United States
Environmental Protection
Agency

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

FINAL

FY 2017 ADDENDUM TO THE FY 2016-2017 NATIONAL PROGRAM MANAGER GUIDANCE

Publication Number: 720F16001

April 29, 2016

Table of Contents

I. INTRODUCTION

A. Agency Overview

The National Program Manager (NPM) Guidances set forth the strategies and actions the EPA and its state and tribal partners will undertake to protect human health and the environment. The NPM Guidances provide the linkage from the FY 2014-2018 EPA Strategic Plan and annual budget by providing implementation direction to EPA regional offices, states and tribes. Taken together, the NPM Guidances serve as a national framework for regional offices to use as they tailor their approaches and strategies for engaging with states and tribes. Beginning with FY 2016-2017, the EPA will implement a new two-year cycle for the NPM Guidance process, which was developed collaboratively with our state and tribal partners.

To complement the individual NPM Guidances, OCFO has developed an "Overview to the FY 2016-2017 NPM Guidances." The Overview to the NPM Guidances and the Addendums communicates important agency-wide information and should be reviewed in conjunction with each of the FY 2016-2017 NPM Guidances, grant guidances and other applicable requirements. The Overview also includes important background information and the cross-program areas that are critical to effective implementation of EPA's environmental programs in FY 2016 and 2017. This brief stand-alone document is posted separately on OCFO's NPM Guidance website at: http://www2.epa.gov/planandbudget/national-program-manager-guidances.

B. OCSPP Addendum Overview

The Office of Chemical Safety and Pollution Prevention (OCSPP) National Program Manager (NPM) Guidance provides direction to the EPA regional offices with respect to the Chemical Safety and Pollution Prevention programs, incorporating input from states, tribes and other concerned stakeholders. The NPM Guidance, and the addendum to the Guidance, identifies: (1) OCSPP's program priorities for regional offices, (2) summarizes the annual performance plans for each of the national programs managed by the Office of Pesticide Programs (OPP) and the Office of Pollution Prevention and Toxics (OPPT), (3) details the specific contributions needed from the regional offices, and (4) identifies the commitments that will be used to hold regional offices accountable for contributing to those programs' goals and objectives. More information on OCSPP can be found at http://www2.epa.gov/aboutepa/about-office-chemical-safety-and-pollution-prevention-ocspp. This document is an addendum to the FY 2016-2017 NPM Guidance, listing all significant changes for FY 2017 since FY 2016-2017 NPM Guidance was finalized.

The EPA regional offices' annual program commitments and results are reported in the agency's accountability system, the Annual Commitment System (ACS). OCSPP's suite of ACS commitments is presented in Section III Measures Appendix. The FY 2017 regional offices commitments in ACS will remain as draft until final performance agreements are reached in October 2016. Additional information on the EPA performance measures, planning and budgeting can be found at http://www2.epa.gov/planandbudget.

C. Summary of Exceptions-Based Changes in FY 2017

In the FY 2017 President's Budget, the Chemical Risk Review and Reduction (CRRR) program included a request to expand regional offices resources (1 FTE per regional office) to enable EPA to expand work commenced in FY2016 to stand up a TSCA chemical safety program in the regional offices. This will enhance the agency's efforts to successfully implement pending major TSCA rule-makings, implement best management practices for schools to mitigate PCB and formaldehyde contamination, and promote use of safer chemicals. Regional offices will report out on the number of chemical safety implementation support activities that they contribute to beginning in FY 2016. As the role of the regional offices expands and develops, additional metrics may be developed to specifically measure the impact of regional office involvement in the risk management process.

The expanded resource base in the regional offices—which follows the initial creation of this resource base through reprogramming of three FTEs from HQ to the regional offices in FY 2016—will start to close a critical gap in the agency's program implementation framework. The TSCA new and existing chemical programs are the only major regulatory programs administered by EPA that are not currently supported by the regional offices (except with regards to regulatory enforcement).

In February 2016, the Toxics Release Inventory (TRI) Program moved from the Office of Environmental Information (OEI) to the Office of Pollution Prevention and Toxics (OPPT) in the Office of Chemical Safety and Pollution Prevention (OCSPP). Therefore, TRI activities listed in the OEI NPM Guidance will be moved to OCSPP's FY 2017 NPM Guidance.

