United States
Environmental Protection Agency

Fiscal Year 2020

Justification of Appropriation Estimates for the Committee on Appropriations

Tab 04: Environmental Programs and Management

EPA-190-R-19-002

March 2019
www.epa.gov/ocfo

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APPROPRIATION: Environmental Programs & Management
Resource Summary Table

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management				
Budget Authority	$2,584,046.9	$2,643,299.0	$1,845,268.0	-$798,031.0
Cancellation of Funds	$0.0	-$45,300.0	-$46,000.0	-$700.0
Budget Authority Post Cancellation of Funds		$2,597,999.0	$1,799,268.0	-$798,731.0
Total Workyears	8,947.5	9,111.9	7,487.7	-1,624.2

Bill Language: Environmental Programs and Management

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; and not to exceed $31,000 for official reception and representation expenses, $1,845,268,000, to remain available until September 30, 2021: Provided, That of the amounts provided under this heading, the Chemical Risk Review and Reduction program project shall be allocated for this fiscal year, excluding the amount of any fees made available, not less than the amount of appropriations for that program project for fiscal year 2014.

In addition, $46,000,000, to remain available until September 30, 2021, for necessary expenses of the Energy Star program established by section 324A of The Energy Policy and Conservation Act (42 U.S.C. 6294a): Provided, That the Administrator of the Environmental Protection Agency shall collect fees pursuant to section 324A(e) (42 U.S.C. 6294a(e)), as added by this Act, and such fees shall be credited to this appropriation as offsetting collections: Provided further, That the sum herein appropriated in this paragraph from the general fund shall be reduced as such collections are received during fiscal year 2020 so as to result in a final fiscal year appropriation from the general fund estimated at $0: Provided further, That to the extent such collections received in fiscal year 2020 exceed $46,000,000, those excess amounts shall be deposited in the general fund.

Program Projects in EPM
(Dollars in Thousands)

Program Project	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Clean Air				
Clean Air Allowance Trading Programs	$14,720.4	$15,270.0	$13,292.0	-$1,978.0
Atmospheric Protection Program	$92,753.7	$95,436.0	$13,965.0	-$81,471.0
Federal Stationary Source Regulations	$19,618.3	$21,028.0	$17,311.0	-$3,717.0
Federal Support for Air Quality Management	$128,588.0	$128,001.0	$107,298.0	-$20,703.0
Stratospheric Ozone: Domestic Programs	$4,601.1	$4,637.0	$3,948.0	-$689.0
Stratospheric Ozone: Multilateral Fund	$8,326.0	$8,736.0	$0.0	-$8,736.0
Subtotal, Clean Air	$268,607.5	$273,108.0	$155,814.0	-$117,294.0
Indoor Air and Radiation				
Indoor Air: Radon Program	$2,575.1	$3,136.0	$0.0	-$3,136.0
Radiation: Protection	$9,286.8	$9,180.0	$2,307.0	-$6,873.0
Radiation: Response Preparedness	$1,774.5	$1,952.0	$2,219.0	$267.0
Reduce Risks from Indoor Air	$13,489.6	$13,369.0	$0.0	-$13,369.0
Subtotal, Indoor Air and Radiation	$27,126.0	$27,637.0	$4,526.0	-$23,111.0
Brownfields				
Brownfields	$24,175.6	$25,593.0	$16,728.0	-$8,865.0
Compliance				
Compliance Monitoring	$101,299.2	$101,665.0	$89,644.0	-$12,021.0
Enforcement				
Civil Enforcement	$164,266.9	$171,283.0	$147,647.0	-$23,636.0
Criminal Enforcement	$44,334.2	$44,995.0	$44,582.0	-$413.0
Environmental Justice	$6,436.5	$6,737.0	$2,739.0	-$3,998.0
NEPA Implementation	$15,751.2	$17,622.0	$16,598.0	-$1,024.0
Subtotal, Enforcement	$230,788.8	$240,637.0	$211,566.0	-$29,071.0
Geographic Programs				
Geographic Program: Chesapeake Bay	$67,542.4	$73,000.0	$7,300.0	-$65,700.0
Geographic Program: Gulf of Mexico	$9,122.9	$12,542.0	$0.0	-$12,542.0
Geographic Program: Lake Champlain	$8,395.0	$8,399.0	$0.0	-$8,399.0
Geographic Program: Long Island Sound	$11,753.9	$12,000.0	$0.0	-$12,000.0
Geographic Program: Other				
Lake Pontchartrain	$947.0	$948.0	$0.0	-$948.0
S.New England Estuary (SNEE)	$4,934.5	$5,000.0	$0.0	-$5,000.0

Program Project	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Geographic Program: Other (other activities)	$1,507.4	$1,445.0	$0.0	-$1,445.0
Subtotal, Geographic Program: Other	$7,388.9	$7,393.0	$0.0	-$7,393.0
Great Lakes Restoration	$307,739.4	$300,000.0	$30,000.0	-$270,000.0
Geographic Program: South Florida	$1,674.5	$1,704.0	$0.0	-$1,704.0
Geographic Program: San Francisco Bay	$1,763.7	$4,819.0	$0.0	-$4,819.0
Geographic Program: Puget Sound	$27,961.9	$28,000.0	$0.0	-$28,000.0
Subtotal, Geographic Programs	$443,342.6	$447,857.0	$37,300.0	-$410,557.0
Homeland Security				
Homeland Security: Communication and Information	$4,471.8	$3,910.0	$3,514.0	-$396.0
Homeland Security: Critical Infrastructure Protection	$908.7	$880.0	$1,188.0	$308.0
Homeland Security: Protection of EPA Personnel and Infrastructure	$5,400.2	$5,405.0	$4,986.0	-$419.0
Subtotal, Homeland Security	$10,780.7	$10,195.0	$9,688.0	-$507.0
Information Exchange / Outreach				
State and Local Prevention and Preparedness	$14,799.1	$14,760.0	$10,524.0	-$4,236.0
TRI / Right to Know	$13,796.8	$12,783.0	$7,811.0	-$4,972.0
Tribal - Capacity Building	$13,979.6	$14,547.0	$13,201.0	-$1,346.0
Executive Management and Operations	$49,458.4	$49,842.0	$41,771.0	-$8,071.0
Environmental Education	$10,223.4	$8,702.0	$0.0	-$8,702.0
Exchange Network	$17,432.4	$15,956.0	$12,127.0	-$3,829.0
Small Minority Business Assistance	$1,598.1	$1,574.0	$0.0	-$1,574.0
Small Business Ombudsman	$1,799.8	$1,826.0	$1,918.0	$92.0
Children and Other Sensitive Populations: Agency Coordination	$6,496.0	$6,548.0	$2,545.0	-$4,003.0
Subtotal, Information Exchange / Outreach	$129,583.6	$126,538.0	$89,897.0	-$36,641.0
International Programs				
US Mexico Border	$2,645.5	$3,033.0	$0.0	-$3,033.0
International Sources of Pollution	$6,619.8	$6,904.0	$5,339.0	-$1,565.0
Trade and Governance	$5,290.1	$5,463.0	$0.0	-$5,463.0
Subtotal, International Programs	$14,555.4	$15,400.0	$5,339.0	-$10,061.0
IT / Data Management / Security				
Information Security	$7,016.5	$7,280.0	$13,773.0	$6,493.0
IT / Data Management	$84,464.5	$83,256.0	$71,117.0	-$12,139.0
Subtotal, IT / Data Management / Security	$91,481.0	$90,536.0	$84,890.0	-$5,646.0

