinking and source waters by improving the reliability, accessibility, and resilience of the nation’s water infrastructure to reduce the impacts of climate change, structural deterioration, and cyber threats.
- Objective 5.2: Protect and Restore Waterbodies and Watersheds—Address sources of water pollution and ensure water quality standards are protective of the health and needs of all people and ecosystems.

GOAL, OBJECTIVE SUMMARY

Budget Authority

Full-time Equivalents

(Dollars in Thousands)

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President’s Budget</b>	<b>FY 2024 President’s Budget v. FY 2023 Enacted Operating Plan</b>
<b>Ensure Clean and Safe Water for All Communities</b>	<b>\$3,830,705</b>	<b>\$5,182,344</b>	<b>\$6,373,747</b>	<b>\$1,191,403</b>
Ensure Safe Drinking Water and Reliable Water Infrastructure	\$2,420,972	\$3,624,001	\$4,620,117	\$996,116
Protect and Restore Waterbodies and Watersheds	\$1,409,733	\$1,558,343	\$1,753,630	\$195,287
Total Authorized Workyears	2,761.4	3,021.8	3,271.5	249.7

## **Goal 5: Ensure Clean and Safe Water for All Communities**

*Provide clean and safe water for all communities and protect our Nation's waterbodies from degradation.*

### **Introduction**

Clean and safe water is a vital resource essential to the protection of human health and is a foundation for supporting healthy communities and a thriving economy. The United States has made great progress over the past 50 years protecting and restoring water resources through legislation such as the Clean Water Act (CWA), Safe Drinking Water Act (SDWA), and Marine Protection, Research and Sanctuaries Act (MPRSA). As of January 2023, approximately 85 percent of the public water systems (e.g., 2,988 out of 3,508) with health-based violations as of the end of FY 2017 have returned to compliance. While progress is being made to bring systems into compliance, it is clear that the Nation still faces significant barriers and challenges to ensuring access to clean and safe water for communities. This is particularly the case regarding safe and clean water, as well as impacts from aging infrastructure, legacy lead pipes, cybersecurity threats, climate change, and emerging contaminants of concern. These challenges are distributed unequally, and tens of thousands of homes, primarily in tribal communities and the territories, currently lack access to basic sanitation and drinking water and experience higher pollution levels.

In FY 2024, EPA will continue to work with its tribal, federal, state, and nongovernmental partners to advance science, to provide clean and safe water for all communities, and to protect our Nation's waterbodies from degradation. The FY 2024 Budget includes \$6.373 billion and 3,271.5 FTE for *Goal 5, Ensure Clean and Safe Water for All Communities*. This investment will complement resources provided in the bipartisan Infrastructure Investment and Jobs Act of 2021 (IIJA) and expand the Agency's capacity to protect human health and the environment across the Nation.

**Objective 5.1: Ensure Safe Drinking Water and Reliable Water Infrastructure** – *Protect public health from the risk of exposure to regulated and emerging contaminants in drinking and source waters by improving the reliability, accessibility, and resilience of the Nation's water infrastructure to reduce the impacts of climate change, structural deterioration, and cyber threats.*

The FY 2024 Budget includes \$4.620 billion and 1,391.7 FTE for Objective 5.1. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, reduce the number of community water systems still in noncompliance with health-based standards since March 31, 2021, from 752 to 500.<sup>27</sup>
- By September 30, 2026, reduce the number of community water systems in Indian Country still in noncompliance with health-based standards since March 31, 2021, from 110 to 70.
- By September 30, 2026, leverage an additional \$45 billion in non-federal dollars through EPA's water infrastructure finance programs (CWSRF, DWSRF, and WIFIA).<sup>28</sup>

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<sup>27</sup> This baseline is a subset of the 3,508 systems, including systems in Indian Country, that have been in long-term noncompliance since September 30, 2017. Technical assistance provided will focus on non-compliant water systems in underserved communities.

<sup>28</sup> EPA will ensure a focus on climate resiliency and equity by revising loan guidelines, program guidance, and providing technical assistance.

- By September 30, 2026, in coordination with other federal agencies, provide access to basic sanitation for an additional 36,500 American Indian and Alaska Native homes.
- By September 30, 2026, provide 2,203 tribal, small, rural, or underserved communities with technical, managerial, or financial assistance to improve operations of their drinking water or wastewater systems.

### ***Safe and Reliable Water***

Providing safe and reliable drinking water and wastewater treatment for all communities is a priority for EPA. Aging infrastructure, climate change, cyber threats, and contaminants such as lead and per- and polyfluoroalkyl substances (PFAS) are creating new stresses on the Nation's water systems. In FY 2024, EPA will work to address these challenges through approximately \$4 billion in water infrastructure spending. This includes \$1.639 billion for the Clean Water State Revolving Fund (CWSRF) Program, \$1.126 billion for the Drinking Water State Revolving Fund (DWSRF) Program, and \$80.4 million for the Water Infrastructure Finance and Innovation Act (WIFIA) Program. Also included is approximately \$1.2 billion for grant programs authorized in the America's Water Infrastructure Act (AWIA) of 2018, the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN), and the Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA). Among these resources, \$219 million is dedicated to two grant programs for reducing lead in drinking water and lead testing in schools, an increase of \$163 million over the 2023 enacted level.

As of February 2023, EPA had issued 100 WIFIA loans to communities across the country totaling over \$17 billion in credit assistance to help finance more than \$36 billion for water infrastructure projects. In FY 2024, EPA will continue to use the SRF and WIFIA investments to improve the reliability, accessibility, and resilience of the Nation's water infrastructure. These programs are critical tools for EPA to accelerate water infrastructure investments by leveraging public and private sources of funds, which will maximize the reach of federal funds. To increase access to these funds, EPA will provide training and technical assistance to help disadvantaged communities identify needs, develop projects, apply for funding, design and implement projects, build capacity, and create training and career pathways. In addition, working collaboratively with the state and tribal partners, EPA's SRF programs will make progress toward Justice40, which aims to ensure that federal agencies deliver at least 40 percent of overall benefits of relevant federal investments to overburdened and underserved communities.