II. EXCEPTIONS-BASED CHANGES FOR FY 2017

Page #	Issue Area: Chemical Risk Review and Reduction Program
17-18	**Exceptions-Based Budgetary Change: Chemical Risk Review and Reduction (CRRR)** Language in the CRRR section of OCSPP's FY 2016-2017 NPM Guidance is updated to reflect (1) the updated FY2017 President's Budget narrative and (2) resources added in FY 2016 and proposed to be expanded in FY 2017 to enable the regional offices to conduct specific chemical safety activities. EPA's regional offices will be critical to successful implementation of TSCA chemical risk management actions – they are uniquely situated to increase stakeholder involvement to ensure that these actions are effective and efficient, and to leverage states, tribes, localities and others to help reach the most vulnerable populations that these rules are intended to protect. Regional offices are also at the forefront of EPA's response to the recent public concerns over studies documenting the presence of PCBs and other "legacy" chemicals in building materials used in the more than 100,000 K-12 schools built before 1980. **Title: Chemical Risk Review and Reduction (CRRR)** The program description of the National Area of Focus: Chemical Risk Review and Reduction (CRRR) found in the Office of Chemical Safety and Pollution Prevention (OCSPP) Final FY 2016-2017 National Program Manager (NPM) Guidance beginning on page 17 remains unchanged. The text under Regional Office Activities is updated to include risk management implementation activities that have been resourced in FY 2016 and for which expanded resources are being/have been requested in the FY 2017 President's Budget.
17-18	*The following text will replace all of the current text of Section A. Description under the National Area of Focus: CRR on page17.* **A. Description** Under the Toxic Substances Control Act (TSCA), the EPA has significant responsibility for ensuring that chemicals in commerce do not present unreasonable risks to human health or the environment. The Chemical Risk Review and Reduction (CRRR) Program works to ensure the safety of: • Existing chemicals (those already in use when TSCA was implemented in 1978 and those which have gone through the TSCA New Chemicals Program since),[1] by obtaining and assessing chemical data and by taking regulatory and/or non-regulatory action to prevent any unreasonable risk their use may pose; and

[1] These include certain prevalent, high-risk chemicals known generally as "legacy chemicals" (e.g., PCBs, mercury), which were previously covered in a separate Chemical Risk Management (CRM) budget justification. The CRM program area has been combined with Chemical Risk Review and Reduction beginning with FY 2015.

Page #	
	• New chemicals (including some genetically modified organisms), by reviewing and taking action on new chemical notices submitted by industry, including Pre-Manufacture Notices (PMNs), to ensure that no unreasonable risk is posed before those chemicals are introduced into U.S. commerce. The EPA is continuing to strengthen its program to ensure chemical safety, giving particular emphasis to addressing risks from exposure to existing chemicals. This enhanced approach, as reflected in the Fiscal Year 2014-2018 EPA Strategic Plan, has several key components: • Filling information gaps on existing chemicals by pursuing a range of information gathering actions under TSCA, expanding user-friendly electronic reporting, and increasing transparency by making non-confidential data on TSCA chemicals more readily available to and usable by the public; • Assessing the human health and environmental risks of existing chemicals, using data from all available sources; and • Managing unreasonable chemical risks by utilizing pertinent regulatory authority and by employing non-regulatory approaches, as appropriate. Recognizing a need to modernize and strengthen TSCA, the EPA in 2009 issued a statement of legislative reform principles[2] designed to increase confidence that chemicals used in commerce and vital to the U.S. economy are safe. As congress continues to consider legislative proposals for TSCA reform, the EPA will continue to work vigorously under current authorities to ensure chemical safety. *The following text will replace all of the current text of Section B. Regional Activities under the National Area of Focus: CRR on page 18:* **B. Regional Offices Activities** In the FY 2017 President's Budget, the Chemical Risk Review and Reduction (CRRR) program included a request to expand regional offices resources (1 FTE per regional office) to enable EPA to expand work commenced in FY 2016 to stand up a TSCA Chemical Safety program in the regional offices to successfully implement pending major TSCA rule-makings, implement best management practices for schools to mitigate PCB and formaldehyde contamination, and promote use of safer chemicals. Regional offices will report out on the number of chemical safety implementation support activities that they contribute beginning in FY 2016. As the role of the regional offices expands and develops, additional metrics may be developed to specifically measure the impact of regional office involvement in the risk management process. The Office of Pollution Prevention and Toxics will continue to ensure the safety of chemicals already in commerce under the CRRR program with four program areas of interest: (1) Existing Chemicals: Data Acquisition, Management, Transparency; (2) Existing Chemicals:

[2] Essential Principles for Reform of Chemicals Management Legislation for more information please refer to http://www.epa.gov/assessing-and-managing-chemicals-under-tsca/essential-principles-reform-chemicals-management-0

Page #	
	Chemical Assessment; (3) Existing Chemicals: Risk Management; and (4) New Chemicals. The bulk of the regional office work will fall under the Existing Chemicals: Risk Management area. Specific regional offices activities that could be implemented are: TSCA Chemical Safety Risk Management Implementation Activities: • Work with local, state, and tribal chemical safety, environmental and public health officials to educate stakeholders on the findings of completed risk assessments, communicating the hazards and the effective measures to reduce the risks from undue exposures. These efforts will be tailored to the audience, targeted at sensitive populations (i.e., the elderly and children), and environmental justice communities who bear the greatest risk. • Utilize existing networks to educate and inform states, tribes and regulated entities about risk reduction measures for TSCA chemicals including formaldehyde, high priority Significant New Use Rules (SNURS) and Section 6 rules. • Participate in the implementation of risk management activities for formaldehyde, high priority SNURS and Section 6 rules, including engaging with states and other stakeholders during rule implementation to facilitate compliance. • Engage in risk management outreach activities that would educate and inform states, tribes and regulated entities about risk reduction measures for TSCA chemicals (e.g., PCBs, formaldehyde, high priority SNURS and Section 6 rules, etc.). • Participate in developing options for PCBs in building materials, especially issues related to the PCBs in schools; including assist school districts and property owners with exposure mitigation options; respond to stakeholder inquiries relating to PCBs and other future chemicals identified for risk reduction; and conduct outreach and technical support answering questions on how to address PCBs in building materials. • Coordinate with Regional Occupational Safety and Health Administration (OSHA) programs on TSCA SNUR and worker protection issues. • Coordinate risk management activities, including formaldehyde, high priority SNURS and Section 6 rules, with regional staff in other program areas in the region, states and tribes. • Coordinate data collection and management activities with EPA Headquarters and other regional offices, states and tribes.

Page #	
	• Perform data quality interventions, facility/site assessments (for example in coordination with TRI inspections), etc. for review of data submitted to the Chemical Data Reporting (CDR) database. • Coordinate with EPA headquarters on identifying regional and local data that may be useful in problem formulation for chemical assessments. Other TSCA Chemical Safety Support Activities: • Continue implementation of the Safer Choice communication plan, amplification of the Safer Choice Program and promotion of accompanying developed materials for the new Safer Choice logo. • Participate in rulemaking workgroups to inform the rulemaking process to ensure rule-effectiveness. • Engage local stakeholders in a dialogue, through workshops or other means, about the range of existing uses and alternatives to workplan and related chemicals when they are in the problem formulation phase, such as for 1-Bromopropane in 2016. • Work with Regional enforcement staff to help focus core TSCA enforcement work • Provide practical knowledge to program office based on established external, regional networks and relationships with industry and other stakeholders that do not exist at EPA Headquarters. • Conduct outreach on ChemView. • Coordinate with EPA Headquarters on identifying and assessing safer chemical alternatives for existing chemicals.
19	**Exceptions-Based Budgetary Change: Pollution Prevention Program** The description of the Pollution Prevention section of OCSPP's FY 2016-2017 NPM Guidance is updated to reflect the updated FY2017 President's Budget narrative.
19	*The following text will replace all of the current text of Section A. Description under the National Area of Focus: Pollution Prevention on page19.* Implementing the Pollution Prevention Act (PPA) of 1990, the Pollution Prevention (P2) program is one of the EPA's primary tools for advancing environmental stewardship and sustainability by federal, state and Tribal governments; businesses; communities and individuals. The P2 program seeks to alleviate environmental problems by achieving significant reductions in the generation of hazardous releases to air, water, and land; reductions in the use of hazardous materials; reductions in the generation of greenhouse gases; and reductions in the use of water. At the same time, the P2 Program helps businesses and others reduce costs as a result of