Program Project	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Legal / Science / Regulatory / Economic Review				
Integrated Environmental Strategies	$9,529.8	$10,653.0	$8,828.0	-$1,825.0
Administrative Law	$4,706.5	$4,753.0	$4,812.0	$59.0
Alternative Dispute Resolution	$1,155.7	$1,150.0	$0.0	-$1,150.0
Civil Rights Program	$8,848.2	$9,335.0	$9,003.0	-$332.0
Legal Advice: Environmental Program	$51,344.3	$50,886.0	$48,123.0	-$2,763.0
Legal Advice: Support Program	$14,616.0	$15,455.0	$17,151.0	$1,696.0
Regional Science and Technology	$1,094.6	$1,205.0	$0.0	-$1,205.0
Science Advisory Board	$3,531.8	$3,787.0	$3,763.0	-$24.0
Regulatory/Economic-Management and Analysis	$14,270.7	$14,190.0	$16,162.0	$1,972.0
Subtotal, Legal / Science / Regulatory / Economic Review	$109,097.6	$111,414.0	$107,842.0	-$3,572.0
Operations and Administration				
Central Planning, Budgeting, and Finance	$70,053.3	$72,884.0	$71,100.0	-$1,784.0
Facilities Infrastructure and Operations	$292,535.1	$308,701.0	$308,335.0	-$366.0
Acquisition Management	$27,441.3	$30,210.0	$28,032.0	-$2,178.0
Human Resources Management	$43,220.4	$44,227.0	$41,635.0	-$2,592.0
Financial Assistance Grants / IAG Management	$24,462.0	$24,729.0	$20,202.0	-$4,527.0
Workforce Reshaping	$0.0	$0.0	$25,003.0	$25,003.0
Subtotal, Operations and Administration	$457,712.1	$480,751.0	$494,307.0	$13,556.0
Pesticides Licensing				
Science Policy and Biotechnology	$1,604.1	$2,040.0	$0.0	-$2,040.0
Pesticides: Protect Human Health from Pesticide Risk	$56,288.2	$58,016.0	$49,440.0	-$8,576.0
Pesticides: Protect the Environment from Pesticide Risk	$38,380.7	$41,081.0	$30,668.0	-$10,413.0
Pesticides: Realize the Value of Pesticide Availability	$7,004.6	$8,226.0	$5,571.0	-$2,655.0
Subtotal, Pesticides Licensing	$103,277.6	$109,363.0	$85,679.0	-$23,684.0
Research: Chemical Safety and Sustainability				
Research: Chemical Safety and Sustainability	$328.4	$0.0	$0.0	$0.0
Resource Conservation and Recovery Act (RCRA)				
RCRA: Corrective Action	$37,118.1	$39,052.0	$33,202.0	-$5,850.0
RCRA: Waste Management	$58,434.1	$60,791.0	$46,813.0	-$13,978.0
RCRA: Waste Minimization & Recycling	$6,782.4	$9,534.0	$0.0	-$9,534.0
Subtotal, Resource Conservation and Recovery Act (RCRA)	$102,334.6	$109,377.0	$80,015.0	-$29,362.0

Program Project	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Toxics Risk Review and Prevention				
Endocrine Disruptors	$4,583.1	$7,553.0	$0.0	-$7,553.0
Pollution Prevention Program	$10,353.0	$11,236.0	$0.0	-$11,236.0
Toxic Substances: Chemical Risk Review and Reduction	$65,947.8	$61,105.0	$66,418.0	$5,313.0
Toxic Substances: Lead Risk Reduction Program	$12,523.5	$12,627.0	$0.0	-$12,627.0
Subtotal, Toxics Risk Review and Prevention	$93,407.4	$92,521.0	$66,418.0	-$26,103.0
Underground Storage Tanks (LUST / UST)				
LUST / UST	$10,812.6	$11,295.0	$5,996.0	-$5,299.0
Water: Ecosystems				
National Estuary Program / Coastal Waterways	$25,187.6	$26,723.0	$0.0	-$26,723.0
Wetlands	$18,528.7	$21,065.0	$21,578.0	$513.0
Subtotal, Water: Ecosystems	$43,716.3	$47,788.0	$21,578.0	-$26,210.0
Water: Human Health Protection				
Beach / Fish Programs	$1,777.0	$2,014.0	$0.0	-$2,014.0
Drinking Water Programs	$91,494.4	$96,493.0	$89,808.0	-$6,685.0
Subtotal, Water: Human Health Protection	$93,271.4	$98,507.0	$89,808.0	-$8,699.0
Water Quality Protection				
Marine Pollution	$10,242.6	$11,065.0	$0.0	-$11,065.0
Surface Water Protection	$192,705.9	$199,352.0	$188,233.0	-$11,119.0
Water Infrastructure Finance and Innovation	$0.0	$0.0	$0.0	$0.0
Subtotal, Water Quality Protection	$202,948.5	$210,417.0	$188,233.0	-$22,184.0
Congressional Priorities				
Water Quality Research and Support Grants	$25,400.0	$12,700.0	$0.0	-$12,700.0
Cancellation of Funds	$0.0	-$45,300.0	-$46,000.0	-$700.0
TOTAL EPM	**$2,584,046.9**	**$2,597,999.0**	**$1,799,268.0**	**-$798,731.0**

*For ease of comparison, Superfund transfer resources for the audit and research functions are shown in the Superfund account.

***** Fact Sheet tables do not include applicable cancellation of funds *****

Clean Air

Clean Air Allowance Trading Programs

Program Area: Clean Air
Goal: Core Mission
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$14,720.4***	***$15,270.0***	***$13,292.0***	***-$1,978.0***
Science & Technology	$7,543.1	$7,569.0	$5,739.0	-$1,830.0
Total Budget Authority	$22,263.5	$22,839.0	$19,031.0	-$3,808.0
Total Workyears	61.8	63.9	63.7	-0.2

Program Project Description:

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

The Clean Air Allowance Trading Programs are nationwide and multi-state programs that address air pollutants that are transported across state, regional, and international boundaries, such as those covered by the Cross-State Air Pollution Rule (CSAPR). In addition, under Title IV of the Clean Air Act, the Acid Rain Program (ARP), EPA operates a national annual SO_2 trading program and a NOx emissions reduction program for the power sector.[1]

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

To implement the Clean Air Allowance Trading Programs, EPA operates the Part 75 emission measurement program that requires approximately 4,500 affected units to monitor and report emission and operation data.[3] The emission measurement program requires high degrees of

[1] Clean Air Act § 401
[2] Clean Air Act § 403(d)
[3] Clean Air Act § 412; Clean Air Act Amendments of 1990. P.L. 101-549 § 821

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

EPA's centralized market operation system (the allowance tracking system) records allowance allocations and transfers.[4] At the end of each compliance period, allowances are reconciled against reported emissions to determine compliance for every facility with affected emission sources. For over 20 years, the affected facilities have maintained near-perfect compliance under the trading programs. In 2017, total SO_2 emissions from emission sources subject to the Acid Rain Program were 1.3 million tons, or more than 85 percent below the statutory nationwide emissions cap. Total annual NO_X emissions were 1.1 million tons in 2017 reflecting a reduction of over 6 million tons from projected 2000 NO_X levels absent the Acid Rain Program, exceeding the Program's total targeted reduction of 2 million tons.[5]

The Clean Air Act's Good Neighbor provision[6] requires states or, in some circumstances, the Agency to reduce interstate pollution that interferes with the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). Under this authority, EPA issued the Cross-State Air Pollution Rule, which requires 27 states in the eastern U.S. to limit their state-wide emissions of SO_2 and/or NO_X to reduce or eliminate the states' contributions to $PM_{2.5}$ and/or ground-level O_3 pollution in other downwind states. The emission limitations are defined in terms of maximum state-wide "budgets" for emissions of annual SO_2, annual NO_X, and/or ozone-season NO_X from certain large stationary sources in each state. On September 7, 2016, EPA revised the CSAPR ozone season NO_X program by finalizing an update to CSAPR for the 2008 ozone NAAQS, known as the CSAPR Update. The CSAPR Update ozone season NO_X program largely replaced the original CSAPR ozone season NO_X program starting on May 1, 2017. On December 6, 2018, EPA finalized the Determination Regarding Good Neighbor Obligations for the 2008 Ozone National Ambient Air Quality Standard, also known as the CSAPR Close-Out Rule, which determined the CSAPR Update Rule fully addresses 20 states' interstate pollution transport obligations for the 2008 national ambient air quality standards (NAAQS) for ground-level ozone.