In FY 2024, EPA requests \$150 million and 554.5 FTE to support Drinking Water Programs to better protect communities, especially overburdened and underserved communities. This includes efforts to finalize the Lead and Copper Rule Improvements (LCRI) regulation, which aims to strengthen the Lead and Copper Rule Revisions (LCRR) issued in 2021 to more proactively replace lead service lines and more equitably protect public health. EPA released Guidance for Developing and Maintaining a Service Line Inventory<sup>29</sup> in 2022 to support water systems in their efforts to develop lead service line inventories and to provide states with needed information for oversight and reporting to EPA. The guidance provides essential information to help water systems comply with the LCRR requirement to prepare and maintain an inventory of service line materials by October 16, 2024.

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<sup>29</sup> For additional information, please visit: [https://www.epa.gov/system/files/documents/2022-08/Inventory%20Guidance\\_August%202022\\_508%20compliant.pdf](https://www.epa.gov/system/files/documents/2022-08/Inventory%20Guidance_August%202022_508%20compliant.pdf).

Resources will support the Agency's efforts to reduce public health and environmental threats from PFAS by finalizing the new drinking water standards in FY 2024. An additional \$42.8 million and 22 FTE is requested to advance EPA's PFAS Strategic Roadmap,<sup>30</sup> which will allow EPA to accelerate its efforts to develop various methods and tools to support, states, tribes, and localities in managing PFAS risks, particularly in small and underserved communities. EPA will continue the development of the Drinking Water State-Federal-Tribal Information Exchange System (DW-SFTIES) and support state migration to the Compliance Monitoring Data Portal, which enables drinking water utilities and laboratories to report drinking water data electronically.

EPA also will continue to coordinate and support protection of the Nation's critical water infrastructure from terrorist threats and all-hazard events, including cyberattacks. Cyberattacks can compromise the ability of water and wastewater utilities to provide clean and safe water to customers, erode customer confidence, and result in financial and legal liabilities. In FY 2024, EPA will leverage its role as the lead federal agency for cybersecurity in the water sector and work with government partners to close vulnerabilities and mitigate risks to cyberthreats. EPA requests \$25 million for a grant program to help water systems establish and build the necessary cybersecurity infrastructure to address rising threats. EPA also requests \$19.4 million and 25 FTE to implement regulatory action to mitigate the risk of cyberattacks in the water sector as well as increase the Agency's ability to respond to incidents. EPA will continue to provide practical tools, training, and technical assistance to increase resilience to extreme weather events (e.g., drought, flooding, wildfires, hurricanes), malevolent acts (e.g., cyberattacks), and climate change. In FY 2022, almost 4,000 drinking water and wastewater systems and water sector partners received training and technical assistance.

The Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) authorized a suite of water programs to help better address drinking water and wastewater issues across the country. Implementation of DWWIA will strengthen the federal government's ability to invest in water infrastructure in communities in every state, so that all residents of the United States can obtain and maintain access to safe drinking water and our Nation's waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, invest in new technologies, and provide assistance to underserved communities. The FY 2024 Budget provides \$1.2 billion funding for DWWIA at the full authorization level and represents a robust investment in America's drinking water infrastructure.

**Objective 5.2 Protect and Restore Waterbodies and Watersheds** – *Address sources of water pollution and ensure water quality standards are protective of the health and needs of all people and ecosystems.*

The FY 2024 Budget includes \$1.754 billion and 1,879.7 FTE for Objective 5.2. This objective is directly supported by the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

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<sup>30</sup> The PFAS Strategic Roadmap may be found at: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>.

- By September 30, 2026, increase by 41,000 square miles the area of watersheds with surface water meeting standards that previously did not meet standards.<sup>31</sup>

### ***Clean Waterbodies and Watersheds***

Pollution and degradation of lakes, rivers, streams, and wetlands endanger aquatic ecosystems, threaten the safety of drinking water, compromise water quality planning and flood protections, impact commercial and recreational opportunities, and reduce the natural benefits these resources provide to communities. Climate change is often the root cause of emerging threats such as drought, sea level rise, and invasive species proliferation. To address these challenges, in FY 2024, EPA will use a suite of CWA core programs to protect and improve water quality and ecosystem health, including the development and implementation of Total Maximum Daily Loads (TMDLs), alternative restoration plans, or other protection approaches for impaired waterbodies; development of national recommended water quality criteria; development of technology-based and water-quality based standards; and implementation of effluent and stormwater discharge permit programs. In FY 2024, funding will support the Agency's work assisting local communities, particularly underserved communities, in their efforts to restore and protect the quality of their waters.

In addition to strengthening its programs, EPA plans to promulgate and update several rules to support clean and safe water. In FY 2024, EPA will seek to complete a rulemaking to establish more protective nutrient limits on wastewater discharges from meat and poultry product facilities. The Agency also will produce effluent limitation guidelines for chemical manufacturers and metal finishing and electroplating companies to address PFAS, for steam electric power generators to address toxics and other pollutants, and for meat and poultry products to address nutrient discharges. The Agency will finalize rules related to improving CWA protections on tribal reservations and consider tribal treaty rights when acting on state Water Quality Standards (WQS) that impact those rights.

EPA also will work collaboratively with public and private sector stakeholders to establish innovative, location-appropriate programs to protect and improve water quality. Additionally, the FY 2024 Budget request would continue to fund the Clean Water Act Research, Investigations, Training, and Information grant authorized by DWWIA in support of Objective 5.2.

### ***Ensuring Clean Water Through Partnerships, Including with Tribes and States***

EPA will work with partners and local communities to better safeguard human health and maintain, restore, and improve water quality. In FY 2024, EPA requests \$493.3 million for ongoing categorical grants that support tribal and state implementation of the CWA. This request includes an increase of \$42.4 million above the FY 2023 enacted for the Section 106 Grants Program, which funds actions to identify, assess and mitigate PFAS in the environment and supports programs for the prevention and control of surface and groundwater pollution from point and nonpoint sources. In FY 2022, over 20 thousand square miles of watersheds that previously were not meeting water quality standards, now meet standards.

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<sup>31</sup> The FY 2022-2026 Strategic Plan included a draft July 2021 baseline: 425,198 square miles of watersheds with surface water meeting standards and 652,609 square miles of watersheds with surface water not meeting standards. As of July 2022, the final baseline is 504,605 square miles of watersheds with surface water not meeting standards.