Page #	
	implementing these preventative approaches. The P2 program's efforts advance the agency's priorities to pursue sustainability, take action on climate change, make a visible difference in communities, and ensure chemical safety. The P2 program is augmented by a counterpart P2 Categorical Grants Program in the State and Tribal Assistance Grants (STAG) account. The P2 Program accomplishes its mission by: • Fostering the development of P2 solutions to environmental problems that eliminate or reduce pollution, waste, and risks at the source, such as through: cleaner production processes and technologies; safer, "greener" materials and products; and improved practices; and, • Promoting the adoption, use and market penetration of those solutions through such activities as providing technical assistance and demonstrating the benefits of P2 solutions. For more information about the EPA's P2 program, please see http://www.epa.gov/p2/.
13	**Exceptions-Based Budgetary Change: Lead Risk Reduction Program** The description of the Lead Risk Reduction section of OCSPP's FY 2016-2017 NPM Guidance is updated to reflect the updated FY2017 President's Budget narrative.
13	*The following text will replace all of the current text of Section A. Description under the National Area of Focus: Lead Risk Reduction Program on page 13.* Recent biomonitoring data show that significant progress has been made in the continuing effort to eliminate childhood lead poisoning as a public health concern. At the same time, studies have indicated that children's health may be adversely affected even at extremely low blood levels.[3] In response to this information and the fact that approximately 37 million homes in the U.S. still have lead-based paint,[4] the EPA is

[3] U.S.EPA. Air Quality Criteria for Lead (September 29, 2006) http://cfpub.epa.gov/ncea/CFM/recordisplay.cfm?deid=158823
Rogan WJ, Ware JH. Exposure to lead in children – how low is low enough? N Engl J Med.2003;348(16):1515-1516
http://www.precaution.org/lib/rogan.nejm.20030417.pdf
Lanphear BP, Hornung R, Khoury J, et al. Low-level environmental lead exposure and children's intellectual function: an international pooled analysis. Environ Health Perspect. 2005; 113(7):894-899 http://www.pubmedcentral.nih.gov/articlerender.fcgi?doi=10.1289/ehp.7688

[4] Jacobs, D.E.; Clickner, R.P.; Zhou, J.Y.; Viet, S.M.; Marker, D.A.; Rogers, J.W.; Zeldin, D.C.; Broene, P.; and Friedman, W. (2002). The prevalence of lead-based paint hazard in U.S. housing. Environmental Health Perspectives, 110(10): A599-A606

Page #	
	working to reduce the number of children with blood lead levels of five micrograms per deciliter or higher. The Lead Risk Reduction program also works to reduce the disparities in blood lead levels between low-income children and non-low-income children.[5] The EPA's Lead Risk Reduction program contributes to the goal of eliminating childhood lead poisoning by: • Establishing a national pool of certified firms and individuals who are trained to carry out renovation and repair and painting projects while adhering to the lead-safe work practice standards, and to minimize lead dust hazards created in the course of such projects; • Establishing standards governing lead hazard identification and abatement practices and maintaining a national pool of professionals trained and certified to implement those standards; and • Providing information and outreach to housing occupants and the public so they can make informed decisions and take actions about lead hazards in their homes. The Lead Risk Reduction program is augmented by a counterpart Lead Categorical Grant program in the State and Tribal Assistance Grants (STAG) account. For more information, please see http://www.epa.gov/lead.
NEW VI.4	**Exceptions-Based Budgetary Change: Toxics Release Inventory** The TRI description and activities that were previously listed in the OEI FY2016-2017 National Program Manager Guidance are now being listed in OCSPP's FY2017 NPM Guidance Addendum.
NEW VI.4	**VI. NATIONAL AREAS OF FOCUS FOR THE OFFICE OF POLLUTION PREVENTION AND TOXICS** **4. NATIONAL AREA OF FOCUS: TOXICS RELEASE INVENTORY (TRI)** **A. Description**

[5] Centers for Disease Control and Prevention. Fourth Report on Human Exposure to Environmental Chemicals, Updated Tables, (September, 2012). Atlanta, GA: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention. http://www.cdc.gov/exposurereport/