EPA relies on the Clean Air Status and Trends Network (CASTNET) for monitoring ambient sulfate and nitrate deposition concentrations, and other air quality indicators. EPA uses the Long-Term Monitoring (LTM) program for assessing how water bodies and aquatic ecosystems are responding to reductions in sulfur and nitrogen emissions. Data from these air quality and environmental monitoring programs, in conjunction with SO_2 and NO_X emissions data from the Part 75 monitoring program, have allowed EPA to develop a comprehensive accountability framework to track the results of its air quality programs. EPA applies this framework to the programs it implements and issues annual progress reports on compliance and environmental

[4] Clean Air Act § 403(d)
[5] For more information, please see: https://www3.epa.gov/airmarkets/progress/datatrends/index.html.
[6] Clean Air Act § 110(a)(2)(D); see also, Clean Air Act § 110(c).

results achieved by the Acid Rain Program and the Cross-State Air Pollution Rule. Previous reports have covered progress under the Clean Air Interstate Rule and the NO_X Budget Trading Program. These annual progress reports not only track reductions in SO_2 and NO_X emissions from affected sources but assess the impacts of these reductions on air quality (e.g., ozone and $PM_{2.5}$ levels), acid deposition, surface water acidity, forest health, and other environmental indicators.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, EPA will continue to operate the Clean Air Allowance Trading Programs and the systems to assess the programs' progress toward the environmental goals required by the Clean Air Act. EPA will work to meet requirements and requests for modeling in support of the power sector and for legal defense of regulatory actions. The Program will continue support emission reporting for the Mercury and Air Toxics Standard (MATS) Rule.[7]

Allowance tracking and compliance assessment: EPA will allocate SO_2 and NO_X allowances to affected emission sources and other account holders as established in the Clean Air Act[8] and state and federal CSAPR implementation plans. These allowance holdings will be maintained in an updated allowance tracking system (*i.e.*, central database) that will record allowance transfers.[9] At the end of each compliance period, EPA will reconcile each facility's allowance holdings against its emissions to ensure compliance for all affected sources.[10]

Emission measurement and data collection and review: EPA will operate the Part 75 Emission Measurement Program to collect, quality assure, and track emissions of air pollutants and air toxics from approximately 4,500 fossil-fuel-fired electric generating units.

Program Assessment: EPA will develop progress reports and other information to communicate the extent of the progress made by the Clean Air Allowance Trading Programs.[11]

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

Assistance to States: EPA will work with states to develop emission reduction programs to comply with Clean Air Act Good Neighbor Provision requirements[12] including implementation of the CSAPR Update regulation finalized on September 7, 2016, as well as the CSAPR Close-Out Rule.

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

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

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

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$480.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to the adjustments in salary, essential workforce support, and benefits costs.

- (-$2,458.0 / -0.2 FTE) This program change streamlines the Program's modeling and reporting activities and focuses the Program on core statutory requirements.

Statutory Authority:

Clean Air Act.

Atmospheric Protection Program

Program Area: Clean Air
Goal: Core Mission
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$92,753.7***	***$95,436.0***	***$13,965.0***	***-$81,471.0***
Science & Technology	$8,572.7	$8,018.0	$0.0	-$8,018.0
Total Budget Authority	$101,326.4	$103,454.0	$13,965.0	-$89,489.0
Total Workyears	204.5	203.7	120.0	-83.7

Total workyears in FY 2020 include 70.0 FTE funded by Energy Star fees.

Program Project Description:

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

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

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

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

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

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

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, EPA will provide technical, analytical, and scientific support for regulatory action consistent with Presidential Executive Order on Promoting Energy Independence and Economic Growth dated March 28, 2017.

In FY 2020, EPA would implement user fees for entities that participate in the ENERGY STAR program. Fee collection would start in FY 2020 after EPA undertakes a rulemaking and finalizes a fees rule. By requesting an advance appropriation of $46 million for FY 2020, the budget provides the Program the authority to use fees to operate the Program in advance of collections. The fees would provide for necessary expenses, including the development, operation, and maintenance of the ENERGY STAR program. The legislative proposal to authorize collection and spending of the fees is included as an administrative provision in the FY 2020 President's Budget Appendix.

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

In FY 2020, EPA will continue to implement the Greenhouse Gas Reporting Program covering a total of 41 sectors, with approximately 8 thousand reporters. Focus areas for the Program will include:

- Developing and implementing regulatory revisions across multiple sectors, including oil and gas to reduce burden and streamline reporting where appropriate;
- Aligning the database management systems with those regulatory amendments; and

- Conducting a QA/QC and verification process through a combination of electronic checks, staff reviews, and follow-up with facilities when necessary.

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

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$7,098.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to the adjustments in salary, essential workforce support, and benefits costs.

- (-$74,373.0 / -122.9 FTE) This program change reflects a reduction in the GHG Reporting program and eliminates appropriated funding for the partnership programs with industry, businesses, states, tribes, and localities.

- (+70.0 FTE) This program change supports an increase in reimbursable FTE for the development, operation, and maintenance of a fee-supported ENERGY STAR program. By requesting an advance appropriation of $46 million for FY 2020, the budget allows for the time involved in both a fee rulemaking and developing and enacting new authorizing legislation by providing the Program with the authority to use fees to operate the Program in advance of collections.

Statutory Authority:

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

Federal Stationary Source Regulations

Program Area: Clean Air
Goal: Core Mission
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$19,618.3***	***$21,028.0***	***$17,311.0***	***-$3,717.0***
Total Budget Authority	$19,618.3	$21,028.0	$17,311.0	-$3,717.0
Total Workyears	100.4	104.7	79.1	-25.6

Program Project Description:

Under the Clean Air Act (CAA), EPA is required to set National Ambient Air Quality Standards (NAAQS) for ambient pollutants considered harmful to public health and the environment. The six criteria pollutants for which EPA has established NAAQS are: particulate matter (PM), ozone, sulfur dioxide (SO_2), nitrogen dioxide (NO_2), carbon monoxide (CO), and lead. The CAA requires EPA to periodically review the science upon which the NAAQS are based and the standards themselves. These national standards form the foundation for air quality management and establish goals that protect public health and the environment.

Section 109 of the CAA Amendments of 1990 established two types of NAAQS. Primary standards are set at a level requisite to protect public health with an adequate margin of safety. Secondary standards are set at a level requisite to protect public welfare from any known or anticipated adverse effects.

This program also includes activities directed toward reducing air emissions of toxic, criteria, and other pollutants from stationary sources mandated under Sections 111,112, and 129 of the CAA. Specifically, to address air toxics, this program provides for the development of National Emission Standards for Hazardous Air Pollutants (NESHAP) for major sources and area sources; the assessment and, as necessary, regulation of risks remaining after implementation of NESHAP that are based on Maximum Available Control Technology (MACT); the periodic review and revision of the NESHAP to reflect developments in practices, processes, and control technologies; and associated national guidance and outreach. In addition, EPA must periodically review, and, where appropriate, revise both the list of air toxics subject to regulation and the list of source categories for which standards must be developed. The statutory program also includes issuing, reviewing, and periodically revising, as necessary, New Source Performance Standards (NSPS) for criteria and certain listed pollutants from certain new, modified, or reconstructed sources of air emissions; issuing emissions guidelines for states to apply to certain existing sources; and providing guidance on Reasonably Available Control Technology (RACT) through issuance and periodic review and revision of control technique guidelines (CTGs). The CAA also requires the development and periodic review of standards of performance and emissions guidelines covering air emissions from

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, the Agency will continue to implement priorities and efficiencies as called for in the January 24, 2017 Presidential Memorandum, *Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing*. These efforts are expected to dovetail with previously identified Executive Orders, including implementation of Executive Order 13771, *Reducing Regulation and Controlling Regulatory Costs* and Executive Order 13777, *Enforcing the Regulatory Reform Agenda*. EPA will continue to evaluate recommendations, and, where appropriate, take action to repeal, replace, or modify existing regulations to make them less burdensome and provide greater certainty to regulated entities.