EPA plays an important role as a convener and facilitator with federal, tribal, state, territorial and local partners to align resources and authorities within regional, watershed, and basin-scaled collaborative networks. In FY 2024, EPA will invest \$682 million and 175.4 FTE in Geographic Programs, funding equal to the current FY 2023 enacted levels, to maintain, restore, and improve water quality for all communities to enjoy. More specifically, EPA's Geographic Programs will deliver technical and financial assistance to solve problems and support healthy climate resilient ecosystems that address water quality, water infrastructure, nutrient pollution, habitat loss, treaty rights, equity, and environmental justice.

**Environmental Protection Agency  
FY 2024 Annual Performance Plan and Congressional Justification**

**Safeguard and Revitalize Communities**

Goal 6: Safeguard and Revitalize Communities—Restore land to safe and productive uses to improve communities and protect public health.

**STRATEGIC OBJECTIVES:**

- Objective 6.1: Clean Up and Restore Land for Productive Uses and Healthy Communities—Clean up and restore contaminated sites to protect human health and the environment and build vibrant communities, especially in underserved and overburdened areas.
- Objective 6.2: Reduce Waste and Prevent Environmental Contamination—Prevent environmental pollution by preventing releases, reducing waste, increasing materials recovery and recycling, and ensuring sustainable materials management practices.
- Objective 6.3: Prepare for and Respond to Environmental Emergencies—Prevent, prepare, and respond to environmental emergencies and support other agencies on nationally significant incidents, working with Tribes, states, and local planning and response organizations.

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President's Budget</b>	<b>FY 2024 President's Budget v. FY 2023 Enacted Operating Plan</b>
<b>Safeguard and Revitalize Communities</b>	<b>\$1,840,703</b>	<b>\$1,912,643</b>	<b>\$1,301,017</b>	<b>-\$611,626</b>
Clean Up and Restore Land for Productive Uses and Healthy Communities	\$1,312,826	\$1,382,925	\$542,476	-\$840,449
Reduce Waste and Prevent Environmental Contamination	\$312,170	\$311,402	\$346,409	\$35,007
Prepare for and Respond to Environmental Emergencies	\$215,707	\$218,316	\$412,132	\$193,816
Total Authorized Workyears	3,323.9	3,404.4	3,642.6	238.2

## **Goal 6: Safeguard and Revitalize Communities**

*Restore land to safe and productive uses to improve communities and protect public health.*

### **Introduction**

EPA collaborates with tribal, state, and local partners to benefit all communities across the United States by cleaning up, addressing health and environmental risks and then returning contaminated sites to productive use, through the Superfund, brownfields, underground storage tanks, and RCRA programs. Cleaning up contaminated land contributes toward the Administration's Justice40 goal, an initiative initially announced in Executive Order (EO) 14008, *Tackling the Climate Crisis at Home and Abroad*,<sup>32</sup> and amplified through Equity Plans under E.O. 13985 that outline specific actions to ensure fair program implementation. Communities reuse previously contaminated sites in many ways, including parks, shopping centers, sports fields, wildlife habitat, manufacturing facilities, homes and infrastructure. These reuse outcomes can provide significant benefits for underserved and overburdened communities. EPA and its partners also work to prevent releases of contaminants, reduce waste by increasing materials recovery and recycling, and support sustainable materials management practices. Through prevention activities, EPA protects groundwater from releases from underground storage tanks. Through reduction and recycling activities, EPA not only prevents future contamination but supports a less wasteful circular economy. Additionally, EPA prepares for and responds to environmental emergencies as a mission essential function. A recent example is responding to the Norfolk Southern train derailment in East Palestine, Ohio. EPA On-Scene Coordinators and other personnel were boots-on-the ground since the onset of the incident, conducting air, water, and soil monitoring at the site and working alongside federal, state, and local partners with response efforts to ensure the health and safety of the residents. In FY 2024, EPA requests a total of \$1.301 billion and 3,642.6 FTE to support *Goal 6, Safeguard and Revitalize Communities*. New in FY 2024, discretionary appropriated funding for certain CERCLA programs is not included here as it is transitioned to the Superfund Tax receipts account. Superfund results remain critical to achieving environmental and human health protections for the Nation.

**Objective 6.1: Clean Up and Restore Land for Productive Uses and Healthy Communities –**  
*Clean up and restore contaminated sites to protect human health and the environment and build vibrant communities, especially in underserved and overburdened areas.*

The FY 2024 Budget includes \$542.5 million and 2,028.5 FTE for Objective 6.1.<sup>33</sup> This objective directly supports the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, bring human exposures under control at an additional 60 Superfund sites.
- By September 30, 2026, complete 225 Superfund cleanup projects that address lead as a contaminant.

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<sup>32</sup> Executive Order 14008: *Tackling the Climate Crisis at Home and Abroad* (January 27, 2021), found at <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>

<sup>33</sup> Included in Objective 6.1 are the Superfund Remedial and Emergency Response and Removal programs for which appropriated funding is not requested. EPA will transition to funding from Superfund tax receipts for these programs in FY 2024.

- By September 30, 2026, clean up an additional 650 brownfields properties.
- By September 30, 2026, make an additional 425 RCRA corrective action cleanups Ready for Anticipated Use.
- By September 30, 2026, conduct an additional 35,000 cleanups at Leaking Underground Storage Tank facilities.

Nationally, there are thousands of contaminated sites with challenging and complex environmental problems, including soil, sediment, and groundwater contaminated by chemicals such as per- and polyfluoroalkyl substances (PFAS). Superfund cleanups also contribute to reducing lead exposure, a particular health risk for children. Recent research shows Superfund cleanup actions lowered the risk of elevated blood lead levels by roughly 13 to 26 percent for children living within 1.2 miles of a Superfund NPL site where lead is a contaminant of concern.<sup>34</sup> While there is no single way to characterize communities located near contaminated sites, the legacy of pollution disproportionately affects communities of color, low-income communities, linguistically isolated populations, and populations with lower rates of high school education. For these reasons, the Superfund program is an important part of the Administration's Justice40 Initiative. By cleaning up and returning contaminated land to productive use, EPA and its partners will reduce the environmental and health effects of exposure to contamination in communities, especially for underserved and overburdened communities.