Page #	
	The Toxics Release Inventory (TRI) Program is the EPA's Community Right-to-Know program requiring more than 20,000 industrial facilities across the United States to report their releases and other waste management (e.g., recycling) of more than 600 TRI-listed toxic chemicals on an annual basis. TRI data are used by the public, industry, EPA, and other government agencies to assess potential hazards to human health and the environment and to identify pollution prevention (P2) opportunities. As such, it is critical that the Agency ensure the data are relevant to users, delivered in a timely fashion, and are of the highest possible quality. More information about the TRI Program can be found at http://www.epa.gov/tri. **B. Regional Office Activities** Guideline: 3-5 sentence description of a new/changed activity **and expected impact on grant work plans, if any.** Revisions to measures should be captured in the Measures Appendix only. In February 2016, portions of the Toxics Release Inventory (TRI) Program will be moving from the Office of Environmental Information (OEI) to the Office of Pollution Prevention and Toxics (OPPT) in the Office of Chemical Safety and Pollution Prevention (OCSPP). In FY 2016 – 2017, the Office of Pollution Prevention and Toxics will: • Address the growing demand for sustainability and P2 data through outreach to industry and enhancements to the TRI reporting software, TRI-MEweb, that increase and enhance reporting of required and optional P2 information; • Identify new opportunities to encourage the use of TRI data to promote pollution prevention by communities, industry, and academia; • Collaborate with academic institutions to broaden the understanding and use of TRI data; and • Continue to work to expand opportunities for Tribal consultation. As part of that effort promote Tribal awareness and attendance at the next TRI National Conference slated for 2016. The TRI Headquarter Program and regional offices will work together to implement the TRI Program to: • Enhance TRI data quality by conducting 600 annual data quality checks; • Utilize outreach opportunities to focus on expanding use of P2 data by communities, industry, and academia to reduce toxic chemical releases; • Support expansion of efforts to develop approaches to engage communities, industry, and academia in using TRI and related information; and • Meet with headquarters' staff on a monthly basis and state TRI representatives on a bi-monthly basis to discuss programmatic activities.

Page #	
	C. Measure No ACS measures are proposed to be associated with this area of focus.

III. MEASURES APPENDIX

Goal/ Objective	ACS Code	FY 2016-2017 Measure Text	Non-Commitment Indicator (Y/N)	State Performance Measure (Y/N)	Planning Target	National Target (FY 2017 Pres. Bud)
		FY 2016 Measures Continued in FY 2017				
4/1	CORE	Percent of overall required pesticide program cooperative agreement activities that are included in grantee workplans and completed consistent with the pesticide program portion of the FIFRA Grant Guidance.	N	N	100%[6]	
4/1	IPM2	Number of activities conducted, consistent with the EPA "Strategic and Implementation Plan for School Integrated Pest Management," to provide outreach, education and/or assistance to public schools at the kindergarten through high school levels to adopt verifiable and sustainable IPM practices.[7]	Y	N		
4/1	RSP2	Number of region-specific projects or initiatives contributing to the implementation and enhancement of the Region-Specific Pesticide Priority areas.	N	N	1 per Region	
4/1	13A	Annual percentage of viable lead-based paint abatement certification applications that require less than 20 days of EPA regional office effort to process (Direct Implementation).	N	N		95

[6] Percent of pesticide program core activities completed by grantee as compared to the total required by pesticide program portion of the FIFRA grant guidance. Where core activities are not completed, they can be removed from the total required provided a reasonable rationale for not completing the core activity is documented (e.g., unexpected loss of staff or unplanned crises during the project period). Since end-of-year reports for these cooperative agreements are not due to OPP from the regional offices until February 28, data for this ACS measure will not be available at the end of the fiscal year for reporting into ACS. When regional offices report their ACS measures at the end of the fiscal year, they may indicate in the comment field for this measure that this data will not be available until February/March and will be reported at that time.

[7] Activities defined as substantial increments of work with one or more internal or external stakeholder(s) or development of program capacity such as databases or educational resources to advance IPM in schools. In order to keep a wide range of activities somewhat comparable, each reported activity should generally include: 1) preparation, 2) substantive participation, and 3) follow-up actions as needed.

Goal/ Objective	ACS Code	FY 2016-2017 Measure Text	Non-Commitment Indicator (Y/N)	State Performance Measure (Y/N)	Planning Target	National Target (FY 2017 Pres. Bud)
4/1	13B	Annual percentage of viable lead-based paint abatement certification applications that require less than grantee state-established timeframes to process.	N	Y		95
4/1	14	Number of lead abatements performed by certified abatement contractors occurring in the region.	Y	N		
4/1	CSA	Number of chemical safety activities conducted.	N	N		
4/1	RRP2	Number of active lead-based paint renovation, repair and painting certification training providers accredited by the regional office.	Y	N		
4/1	TR-1	Number of tribal partnerships or projects addressing lead-based paint hazards and exposure reduction in the region.	Y	N		
4/2	262	Gallons of water reduced through pollution prevention.	N	Y		
4/2	263	Business, institutional and government costs reduced through pollution prevention.	N	Y		
4/2	264	Pounds of hazardous material reduced through pollution prevention.	N	Y		
4/2	297	Metric tons of carbon dioxide equivalent (MTCO2e) reduced or offset through pollution prevention.	N	Y		
		FY 2016 Measure Edited for FY 2017				
4/1	CSA	Number of chemical safety implementation support activities conducted.	N	N		