NAAQS: In FY 2020, EPA will continue its review of the NAAQS and make revisions, as appropriate. Each review involves a comprehensive reexamination, synthesis, and evaluation of the scientific information, the design and conduct of complex air quality and risk and exposure analyses, and the development of a comprehensive policy assessment providing analysis of the scientific basis for alternative policy options.

EPA will continue work to achieve and maintain compliance with existing standards. These include the ozone standards established in 2015, 2008, 1997, and 1979; the 1997 PM_{10} standards; the 2012, 2006 and 1997 $PM_{2.5}$ standards; the 2008 lead standard;[13] the 2010 NO_2 standard;[14] the 1971 CO standard; and the 2010 SO_2 standard.[15] EPA, in close collaboration with states and tribes, will work to reduce the number of areas not in attainment with the NAAQS, including assisting states and tribes in developing CAA-compliant pollution reduction plans.

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

[13] In September 2016, EPA completed the review of the 2008 Lead NAAQS and retained the standards without revision.
[14] In April 2018, EPA completed the review of the 2010 NO_2 NAAQS and retained the standards without revision.
[15] In January 2019, EPA is required to complete the review of the 2010 SO_2 NAAQS.

In FY 2020, EPA will continue work to address NSPS reviews for sources of air pollutants for four source categories, including Electric Utility Generating Units (EGUs), Crude Oil and Natural Gas Production, Transmission and Distribution, Residential Wood Heaters, and Municipal Solid Waste (MSW) Landfills, consistent with the requirements of the CAA. EPA also will continue to work to address emission guidelines for EGUs and MSW Landfills. Additionally, as a result of ongoing litigation, EPA expects to undertake additional NSPS reviews and regulatory revisions, as applicable, for two other source categories in FY2020.

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

In FY 2020, EPA will engage in rulemaking efforts to review and revise, as appropriate, emissions standards for 36 source categories. This is pursuant to three separate court orders for the final rules, with deadlines of March 13, 2020, June 30, 2020, and October 1, 2021. Additionally, as a result of ongoing litigation, EPA expects to undertake additional reviews and regulatory revisions, as applicable, under CAA section 112 for three other source categories in FY 2020.

EPA also may undertake other projects, such as statutorily mandated, overdue NSPS and area source technology reviews related to the 36 source categories mentioned earlier and others. In addition, under Section 129 of the CAA, EPA plans to continue efforts to address the risk and technology review for Large Municipal Waste Combustors. Compliance testing and monitoring methodologies will continue to be developed and improved in support of these risk determination and rulemaking efforts. In FY 2020, EPA also will continue to address program-wide issues, including court-vacated rules that apply across many industrial sources.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$721.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to the adjustments in salary, essential workforce support, and benefits costs.

- (-$4,438.0 / -25.6 FTE) This program change is a reduction in the Federal Stationary Source Regulations program. As a result of this change, the Agency will work to develop a more efficient approach to meeting Clean Air Act requirements including statutorily-required NAAQS reviews. In addition, EPA will rely on states and other stakeholders to identify burden and cost-reduction actions needed to improve the federal-state partnership and the stationary source regulatory process as a whole.

Statutory Authority:

Clean Air Act.

Federal Support for Air Quality Management

Program Area: Clean Air
Goal: Core Mission
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$128,588.0***	***$128,001.0***	***$107,298.0***	***-$20,703.0***
Science & Technology	$5,722.3	$6,714.0	$3,776.0	-$2,938.0
Total Budget Authority	$134,310.3	$134,715.0	$111,074.0	-$23,641.0
Total Workyears	792.0	816.7	636.8	-179.9

Program Project Description:

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

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

Under the Clean Air Act (CAA), EPA is required to set the NAAQS for ambient pollutants considered harmful to public health and the environment. The six “criteria” pollutants for which EPA has established NAAQS are: particulate matter (PM), ozone, sulfur dioxide (SO_2), nitrogen dioxide (NO_2), carbon monoxide (CO), and lead (Pb). The CAA requires EPA to periodically

review the science upon which the NAAQS are based and the standards themselves. These national standards form the foundation for air quality management and establish goals that protect public health and the environment.

Section 109 of the CAA Amendments of 1990 established two types of NAAQS - primary and secondary standards. Primary standards are set at a level requisite to protect public health with an adequate margin of safety, including the health of at-risk populations. Secondary standards provide public welfare protection, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings.

For each of the six criteria pollutants, under Section 110 of the CAA, EPA tracks two kinds of air pollution information: air pollutant concentrations based on actual measurements in the ambient (outside) air at monitoring sites throughout the country; and pollutant emissions based on engineering estimates or measurements of the total tons of pollutants released into the air each year. EPA works with state and local governments to ensure the technical integrity of emission source controls in State Implementation Plans (SIPs) and with tribes on Tribal Implementation Plans (TIPs). EPA also reviews SIPs to ensure they are consistent with applicable requirements of the CAA and takes regulatory action on SIP submissions consistent with CAA responsibilities. The new source review (NSR) preconstruction permit program in Title I of the CAA is a part of state plans to attain and maintain the NAAQS. The two primary aspects of this program are the prevention of significant deterioration (PSD) program, described in Section 165 of the CAA and the nonattainment NSR program, which is described in various parts of the CAA, to include Sections 173 and 182, among others.

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

The provisions of the CAA that address the control of air toxics are found in Section 112. This section requires issuing National Emission Standards for Hazardous Air Pollutants (NESHAP) for major sources and area sources; the assessment and, as necessary, regulation of risks remaining after implementation of NESHAP that are based on Maximum Available Control Technology (MACT); the periodic review and revision of all NESHAP to reflect developments in practices, processes, and control technologies; and associated national guidance and outreach. In addition, EPA must periodically review, and, where appropriate, revise both the list of air toxics subject to regulation and the list of source categories for which standards must be developed.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan.* This program also supports the Agency Priority Goal, "Improve Air Quality by Implementing Pollution Control Measures to Reduce the Number of Nonattainment Areas," and the long-term performance goal, "By September 30, 2022, reduce the number of

nonattainment areas to 101." Air quality has improved significantly for communities across the country since passage of the CAA in 1970 (with amendments in 1977 and 1990). Since 1990, for example, national average levels have decreased by 22 percent for ozone, 34 percent for particulate matter, 88 percent for sulfur dioxide, and 98 percent for lead.[16] In FY 2020, EPA will continue to prioritize key activities in support of attainment of the NAAQS and implementation of stationary source regulations by state, tribal, and local air quality programs.

In FY 2020, EPA will continue its review of the NAAQS in accordance with the CAA, including the ongoing NAAQS reviews for ozone and particulate matter, as well as the ongoing review of the secondary NAAQS for oxides of nitrogen, oxides of sulfur and particulate matter. In addition, EPA will continue its CAA mandated responsibilities to administer the NAAQS by reviewing state plans and decisions consistent with statutory obligations; taking federal oversight actions such as action on State Implementation Plan/Tribal Implementation Plan (SIP/TIP) submittals; and by developing regulations and policies to ensure continued health and welfare protection during the transition between existing and new standards. EPA will work with air agencies to determine the need for additional rulemakings and guidance documents to support state and tribal efforts to implement CAA SIP requirements, in alignment with capacity and priorities. EPA will provide technical and policy assistance to states and tribes developing or revising SIPs/TIPs.

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

On August 21, 2018, EPA proposed the Affordable Clean Energy (ACE) rule which would establish emission guidelines for states to develop plans to address greenhouse gas emissions from existing coal-fired power plants. After the rule is finalized, the Agency will work with the states in developing and reviewing their plans.