In FY 2024, EPA proposes to transition from using annual appropriations to funding from Superfund tax receipts for a number of core Superfund programs, starting with continuing critical Superfund pre-construction work such as site characterization, construction/remedial design, and community outreach/engagement, through the implementation of remedial efforts to clean up the sites. This work will complement resources received through the Infrastructure Investment and Jobs Act of 2021 (IIJA) to implement the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) which have provided resources to help eliminate lags in investigation and cleanup as well as foster climate change adaptations to protect at-risk populations. Federal data in a recent Government Accountability Office (GAO) report suggests that approximately 60 percent of Superfund sites overseen by EPA are in areas that are vulnerable to wildfires and different types of flooding – natural hazards that climate change will exacerbate. Nationwide, EPA will aim to control human exposures at 12 additional Superfund sites supporting the 2022-2026 long-term performance goal of 60 sites. To reduce exposure to lead and associated health impacts, EPA will complete at least 45 Superfund lead cleanup projects supporting the 2022-2026 long-term performance goal of 225 projects.

In FY 2024, the Superfund Emergency Response and Removal Program also will transition to Superfund tax receipts. Situations requiring emergency response and removal actions vary greatly in size, nature, and location, and include chemical releases, fires or explosions, natural disasters, and other threats to people from exposure to hazardous substances including from abandoned and uncontrolled hazardous waste sites. EPA's 24-hour-a-day response capability is a cornerstone element of the National Contingency Plan.<sup>35</sup> These resources also will help the EPA and Navajo

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<sup>34</sup> Details can be found at <https://www.epa.gov/environmental-economics/research-environmental-economics-ncee-working-paper-series>.

<sup>35</sup> For more information, please refer to: <https://www.epa.gov/emergency-response/national-oil-and-hazardous-substances-pollution-contingency-plan-ncp-overview>.

Nation to accelerate actions laid out in the 2020 Ten-Year Plan: *Federal Actions to Address Impacts of Uranium Contamination on the Navajo Nation*.<sup>36</sup>

Additionally, in FY 2024, EPA requests an increase of \$11.2 million in funding above the FY 2023 enacted to continue oversight of Federal Facility Superfund site cleanups and to strive to keep pace with the growing number of PFAS cleanups at Department of Defense (DoD), Department of Energy, and other federal agency sites. EPA anticipates additional engagement on non-National Priorities List (NPL) federal facilities on the Federal Agency Hazardous Waste Compliance Docket to address new information on PFAS at these sites and ensure appropriate assessment and referral of these sites to appropriate cleanup programs.

Currently operating facilities or businesses also may have contamination requiring cleanup, performed under the RCRA Corrective Action program. Cleaning up these contaminated sites also serves as a catalyst for economic growth and community revitalization and can help to preserve existing business operations. The 2021 RCRA economic benefits analyses of 79 RCRA cleanups found that these cleaned up facilities support 1,028 on-site businesses, which provide economic benefits including: \$39 billion in annual sales revenue; over 82,000 jobs; and \$7.9 billion in estimated annual employment income.<sup>37</sup> The FY 2024 Budget includes \$41.7 million and 174.4 FTE to continue efforts to clean up 3,983 priority contaminated hazardous waste facilities under RCRA, which include highly contaminated and technically challenging sites, and assess others to determine whether cleanups are necessary. In FY 2022, EPA approved 124 RCRA corrective action facilities as ready for anticipated use (RAU), bringing the total number of RCRA RAU facilities to 1,922. In FY 2024, EPA will make an additional 85 sites RAU supporting the FY 2022-2026 long-term performance goal of making 425 sites RAU.

Under the Leaking Underground Storage Tank (LUST) Program, EPA is requesting \$79.7 million and 46.8 FTE, an increase of \$14.7 million and 5.2 FTE above the FY 2023 enacted, for states and tribes to assess and clean up petroleum contamination, including in groundwater.<sup>38</sup> EPA collaborates with states to develop and implement flexible, state-driven strategies to reduce the number of remaining LUST sites that have not reached cleanup completion. Through the cooperative efforts between EPA and states, the backlog was reduced by approximately 42 percent between the end of 2008 and October 2022 (from 102,798 to 59,890).<sup>39</sup> Requested funds also will support additional tribal cleanup activities in fenceline communities that are immediately adjacent to oil and chemical facilities and UST who are vulnerable to environmental health hazards and climate risks at those facilities.

In FY 2024, EPA requests \$131.0 million for the Brownfields Projects Program that will build on current work to revitalize communities, especially those that are historically overburdened and underserved, by providing financial and technical assistance to assess, clean up, and plan reuse at brownfields sites. In FY 2022, EPA leveraged 14,170 jobs and \$1.8 billion in cleanup and

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<sup>36</sup> <https://www.epa.gov/sites/default/files/2021-02/documents/nnaum-ten-year-plan-2021-01.pdf>

<sup>37</sup> For more information, please refer to: <https://www.epa.gov/hw/redevelopment-economics-rcra-corrective-action-facilities>

<sup>38</sup> Almost half of the Nation's overall population and 99 percent of the population in rural areas rely on groundwater for drinking water. (See *EPA 2000 Water Quality Inventory Report*, [https://archive.epa.gov/water/archive/web/html/2000report\\_index.html](https://archive.epa.gov/water/archive/web/html/2000report_index.html))

<sup>39</sup> For additional information, please see EPA website: <https://www.epa.gov/ust/ust-performance-measures>

redevelopment funds and made 662 additional brownfields sites RAU. Activities undertaken in FY 2024 will leverage approximately 13,400 jobs and \$2.6 billion in other funding sources.<sup>40</sup>

In FY 2024, EPA continues to request the \$20 million first provided in the FY 2023 enacted budget to inventory and support the cleanup of contaminated lands in Alaska, many of which were contaminated while not under Alaska Native ownership. Contaminants on some of these lands – arsenic, asbestos, lead, mercury, pesticides, PCBs, and other petroleum products – pose health concerns to Alaskan Native communities, negatively impact subsistence resources, and hamper economic activity.

**Objective 6.2: Reduce Waste and Prevent Environmental Contamination** – *Prevent environmental pollution by preventing releases, reducing waste, increasing materials recovery and recycling, and ensuring sustainable materials management practices.*

The FY 2024 Budget includes \$346.4 million and 695.4 FTE for Objective 6.2. This objective directly supports the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, increase the percentage of updated permits at RCRA facilities to 80% from the FY 2021 baseline of 72.7%.