EPA, in close collaboration with states and tribes, will work to reduce the number of areas not in attainment with the NAAQS. The Agency will continue to look for ways to improve the efficiency and effectiveness of the SIP process, including its own review process, with a goal of maximizing timely processing of state-requested SIP actions and reducing the backlog. The Agency will act on designation or re-designation of nonattainment areas to attainment, as appropriate. A focus will be placed on states achieving attainment, looking at improved processes, and flexible implementation options. Also, the recently developed State Plan Electronic Collaboration System or SPeCS, is expected to improve EPA tracking of SIP submittals and EPA action on SIPs in FY 2020 and beyond EPA also will continue to review and take appropriate action on SIPs for regional haze to ensure that states are making reasonable progress towards their visibility improvement goals, consistent with statutory obligations. In FY 2020, EPA will continue to provide technical assistance

[16] *Our Nation's Air: Status and Trends Through 2017*, found at: https://www.epa.gov/air-trends/air-quality-national-summary.

to states that are developing plan revisions. Section 169A of the CAA requires EPA to assess and approve the plans.

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

One of EPA's priorities is to fulfill its CAA and court-ordered obligations. Section 112 of the CAA requires that all NESHAPs must be reviewed and updated, as necessary, every eight years, taking into account developments in practices, processes and technologies related to those standards. In FY 2020, EPA will continue to conduct these periodic "technology reviews" and conduct risk assessments to determine whether MACT-based NESHAP appropriately protect public health. The Program will prioritize its work with an emphasis on meeting court-ordered deadlines.

EPA will work to meet its Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR) obligations pursuant to Sections 165 and 173 of the CAA. EPA will continue to work with citizens, states, and industries on NSR issues. In aligning this effort with Executive Order 13777, *Enforcing the Regulatory Reform Agenda* and Executive Order 13771, *Reducing Regulation and Controlling Regulatory Costs*, EPA will continue to evaluate existing regulations and policies, pursue opportunities to make them less burdensome, and provide greater regulatory certainty to air agencies and regulated entities.

In FY 2020, EPA will continue to provide technical assistance to state, local, and tribal air agencies for both NSR and title V (operating) permits. This support will occur at appropriate times and as requested, consistent with applicable requirements, before and during the permitting process. EPA expects to implement such support in an efficient manner and consistent with established timeframes for applicable oversight of state, tribal, and local air agencies during the permitting process. Also, EPA will continue to develop the Electronic Permitting System (EPS) which is expected to improve EPA interaction with states, locals, and tribal air agencies and improve data availability and transparency in FY 2020 and beyond.

In FY 2020, EPA will assist state, tribal, and local agencies with various technical activities. EPA develops and provides a broad suite of analytical tools, such as source characterization analyses, emission factors and inventories, statistical analyses, source apportionment techniques, quality assurance protocols and audits, improved source testing and monitoring techniques, source-specific dispersion and regional-scale photochemical air quality models, and augmented cost/benefit tools, to assess control strategies.[17] The Agency will maintain the core function of these tools (e.g., integrated multiple pollutant emissions inventory, air quality modeling platforms, etc.) to provide the technical underpinnings for scientifically sound, more efficient and comprehensive air quality management by state, local and tribal agencies.

[17] Please see https://www.epa.gov/technical-air-pollution-resources for additional information.

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

In FY 2020, state and local agencies will have the lead in implementing the National Air Toxics Trends Sites (NATTS). The NATTS, designed to capture the impacts of widespread pollutants, is comprised of 27 permanent monitoring sites.[18] EPA will consult on priority data gaps to better assess population exposure to toxic air pollution.

In FY 2020, EPA will maintain the Air Quality System (AQS), one of the Agency's mission essential functions, which houses the nation's air quality data. EPA will provide the core support needed for the AQS Data Mart, which provides access to the scientific community and others to obtain air quality data via the internet. The Agency's national real-time ambient air quality data system (*AirNow*) will maintain baseline operations. EPA will continue to operate and maintain the Emissions Inventory System (EIS), a system used to quality assure and store current and historical emissions inventory data, and to support development of the National Emissions Inventory (NEI). The NEI is used by EPA, states, and others to support state and local air agency SIP development, to serve as a vital input to air quality modeling, to help to analyze the public health risks from air toxics and to develop strategies to manage those risks, and to support multi-pollutant analysis covering air emissions. EPA will continue to implement previously identified Lean strategies to streamline NEI development and to reduce burden for industry for meeting their emissions data reporting requirements through the Combined Air Emissions Reporting (CAER) e-Enterprise effort. The CAER project, when fully developed and deployed, will streamline multiple emissions reporting processes and is expected to reduce the cost to industry and government for providing and managing environmental data and to improve decision-making capacity through more timely availability of data.

Performance Measure Targets:

(PM NA1) Number of Nonattainment Areas.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						155	138	136	Nonattain-ment Areas
Actual						159			

[18] Please see: http://www.epa.gov/ttn/amtic/airtoxpg.html for additional information.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$5,458.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for FTE due to the adjustments in salary, essential workforce support, and benefits costs.

- (-$32,911.0 / -217.4 FTE) This program change reflects a reduction in EPA technical assistance to and support of state, tribal, and local air programs, including those that develop and implement clean air plans, issue air permits, and provide air quality information to the public.

- (+$6,750.0 / +35.0 FTE) This is an increase to support the implementation of Administration priorities, specifically reducing the SIP backlog, streamlining the Title V permitting process, and implementing rulemakings like the Affordable Clean Energy Rule.

Statutory Authority:

Clean Air Act.

Stratospheric Ozone: Domestic Programs

Program Area: Clean Air
Goal: Core Mission
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Program & Management	***$4,601.1***	***$4,637.0***	***$3,948.0***	***-$689.0***
Total Budget Authority	$4,601.1	$4,637.0	$3,948.0	-$689.0
Total Workyears	18.6	19.4	18.0	-1.4

Program Project Description:

The stratospheric ozone layer protects life by shielding the Earth's surface from harmful ultraviolet (UV) radiation. Scientific evidence demonstrates that ozone-depleting substances (ODS) used around the world destroy the stratospheric ozone layer,[19] which raises the incidence of skin cancer and other illnesses through overexposure to increased levels of UV radiation.[20]

EPA estimates that in the United States alone, the worldwide phase out of ODS will avert millions of cases of non-fatal and fatal skin cancers (melanoma and non-melanoma), as well as millions of cataract cases, which is the leading cause of blindness. Full implementation of the *Montreal Protocol on Substances that Deplete the Ozone Layer* (Montreal Protocol) globally, including its amendments and adjustments, is expected to avoid more than 280 million cases of skin cancer, approximately 1.6 million skin cancer deaths, and more than 45 million cases of cataracts in the United States among individuals born between 1890 and 2100.[21]

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

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

their substitutes and requires listing of alternatives that reduce overall risks to human health and the environment, ensuring that businesses and consumers have alternatives that are safer for the ozone layer than the chemicals they replace. As a signatory to the Montreal Protocol, the U.S. is committed to ensuring that our domestic program is at least as stringent as international obligations and to regulating and enforcing the terms of the Montreal Protocol respective of domestic authority. With U.S. leadership, in 2007 the Parties to the Montreal Protocol agreed to a more aggressive phase-out for ozone-depleting hydrochlorofluorocarbons (HCFCs) equaling a 47 percent reduction in overall emissions during the period 2010-2040. The adjustment in 2007 also calls on Parties to promote the selection of alternatives to HCFCs that minimize environmental impacts, in particular impacts on climate.[22] In 2016, the Parties to the Montreal Protocol agreed to the Kigali Amendment,[23] which will globally phase down production and consumption of hydrofluorocarbons (HFCs). HFCs are intentionally manufactured fluorinated greenhouse gases used in all the same sectors as ODS such as air conditioning, refrigeration, fire suppression, solvents, foam blowing agents, and aerosols. In 2018, the Parties to the Montreal Protocol agreed to adjust the HCFC phaseout's servicing provisions to, among other things, allow for servicing of existing fire suppression equipment until 2030.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan*. In carrying out the requirements of the CAA and the Montreal Protocol in FY 2020, EPA will continue to meet its ODS import caps and work toward the gradual reduction in production and consumption of ODS. This will require finalization of a notice-and-comment rulemaking in calendar year 2019 that will issue HCFC allowances where needed and address the servicing provision changes under the Montreal Protocol. To meet FY 2020 targets and out year targets, EPA will issue allocations for HCFC production and import in accordance with the requirements established under CAA Sections 605 and 606; review petitions to import used ODS under sections 604 and 605; manage information that industry identifies as Confidential Business Information (CBI) under CAA Section 603; and implement regulations concerning the production, import, and export of ODS and maintenance of the tracking system used to collect the information. EPA also will prepare and submit an annual report under Article 7 of the Montreal Protocol on U.S. consumption and production of ODS.[24]

CAA Section 612 requires continuous review of alternatives for ODS through EPA's Significant New Alternatives Policy (SNAP) program[25] to find those that pose less overall risk to human health and the environment and to promote a smooth transition to safer alternatives. Through these evaluations, SNAP generates lists of acceptable and unacceptable substitutes for approximately 50

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

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

[24] The Article 7 report prepared by EPA on behalf of the United States contains chemical-specific production, import and export data that is not available publicly. To protect potential confidential information the report is not available on the internet; however, the data included in the report is aggregated and available at: http://ozone.unep.org/countries/data?report=CalcCons&format=dataviz&group_by=anxgrp&filter[]=&output=ODP&year_from=1986&year_to=2019&parties=US.

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

end uses across eight industrial sectors. In *Mexichem Fluor v. EPA*, the court partially vacated a 2015 Rule "to the extent it requires manufacturers to replace HFCs with a substitute substance" and remanded the rule to EPA for further proceedings.

EPA will work to address the court's decision, including potentially making changes to the SNAP program's framework and implementation. In addition, EPA will consider a number of submissions and petitions in that would expand the list of acceptable alternatives, particularly for end-uses where there is an urgent need for more options. The schedule for other approvals will be adjusted through FY 2020. Certain approvals adjusted for FY 2019 will be taken up with other pending approvals in FY 2020, to the extent practicable, as EPA seeks to minimize the risk to the investment made by companies in research and development and testing phases given that SNAP listings are critical to the commercialization of many substitutes and alternative technologies in key sectors of use. Final Agency action can include notices of acceptability listings as well as notice-and-comment rulemaking. EPA also will continue to work towards ensuring the uptake of safer alternatives and technologies, while supporting innovation, and ensuring adoption through support for changes to industry codes and standards.

In FY 2020, EPA is planning to implement a revised CAA Section 608 rule that the Agency intends to finalize in FY 2019. That rule revisits certain aspects of the extension of the Section 608 refrigerant management program to substitute refrigerants. At the same time, EPA will continue efforts under CAA Section 608 to reduce emissions of refrigerants during the service, maintenance, repair and disposal of air conditioning and refrigeration equipment. EPA will continue to educate stakeholders about the rules concerning servicing, maintenance, repair and disposal of air conditioning and refrigeration appliances. EPA will monitor industry standards and may adopt the standards into its regulations through incorporation by reference, as appropriate.

EPA will continue to support the CAA Section 609 motor vehicle air conditioning (MVAC) servicing program to reduce emissions of refrigerants from MVAC systems. Where industry consensus standards are available that EPA considers to be sufficient for protection of human health and the environment, EPA may adopt the standards into its regulations through incorporation by reference. EPA is aware of such standards developed by the Society of Automotive Engineers (SAE) for recovery equipment for new alternatives. EPA expects to develop a proposed rule in FY 2019 to incorporate by reference these industry, consensus-based standards for MVAC systems that use refrigerants currently listed as acceptable, subject to use conditions. EPA intends to finalize this rule in FY 2020.

In FY 2020, EPA will continue to support implementation of the Montreal Protocol domestically by ensuring U.S. interests are represented at Montreal Protocol meetings by providing technical expertise. The Agency will provide technical expertise for the Montreal Protocol's Technology and Economic Assessment Panel and its Technical Options Committees.

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

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

Additionally, EPA will continue to work with federal and international agencies to stem illegal imports of ODS to support a level playing field for companies that have transitioned to non-ODS alternatives. This is particularly important in light of recent atmospheric measurements showing increased emissions of ODS phased out of production globally and the need to identify potential sources of these emissions including illegal production.[26] EPA will continue data exchange with U.S. Customs and Border Protection and Homeland Security Investigations on ODS importers and exporters for Customs to determine admissibility and target illegal ODS shipments entering the United States, as well as reviewing and approving ODS imports flagged in the Automated Customs Environment.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$242.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to the adjustments in salary, essential workforce support, and benefits costs.

- (-$931.0 / -1.4 FTE) This change is a reduction to program resources related to activities such as development of outreach and compliance assistance materials.

Statutory Authority:

Title VI of the Clean Air Act.

[26] See, Montzka *et al*. (2018). An unexpected and persistent increase in global emissions of ozone-depleting CFC-11, *Nature*, 557, pp. 413–417. Available on the internet at: https://www.nature.com/articles/s41586-018-0106-2.

Stratospheric Ozone: Multilateral Fund
Program Area: Clean Air
Goal: Core Mission
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$8,326.0***	***$8,736.0***	***$0.0***	***-$8,736.0***
Total Budget Authority	$8,326.0	$8,736.0	$0.0	-$8,736.0

Program Project Description:

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

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

FY 2020 Activities and Performance Plan:

Resources are proposed for elimination for this program in FY 2020. EPA will continue domestic ODS reduction work.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$8,736.0) This program change eliminates resources to support EPA participation in the Multilateral Fund.

Statutory Authority:

Title VI of the Clean Air Act.

Brownfields

Brownfields

Program Area: Brownfields
Goal: Core Mission
Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$24,175.6***	***$25,593.0***	***$16,728.0***	***-$8,865.0***
Total Budget Authority	$24,175.6	$25,593.0	$16,728.0	-$8,865.0
Total Workyears	134.7	137.4	92.6	-44.8

Program Project Description:

Brownfields sites are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Brownfields can be found in the heart of America's main streets and former economic centers. The Brownfields Program supports these efforts by awarding grants and providing technical assistance to states, tribes, local communities, and other stakeholders to work together to plan, inventory, assess, safely cleanup, and reuse brownfields. Approximately 129 million people (roughly 40 percent of the U.S. population) live within three miles of a brownfields site that receives EPA funding.[27] As of the end of FY 2018, grants awarded by the Program have led to over 77,000 acres of idle land made ready for productive use and over 141,300 jobs and $26.8 billion leveraged.[28]

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination, in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, the Brownfields Program will continue to manage over 900 assessment, cleanup, revolving loan fund (RLF), multi-purpose,

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

and Environmental Workforce Development and Job Training (EWDJT) cooperative agreements; as well as state and tribal assistance agreements; training, research, and technical assistance agreements; and land revitalization projects.