Nationwide, EPA and its state partners strive to reach all permitting-related decisions in a timely manner for the approximately 6,700 hazardous waste units (e.g., incinerators, landfills, and tanks) located at 1,300 permitted treatment, storage, and disposal facilities. The goal is to ensure that permits are updated to reflect the latest technology and standards and remain protective under changing conditions, such as climate change, and that communities, including those that are underserved and overburdened, have an equitable opportunity to engage in the permitting process over time. To measure progress, EPA has set an FY 2024 target of 110 permit renewals at hazardous waste facilities supporting the FY 2022-2026 long-term performance goal.

The FY 2024 Budget supports building capacity to implement various aspects of the coal combustion residuals (CCR) program. The Agency has promulgated regulations specifying improved management and disposal practices to protect people and ecosystems. The Agency will continue to work with our stakeholders as we implement these regulations. In FY 2024, EPA will take action to ensure protective management of CCR through the implementation of existing regulations, promulgation of additional regulations to address legacy surface impoundments, and the launch of a federal permitting program. EPA will continue to work with states that wish to establish state CCR permit programs that meet EPA’s baseline requirements.

Through its National Recycling Strategy and efforts to advance a more circular economy, EPA is working to develop a stronger, more resilient, and cost-effective U.S. municipal solid waste recycling system.<sup>41</sup> Recycling is an important part of a circular economy, which refers to a system

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<sup>40</sup> U.S. EPA, Office of Land and Emergency Management Estimate. All estimates of outputs and outcomes are supported by the data that is entered by cooperative agreement recipients via EPA’s ACRES database.

<sup>41</sup> For additional information, please refer to: <https://www.epa.gov/recyclingstrategy/what-circular-economy#:~:text=EPA's%20circular%20economy%20for%20all,healthy%20communities%20are%20the%20goals>

of activities that is restorative to the environment, enables resources to maintain their highest values, designs out waste, and reduces greenhouse gas emissions. Recycling helps alleviate burdens on populations that bear the brunt of poorly run waste management facilities. The FY 2024 Budget includes \$10 million to continue efforts to strengthen the U.S. recycling system, address the global issue of plastic waste, engage communities, and prevent and reduce food loss and waste. EPA will work with recipients of the Solid Waste Infrastructure for Recycling (SWIFR) grants and Recycling Education and Outreach (REO) grants on their projects, which are funded primarily by the IJJA, as well as complete key studies, and identify additional actions needed to support a circular economy for all.

To protect groundwater from releases of petroleum from underground storage tanks (UST), EPA works with its tribal and state partners on prevention. FY 2024 resources include \$42.6 million and 61.8 FTE, an increase of \$3.3 million and 5.5 FTE, for inspecting UST facilities to meet the three-year inspection requirement and assisting states in adopting prevention measures such as delivery prohibition, secondary containment, and operator training. EPA also will continue assessing the compatibility of UST systems with higher blends of ethanol, including E15, in fenceline communities. These activities emphasize bringing UST systems into compliance with release detection and release prevention requirements and minimizing future releases. Due to the increased emphasis on inspections and release prevention requirements, the number of confirmed releases decreased from 6,847 in FY 2014 to 4,568 reported releases in FY 2022.

**Objective 6.3: Prepare for and Respond to Environmental Emergencies** – *Prevent, prepare, and respond to environmental emergencies and support other agencies on nationally significant incidents, working with Tribes, states, and local planning and response organizations.*

The FY 2024 Budget includes \$412.1 million and 918.7 FTE to support Objective 6.3. This objective directly supports the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, ensure that 40% of annual emergency response and removal exercises that EPA conducts or participates in incorporate environmental justice.

Environmental emergencies are growing in frequency, and the risks they pose are increasing. EPA strives to prevent such emergencies and be ready to respond to those that occur through the Agency's planning and preparedness efforts, in coordination with and through the support of partner organizations. EPA develops regulations and policies that aim to prevent environmental emergencies and enhance the ability of communities and facilities to prepare for and respond to emergencies that occur. EPA also prepares for the possibility of significant incidents by maintaining a trained corps of federal On-Scene Coordinators, Special Teams, and Response Support Corps, and by providing guidance and technical assistance to tribal, state, and local planning and response organizations to strengthen their preparedness. EPA carries out its responsibility under multiple statutory authorities and the National Response Framework, which provides the comprehensive federal structure for managing national emergencies.

In FY 2024, EPA will continue to chair the U.S. National Response Team<sup>42</sup> and co-chair the 13 Regional Response Teams, which serve as multi-agency coordination groups supporting emergency responders when convened as incident specific teams. EPA will participate in the development of limited, scenario-specific exercises and regional drills designed to assess national emergency response management capabilities. To bring broader opportunity to participate in these key planning and preparation activities, EPA has set a long-term performance goal of ensuring that 40 percent of annual emergency response and removal exercises that EPA conducts or participates in incorporate environmental justice principles. Based upon higher-than-expected results in the measure's initial year, EPA anticipates meeting this goal ahead of schedule.

EPA will inspect chemical facilities to prevent accidental releases. The objective is to ensure compliance with accident prevention and preparedness regulations at Risk Management Plan (RMP) and Emergency Planning and Community Right-to-Know Act (EPCRA)-regulated facilities and to work with chemical facilities to reduce chemical risks and improve safety to populations, especially in fenceline communities. There are approximately 12,000 chemical facilities that are subject to the RMP regulations. Of these, approximately 1,800 facilities have been designated as high-risk based upon their accident history, quantity of on-site dangerous chemicals stored, and proximity to large residential populations.<sup>43</sup> EPA prioritizes inspections at high-risk facilities and will focus on those facilities located in communities with environmental justice concerns and communities with increased climate-related risks (e.g., extreme weather, flooding, wildfires). In addition, EPA is developing a regulatory action to revise the RMP regulations to incorporate consideration of communities with environmental justice concerns and those vulnerable to climate risks.