In FY 2020, the Brownfields Program will support the following activities:

- **Compete and Award New Cooperative Agreements**: Review, select, and award an estimated 360 new cooperative agreements which will lead to approximately $1.0 billion and 5,500 jobs leveraged in future years.
- **Oversight and Management of Existing Cooperative Agreements:** Continue federal fiduciary responsibility to manage approximately 900 existing brownfields cooperative agreements in a reduced capacity while ensuring the terms and conditions of the agreements are met, and provide limited technical assistance. Provide targeted environmental oversight support to grantees (*e.g.*, site eligibility determinations, review of environmental site assessment and cleanup reports).
- **Technical Assistance:** Provide technical assistance to states, tribes, and local communities in the form of research, training, and analysis. This can lead to cost effective implementation of brownfields redevelopment projects by providing communities with the knowledge necessary to understand market conditions, economic development and other community revitalization strategies, and how cleanup and reuse can be catalyzed by small businesses.
- **Collaboration:** The Program will work collaboratively with our partners at the state, tribal, and local level on innovative approaches to help achieve land reuse. It also will continue to develop guidance and tools that clarify potential environmental cleanup liabilities, thereby providing greater certainty for parties seeking to reuse these properties. The Program also can provide direct support to facilitate transactions for parties seeking to reuse contaminated properties.
- **Accomplishment Tracking**: Support the maintenance of the ACRES online grantee reporting tool. This enables grantees to track accomplishments and report on the number of sites assessed and cleaned up, and the amount of dollars and jobs leveraged with brownfields grants.
- **Land Revitalization Program Support:** Provide support for approximately two communities as part of EPA's Land Revitalization Program. The Land Revitalization Program supports communities in their efforts to restore contaminated lands into sustainable community assets.

Performance Measure Targets:

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

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$77.0) This net change to fixed and other costs is a decrease due to the recalculation of base worforce costs for exising FTE due to the adjustements in salary, essential workforce suport, and benefit costs.

- (-$8,788.0 / -44.8 FTE) This program change reduces funding for managing and closing out assistance agreements, data collection analysis, and system ehancements.

Statutory Authority:

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

Compliance

Compliance Monitoring

Program Area: Compliance
Goal: Cooperative Federalism
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$101,299.2***	***$101,665.0***	***$89,644.0***	***-$12,021.0***
Inland Oil Spill Programs	$122.5	$139.0	$0.0	-$139.0
Hazardous Substance Superfund	$943.0	$995.0	$991.0	-$4.0
Total Budget Authority	$102,364.7	$102,799.0	$90,635.0	-$12,164.0
Total Workyears	485.9	489.0	428.7	-60.3

Program Project Description:

The Compliance Monitoring Program is a key component of EPA's Compliance Assurance Program that allows the controlling regulatory authority to detect noncompliance. The Program also promotes compliance with the nation's environmental laws. Effective targeting of compliance monitoring plays a critical role in achieving the goals EPA has set forth for protecting health and the environment. The states and EPA use compliance monitoring tools and activities to identify whether regulated entities are complying with environmental laws enacted by Congress, as well as applicable regulations and permit conditions. In addition, compliance monitoring activities, such as inspections and investigations, are conducted to determine whether conditions exist that may present imminent and substantial endangerment to human health and the environment.

The Compliance Monitoring Program supports cooperative federalism and the expanded use of compliance assurance tools (such as compliance assistance) among state, tribal, local, and federal partners. States, tribes, and EPA have policies/procedures on the appropriate use of the tools in our compliance assurance tool box, with states undertaking the majority of enforcement and compliance activities in authorized programs. EPA is working to implement the Program in the most efficient manner possible by leveraging information technology systems and improving business processes. Tools in the compliance monitoring program include:

- Compliance Assistance. EPA collaborates with state, local, federal, tribal, and industry partners with the E-Enterprise Portal, a website which allows the states, the regulated community, and EPA to transact business such as permitting and reporting, and provides easy access to needed compliance assistance information. Also, EPA will continue its compliance assistance work by continuing to partner with third-party organizations and federal agencies to support existing web-based, sector-specific centers and other web-based assistance resources.

- Full Electronic Reporting with Compliance Assistance. EPA has a national enforcement and compliance data system, the Integrated Compliance Information System (ICIS), which supports both the compliance monitoring and civil enforcement programs. ICIS collects enforcement and compliance data, and EPA utilizes those data and other information technology tools to: identify potential violations of the federal environmental laws; facilitate efficient enforcement; and promote compliance with these requirements. EPA also makes ICIS data available to the public via the internet-accessible Enforcement and Compliance History Online ("ECHO") system. Using ICIS and ECHO to electronically track its civil enforcement work allows EPA to better ensure that its enforcement resources are going to address the most significant noncompliance and facilitates transparency. Currently, EPA and states are implementing the National Pollution Discharge Elimination System (NPDES) Electronic Reporting Rule through ICIS.[29] Phase 1 of the rule was implemented in FY 2017 for NPDES Discharge Monitoring Reports (DMRs), including compliance assistance features such as electronic reminders to state and federal permittees that may have missed their compliance monitoring report deadlines. More than 20 states currently use EPA's electronic reporting tool for DMR reporting.

- Smart Tools for Field Inspectors. EPA is developing software solutions to improve the effectiveness and efficiency of how EPA and authorized states conduct compliance inspections, starting with the Resource Conservation and Recovery Act (RCRA) Hazardous Waste Program.

- Compliance Training for EPA and States. To ensure the quality of compliance monitoring activities, EPA develops national policies, updates inspection manuals, provides required training for inspectors, and issues inspector credentials. In FY 2018, EPA performed audits of inspector credential possession and training documentation. The findings and recommendations from those audits are being used to improve the documentation supporting EPA inspector credentials. Also in 2018, EPA held a *kaizen* event to streamline the inspector credentialing process, which when implemented, will ensure greater integrity in the inspector credentialing process and make the process more efficient. For example, EPA estimates that shifting from the current paper process to an electronic one will decrease the total time it takes to provide credentials to an inspector by approximately 80 percent.[30]

  In addition, EPA delivers critical in-person and online training courses to new and experienced federal, state and local inspectors to ensure the integrity of the national compliance monitoring program. EPA hosts several multi-day training programs, such as the annual Clean Water Act National Pollutant Discharge Elimination System (CWA NPDES) Technical Inspector Workshop and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Pesticide Inspector Residential Training Program. These on-site training programs deliver in-depth technical and programmatic content to hundreds of inspectors nationwide. EPA's National Enforcement Training Institute (NETI) also

[29] For more information, please refer to: https://www.epa.gov/compliance/npdes-ereporting.
[30] Based on a technical evaluation from the *kaizen* event: Leaning the Civil Inspector Credentialing Process, July 17-19, 2018. Current practice took approximately 127 days. The new process is estimated to take 25 days.

provides on-line, e-learning courses for more than 2,500 EPA, state and tribal inspectors, and has made available over 165 on-line training courses in the NETI e-Learning Center for EPA and state, local, and tribal inspectors and enforcement partners.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 2/Objective 2.1, Enhance Shared Accountability in the *FY 2018 - 2022 EPA Strategic Plan*. Work in this program also supports the long-term performance goal, "Increase Environmental Law Compliance Rate" in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, EPA will increase compliance by reducing the percentage of Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permittees in significant noncompliance (SNC) with their permit limits.

In FY 2020, EPA will continue to streamline its compliance monitoring activities such as field inspections, data tools, and assistance. EPA will focus principally on 1) those programs that are not delegated to states ("direct implementation"), and 2) where EPA's expertise or unique role is best suited to address the issue. This includes, but is not limited to, multi-state/multi-regional matters, issues of national significance, and emergency situations. In addition, EPA will provide some targeted oversight and support to state, local, and tribal programs. To accomplish this, the Agency will prioritize work with states to develop methods that successfully leverage advances in both monitoring and information technology. Also, the Agency will maintain accessibility to ICIS for EPA, states, and the tribes.

EPA has evolved the National Enforcement Initiatives program into a National Compliance Initiatives (NCI) program that provides states and tribes with additional opportunities for meaningful engagement, applies a broader set of compliance assurance tools, and aligns these priorities with the *FY 2018 - 2022 EPA Strategic Plan*. EPA engaged with states, tribes, and local governments to gather their input on the selection of enforcement and compliance assistance priorities in FY 2018 and continuing in FY 2019. Implementation of this NCI cycle begins in FY 2020 and continues through FY 2023.