In FY 2024, EPA will inspect oil facilities to ensure compliance with prevention and preparedness requirements. Inspections involve reviewing the facility's prevention, preparedness, and response plans and discussing key aspects of these plans with facility staff. EPA will increase inspections, enforcement, and compliance assistance at regulated facilities, focusing on high-risk facilities located in communities with environmental justice concerns and communities with increased climate-related risks. EPA also will conduct unannounced exercises at facilities subject to Facility Response Plan regulations, a subset of facilities identified as high risk due to their size and location, to test the facility owner's ability to put preparedness and response plans into action.

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<sup>42</sup> For additional information, please refer to: <https://www.nrt.org/><https://www.nrt.org/>.

<sup>43</sup> Located in the EPA RMP database.

**Environmental Protection Agency  
FY 2024 Annual Performance Plan and Congressional Justification**

**Ensure Safety of Chemicals for People and the Environment**

Goal 7: Ensure Safety of Chemicals for People and the Environment—Increase the safety of chemicals and pesticides and prevent pollution at the source.

**STRATEGIC OBJECTIVES:**

- Objective 7.1: Ensure Chemical and Pesticide Safety—Protect the health of families, communities, and ecosystems from the risks posed by chemicals and pesticides.
- Objective 7.2: Promote Pollution Prevention—Encourage the adoption of pollution prevention and other stewardship practices that conserve natural resources, mitigate climate change, and promote environmental sustainability.

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2022 Final Actuals</b>	<b>FY 2023 Enacted Operating Plan</b>	<b>FY 2024 President's Budget</b>	<b>FY 2024 President's Budget v. FY 2023 Enacted Operating Plan</b>
<b>Ensure Safety of Chemicals for People and the Environment</b>	<b>\$444,661</b>	<b>\$455,605</b>	<b>\$581,315</b>	<b>\$125,710</b>
Ensure Chemical and Pesticide Safety	\$364,088	\$367,932	\$470,715	\$102,783
Promote Pollution Prevention	\$80,573	\$87,673	\$110,600	\$22,927
Total Authorized Workyears	1,665.5	1,679.9	1,954.0	274.0

## **Goal 7: Ensure Safety of Chemicals for People and the Environment**

*Increase the safety of chemicals and pesticides and prevent pollution at the source.*

### **Introduction**

EPA is responsible for ensuring the safety of chemicals and pesticides for the environment and people at all life stages, improving access to chemical safety information, and preventing pollution at the source before it occurs. The Agency focuses on assessing, preventing, and reducing releases and exposures resulting from the manufacture, processing, use, and disposal of chemicals and pesticides and advances the community's right-to-know about these releases and exposures. EPA works to protect the most vulnerable populations from unsafe exposures, especially children, the elderly, and those with environmental justice concerns (including low-income, minority and indigenous populations) who may already be disproportionately harmed by and at risk from other stressors. In addition, EPA works to ensure public access to chemical and pesticide data, analytical tools, and other sources of information and expertise, and promotes source reduction, integrated pest management, and other pollution prevention strategies by organizations and businesses. In total, the FY 2024 Budget includes \$581.3 million and 1,954.0 FTE for *Goal 7: Ensure Safety of Chemicals for People and the Environment*.

In FY 2024, EPA's activities under this goal, as described below, will focus on evaluating, assessing, and managing risks from exposure to new and existing industrial chemicals; continuing to address lead-based paint risks; reviewing and registering new pesticides and new uses for existing pesticides; reducing occupational exposure to pesticides, particularly in disadvantaged communities; and addressing potential risks to threatened and endangered species from pesticides. In addition, EPA will continue working with tribes, state agencies, industry, and communities to implement voluntary efforts to prevent pollution at the source and continue to publish Toxics Release Inventory (TRI) data on chemical releases from industrial facilities for public review and use.

**Objective 7.1: Ensure Chemical and Pesticide Safety** – *Protect the health of families, communities, and ecosystems from the risks posed by chemicals and pesticides.*

The FY 2024 Budget includes \$470.7 million and 1,677. FTE for Objective 7.1. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, complete at least eight High Priority Substance (HPS) TSCA risk evaluations annually within statutory timelines compared to the FY 2020 baseline of one.
- By September 30, 2026, initiate all TSCA risk management actions within 45 days of the completion of a final existing chemical risk evaluation.
- By September 30, 2026, review 90% of risk management actions for past TSCA new chemical substances reported to the 2020 Chemical Data Reporting Rule (CDR) compared to the FY 2021 baseline of none.<sup>44</sup>

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<sup>44</sup> Changed from "By September 30, 2026, review 90% of risk mitigation requirements for past TSCA new chemical substances decisions compared to the FY 2021 baseline of none."

- By September 30, 2026, recertify before the expiration date 36% of lead-based paint Renovation, Repair, and Painting (RRP) firms whose certifications are scheduled to expire compared to the FY 2021 baseline of 32%.
- By September 30, 2026, complete 78 pesticide registration review cases with statutory due dates that fall after October 1, 2022.
- By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species for all new active ingredients in 90% of the risk assessments supporting pesticide registration decisions for new active ingredients compared to the FY 2020 baseline of 50%.
- By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species in 50% of the risk assessments supporting pesticide registration review decisions compared to the FY 2020 baseline of 27%.
- By September 30, 2026, support Agricultural Worker Protection Standard (WPS) pesticide safety training for 20,000 farmworkers annually compared to the FY 2018-2020 annual average baseline of 11,000.

### ***Toxic Substances Control Act (TSCA)***

Under Section 5 of TSCA, EPA is responsible for reviewing all new chemical submissions before they enter commerce to determine whether the chemicals may pose unreasonable risks to human health or the environment.<sup>45</sup> In FY 2024, EPA will conduct risk assessments and make affirmative determinations on risks for more than 500 new chemical notice and exemption submissions annually.

Under TSCA Section 6,<sup>46</sup> EPA has responsibility for prioritizing and evaluating at least 20 existing chemicals at a time, assessing additional chemicals at manufacturers' request, and managing identified unreasonable risks. In FY 2024, EPA will continue developing draft and final risk evaluations for High Priority Substances (HPS) and will develop risk management actions in response to unreasonable human health and environmental risks identified in nine of the first 10 risk evaluations. The FY 2024 Budget includes \$130.7 million and 451.8 FTE for the EPM TSCA Program, an increase of \$47.9 million and 112.5 FTE above the FY 2023 enacted. Increased funding for the TSCA Program is needed in FY 2024 to advance implementation of the law's requirements. While the Program received additional funding in FY 2023, the full request of \$130 million is needed in FY 2024, else achieving the TSCA goals will be a challenge.

### ***Lead-Based Paint (LBP) Risk Reduction***

Also under TSCA, EPA's EPM Lead-Based Paint Risk Reduction Program contributes to the goal of reducing lead exposure and works toward addressing historic and persistent disproportionate

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<sup>45</sup> Actions under TSCA Section 5 may be found at: <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/actions-under-tsca-section-5>.

<sup>46</sup> Information regarding the regulation of Chemicals under Section 6(a) of the Toxic Substances Control Act may be found at: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/regulation-chemicals-under-section-6a-toxic-substances>.

vulnerabilities of certain communities.<sup>47,48</sup> With \$14.4 million and 62.9 FTE included in the FY 2024 Budget, EPA will continue to reduce exposure to lead in paint and dust by establishing standards governing lead hazard identification and abatement practices; establishing and maintaining a national pool of certified firms and individuals; and providing information and outreach to housing occupants and the public so they can make informed decisions and take actions on lead hazards in their homes.

### ***Pesticide Programs***

In FY 2024, consistent with statutory responsibilities,<sup>49,50,51</sup> EPA will continue to review and register new pesticides and new uses for existing pesticides, and other covered applications under the Pesticide Registration Improvement Extension Act (PRIA). EPA also will act on other registration requests in accordance with Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and Federal Food, Drug, and Cosmetic Act (FFDCA) standards. Many of these registration actions will be for reduced-risk conventional pesticides and biopesticides, which, once registered and used by consumers, will increase benefits to society and reduce ecological impacts. Additionally, in FY 2024, EPA will continue to reevaluate existing chemicals in the marketplace on a 15-year cycle to ensure the FIFRA standard for registration continues to be met based on current science, including registration review actions subject to the October 1, 2026, deadline for completion.

The *Agricultural Worker Protection Standard* (WPS)<sup>52</sup> and the *Certification of Pesticide Applicators* (CPA)<sup>53</sup> revised rules (finalized in FY 2015 and FY 2017, respectively) are key elements of EPA's strategy for reducing occupational exposure to pesticides. In FY 2024, EPA will continue to support the implementation of the regulations through education and outreach, guidance development, and grant programs, with a particular focus on environmental justice issues in rural communities and the health of farmworkers and their families.

Under the Endangered Species Act (ESA),<sup>54</sup> EPA is responsible for ensuring that pesticide regulatory decisions 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

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<sup>47</sup> Childhood blood lead levels (BLL) have declined substantially since the 1970s, due largely to the phasing out of lead in gasoline and to the reduction in the number of homes with lead-based paint hazards. The median concentration of lead in the blood of children aged 1 to 5 years dropped from 15 micrograms per deciliter in 1976–1980 to 0.7 micrograms per deciliter in 2013–2014, a decrease of 95%. *See, America's Children and the Environment* (EPA, 2019), found at: <https://www.epa.gov/americaschildreenvironment>.

<sup>48</sup> Among children ages 1 to 5 years in families with incomes below poverty level, the 95<sup>th</sup> percentile blood lead level (BLL) was 3.0 µg/dL, and among those in families at or above the poverty level, it was 2.1 µg/dL, a difference that was statistically significant. *See, America's Children and the Environment* (EPA, 2019), found at: <https://www.epa.gov/americaschildreenvironment>.

<sup>49</sup> Summary of Federal Insecticide, Fungicide, and Rodenticide Act: <https://www.epa.gov/laws-regulations/summary-federal-insecticide-fungicide-and-rodenticide-act>.

<sup>50</sup> Summary of the Federal Food, Drug, and Cosmetic Act: <https://www.epa.gov/laws-regulations/summary-federal-food-drug-and-cosmetic-act>.

<sup>51</sup> Pesticide Registration Improvement Extension Act of 2018 (PRIA 4): <https://www.epa.gov/pria-fees>.

<sup>52</sup> Agricultural Worker Protection Standard: <https://www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps>.

<sup>53</sup> Revised Certification Standards for Pesticide Applicators: <https://www.epa.gov/pesticide-worker-safety/revised-certification-standards-pesticide-applicators>.

<sup>54</sup> For additional information on the Endangered Species Protection Program, see: <https://www.epa.gov/endangered-species/about-endangered-species-protection-program>.

Service (FWS) or the National Marine Fisheries Service (NMFS), referred to collectively as the Services. This presents a great challenge given that there are approximately 1,200 active ingredients in more than 17,000 pesticide products—many of which have multiple uses. Endangered species risk assessments are extraordinarily complex, national in scope, and involve comprehensive evaluations that consider risks to over 1,700 listed endangered species and 800 designated critical habitats in the U.S. with diverse biological attributes, habitat requirements, and geographic ranges. In April 2022, EPA released a workplan outlining priorities for coming into compliance with ESA across the numerous types of actions it completes each year as well as the development of several pilots to begin to develop more programmatic approaches for ESA compliance.<sup>55</sup> EPA prioritized meeting its ESA obligations for all conventional new active ingredient applications whereby all new active ingredient registrations will only be registered under conditions that comply with ESA. EPA also prioritized ESA determinations in response to litigation commitments and court decisions (the ESA workplan includes a list of the FY 2024 litigation commitments regarding ESA determinations and implementations of biological opinions from the Services). The increase EPA received in the FY 2023 enacted budget serves as initial funding to support EPA efforts in meeting these specific workplan commitments. In November 2022, EPA released a workplan update that announced the incorporation of a focus on FIFRA interim ecological mitigations for non-target and ESA listed species, including listed species, that EPA plans to incorporate into registration review and additional initiatives to make even faster progress on some of our ESA goals.<sup>56</sup>

The FY 2024 Budget requests \$75.4 million and 221.6 FTE for the EPM Pesticide: Protect the Environment from Pesticide Risk Program, an increase of \$26.7 million and 22.5 FTE above the FY 2023 enacted level. Of this increased funding, \$24.8 million and 20.0 FTE will support the ESA compliance work. In FY 2024, EPA will continue to develop and improve existing processes to allow EPA to protect listed species earlier in the regulatory and consultation processes and pursue other major improvements to its ESA compliance work in coordination with the Services.

**Objective 7.2: Promote Pollution Prevention** – *Encourage the adoption of pollution prevention and other stewardship practices that conserve natural resources, mitigate climate change, and promote environmental sustainability.*

The FY 2024 Budget includes \$110.6 million and 276.9 FTE for Objective 7.2. This objective is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, reduce a total of 6 million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>) released attributed to EPA pollution prevention grants.
- By September 30, 2026, EPA’s Safer Choice Program will certify a total of 2,300 products compared to the FY 2021 baseline of 1,892 total certified products.

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<sup>55</sup> For additional information, see: [https://www.epa.gov/system/files/documents/2022-04/balancing-wildlife-protection-and-responsible-pesticide-use\\_final.pdf](https://www.epa.gov/system/files/documents/2022-04/balancing-wildlife-protection-and-responsible-pesticide-use_final.pdf).

<sup>56</sup> For additional information, see: <https://www.epa.gov/system/files/documents/2022-11/esa-workplan-update.pdf>.

### ***Pollution Prevention***

EPA's implementation of the Pollution Prevention (P2) Program under the Pollution Prevention Act of 1990<sup>57</sup> is one of EPA's primary tools for advancing environmental stewardship and sustainability by federal, tribal, and state governments, businesses, communities, and individuals. These practices focus on reducing the amount of any hazardous substance, pollutant, or contaminant entering a waste stream or released into the environment prior to recycling of discarded material, treatment, or disposal, as well as conserving the use of natural resources. P2 grants – a key element of the P2 Program – contributed to the elimination of 18.6 million metric tons of greenhouse gases between 2011 and 2020.<sup>58</sup> In FY 2024, EPA will continue its work to prevent pollution at the source by awarding targeted P2 grants to tribes, states, and local governments, encouraging the use of products certified by EPA as safer for the environment, encouraging federal procurement of environmentally preferable products, and enhancing the use of TRI data to help prevent pollution and support the Administration's environmental justice priorities.

In FY 2024, EPA will continue to focus on carrying out sector focused P2 National Emphasis Areas<sup>59</sup> and enabling the replication and leveraging of business successes supported by the \$5 million P2 grants awarded annually. The Agency will deliver training on green chemistry and engineering solutions to companies, consumers, and communities. EPA also will deliver training and conduct outreach for communities overburdened with pollution, as well as tribal, state, and local governments to help with product and service procurement choices that are environmentally sound and promote human and environmental health. The additional Infrastructure Investment and Jobs Act (IIJA) funding for the Program for FY 2022 to 2026 will significantly increase results and the generation of information on P2 approaches that other businesses can replicate, particularly in disadvantaged communities

In FY 2024, EPA plans to complete the process of updating and strengthening the standards of the Safer Choice (SC) Program,<sup>60</sup> which advances chemical safety by increasing the availability and identification of products containing ingredients that meet stringent health and environmental criteria, through a notice and comment process after consultation with stakeholders. The Agency will conduct outreach with federal, tribal, state, and local government procurement officials and institutional and industrial purchasers to communicate the benefits of SC and other environmentally preferable products, and work to make SC-certified products more widely available to disadvantaged communities. EPA will continue to partner with organizations serving disadvantaged communities with environmental concerns to help custodial staff and house cleaning companies fight occupational exposure-related conditions (e.g., asthma) and gain access to certified products. EPA also will update the Safer Chemical Ingredients List to enhance transparency and facilitate expansion of safer chemical choices and products, including increasing the number and volume of SC-certified products.<sup>61</sup>

The FY 2024 Budget includes \$29 million and 69.2 FTE to support the P2 Program in the EPM appropriation, an increase of \$16 million and 18 FTE above the FY 2023 enacted budget. This

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<sup>57</sup> Summary of the Pollution Prevention Act: <https://www.epa.gov/laws-regulations/summary-pollution-prevention-act>.

<sup>58</sup> For additional information, see: [https://www.epa.gov/system/files/documents/2021-07/p2flier\\_2021\\_0.pdf](https://www.epa.gov/system/files/documents/2021-07/p2flier_2021_0.pdf).

<sup>59</sup> P2 National Emphasis Areas may be found at: <https://www.epa.gov/p2/p2-national-emphasis-areas-neas>.

<sup>60</sup> For additional information on Safer Choice, please visit: <https://www.epa.gov/saferchoice>.

<sup>61</sup> The Safer Chemical Ingredients List (SCIL) may be found at: <https://www.epa.gov/saferchoice/safer-ingredients>.

increase will fund a new P2 grant program to support small businesses with transitioning to TSCA compliant practices and mitigate economic impacts. EPA's P2 Program has supported work by P2 grantees, over several years, to work with businesses and industry to identify technically and economically feasible alternatives to toxic chemicals, including some that are the focus of current TSCA risk evaluation and management (e.g., halogenated solvents used in a variety of industries such as degreasing in metal fabrication). Additionally, pollution prevention reporting under the TRI Program collects information on facility-level P2 practices associated with reductions in use and release of toxic chemicals. In FY 2024, EPA will evaluate and integrate P2 case studies and best practices relevant to TSCA risk management by small businesses, clarify technical and economic factors associated with such transitions, and develop and deploy pilot programs to leverage training and ongoing support for small businesses expected to be making transitions in response to TSCA risk management.

### ***Toxics Release Inventory (TRI)***

The TRI Program provides data to support partnerships between community groups and companies that has reduced toxic pollution.<sup>62</sup> With the FY 2024 request of \$14 million and 37 FTE for the TRI/Right to Know Program, EPA will continue research on tools that can quickly and accurately identify disadvantaged communities near TRI facilities, which would support prioritization of P2 initiatives. In addition, in FY 2024, EPA will continue to publish the TRI and use analyses of toxic chemical releases from industrial facilities located near disadvantaged communities with environmental concerns to identify and develop sector specific P2 case studies, best practices, outreach, and training. This will help facilitate adoption of P2 practices in the facilities and in the communities themselves.

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<sup>62</sup> For additional information, please visit the TRI for Communities webpage: <https://www.epa.gov/toxics-release-inventory-tri-program/tri-for-communities>.