In addition, the Agency will continue to implement Phase 2 of the NPDES Electronic Reporting Rule which covers the e-reporting rule permitting and compliance monitoring requirements for EPA and states. EPA will work with states to evaluate and prioritize the development of additional electronic reporting tools that support states. EPA's centralized development of electronic reporting tools saves the states significant resources in information technology development costs.

Beginning in FY 2018 and continuing in FY 2020, EPA will track the rate of significant non-compliance (SNC) with NPDES program requirements quarterly to assess progress with EPA's goal of reducing the SNC rate. EPA will identify focus areas to achieve SNC rate reductions with the goal of reducing the rate by 50 percent by the end of FY 2022. The Program also will continue to review the rate of electronic reporting for each authorized NPDES state program and work with states to achieve improved reporting.

In 2019, EPA is piloting an interim policy on Inspection Report Timeliness and Standardization, including tracking of inspection report timeliness in the Integrated Compliance Information

System (ICIS). The intent of this pilot is to ensure the timely production of reports and the timely completion and release of inspection reports, including any potential deficiencies or areas of concern, to facilities and the public. EPA will address any lessons learned and issue a final policy with full implementation in FY 2020.

Performance Measure Targets:

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

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target	17,000	17,000	15,500	15,500	14,000	10,000	10,000	10,000	Inspections & Evaluations
Actual	18,000	16,000	15,400	13,500	11,800	10,600			

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

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						24	TBD	TBD	Percent
Actual						Data Avail 09/2019			

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$747.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (-$12,768.0 / -60.0 FTE) This program change reflects a recognition that states conduct the vast majority of inspections, an EPA focus on direct implementation programs, and an increased reliance on technology rather than on-site inspections to monitor compliance.

Statutory Authority:

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

Enforcement

Civil Enforcement

Program Area: Enforcement
Goal: Rule of Law and Process
Objective(s): Compliance with the Law

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$164,266.9***	***$171,283.0***	***$147,647.0***	***-$23,636.0***
Leaking Underground Storage Tanks	$619.8	$620.0	$470.0	-$150.0
Inland Oil Spill Programs	$2,464.8	$2,413.0	$2,373.0	-$40.0
Total Budget Authority	$167,351.5	$174,316.0	$150,490.0	-$23,826.0
Total Workyears	995.5	1,000.8	857.1	-143.7

Program Project Description:

The overall goal of EPA's Civil Enforcement Program is to maximize compliance with the nation's environmental laws and regulations to protect human health and the environment. EPA will seek to strengthen environmental partnerships with its state and tribal partners, encourage regulated entities to correct violations rapidly, ensure that violators do not realize an economic benefit from noncompliance, and pursue enforcement to deter future violations.

The Agency works closely with the U.S. Department of Justice, states, tribal governments, territories, and local agencies to ensure consistent and fair enforcement of all major environmental statutes, distinct programs under those statutes, and numerous regulatory requirements under those programs, which apply in various combinations to millions of regulated federal and private entities. The Civil Enforcement Program develops, litigates, and settles administrative and civil judicial cases against serious violators of environmental laws. In FY 2018, because of EPA enforcement actions, 809 million pounds of pollutants and waste were reduced, treated, or eliminated.[31]

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

[31] For additional information, please refer to: https://www.epa.gov/sites/production/files/2019-01/documents/epa_2018_yearinreview_0128-4.pdf.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.1, Compliance with the Law in the *FY 2018 - 2022 EPA Strategic Plan*. Work in this program also supports the long-term performance Strategic Plan goal "Increase Environmental Law Compliance Rate."

In FY 2020, EPA will continue to focus efforts toward areas where, in support of the goals of the *FY 2018 - 2022 EPA Strategic Plan*, EPA's enforcement actions can address the most substantial impacts to human health and the environment. Recognizing the role of states and tribes as the primary implementers where authorized by EPA to implement the federal statutes, EPA will focus civil enforcement resources on direct implementation responsibilities, as well as assisting authorized states and tribes in meeting national standards, such as by providing expertise and implementing compliance monitoring and civil enforcement strategies that will ensure a level playing field. EPA is responsible for direct implementation for programs that are not delegable or where a state or tribe has not sought or obtained the authority to implement a particular program (or program component). Examples include the Clean Air Act (CAA) mobile source program, pesticide labeling and registration under the Federal Insecticide, Fungicide, and Rodenticide Act, enforcement in Indian Country, and enforcement of non-delegated portions of various other laws, including the Resource Conservation and Recovery Act, the Clean Water Act, the Safe Drinking Water Act, and the CAA.

Even in states or tribes authorized to implement a program, EPA often serves a critical role as a backstop for instances when a state or tribe does not timely or appropriately address serious noncompliance. EPA also may assist a state or tribe in remedying noncompliance problems or take a federal action when the state or tribe is unable to address the problem because it lacks the capability, resources, or will, such as actions against other federal or state agencies or violations that affect multiple states. And for some violations, the Agency and states or tribes may decide that the best approach is a joint enforcement action. Further, EPA will take immediate action when there is an environmental emergency, such as an oil spill or chemical accident, or a human health emergency due to drinking water contamination. In addition, EPA ensures cleanup (corrective action) at Resource Conservation and Recovery Act (RCRA) facilities. For example, closely coordinating with states, EPA can issue cleanup orders to RCRA facilities to help meet the RCRA Corrective Action Program's goals. EPA also will pursue enforcement actions at federal facilities where significant violations are discovered and ensure that federal facilities are held to the same standards as the private sector and will provide technical and scientific support to states and tribes with authorized programs. The Agency also will carry out its statutory oversight responsibilities and will offer assistance to states in their implementation of delegated programs when needed or in cases where the Agency maintains a unique expertise or capability.

EPA has evolved the National Enforcement Initiatives program into a National Compliance Initiatives (NCI) program that provides states and tribes with additional opportunities for meaningful engagement, applies a broader set of compliance assurance tools, and aligns these priorities with the *FY 2018 - 2022 EPA Strategic Plan*. EPA will engage with states, tribes, and local governments to gather their input on the selection of enforcement and compliance assistance priorities in FY 2019. Implementation of this NCI cycle begins in FY 2020 and continues through FY 2023.

Beginning in FY 2018 and continuing in FY 2020, EPA will track the rate of significant non-compliance (SNC) with National Pollutant Discharge Elimination System (NPDES) program requirements quarterly to assess progress with EPA's goal of reducing the SNC rate. EPA will identify focus areas to achieve SNC rate reductions with the goal of reducing the rate by 50% by the end of FY 2022. The Program also will continue to review the rate of electronic reporting for each authorized NPDES state program and work with states to achieve improved reporting.

Performance Measure Targets:

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

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						325	325	325	Millions of Pounds
Actual	1,425	1,221	1,030	62,223	461	810			

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

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target							129	129	Cases
Actual									

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$7,278.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (-$30,914.0 / -143.5 FTE) This program change is due to the fact that states are primary implementers of our nation's environmental laws. EPA will focus on matters affecting multiple states or tribes, serve as a backstop for instances when a state or tribe does not timely or appropriately address serious noncompliance, and assisting a state or tribe in remedying noncompliance problems when it is unable to address the problem because it lacks the capability, resources, or will. This change includes a reduction in resources for cases that do not meet these criteria.

Statutory Authority:

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

Criminal Enforcement

Program Area: Enforcement
Goal: Rule of Law and Process
Objective(s): Compliance with the Law

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$44,334.2***	***$44,995.0***	***$44,582.0***	***-$413.0***
Hazardous Substance Superfund	$7,336.3	$7,502.0	$8,198.0	$696.0
Total Budget Authority	$51,670.5	$52,497.0	$52,780.0	$283.0
Total Workyears	225.3	235.9	219.6	-16.3

Program Project Description:

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

The agents are assisted in the Criminal Enforcement Program by forensic scientists, attorneys, technicians, engineers, and other experts. EPA's criminal enforcement attorneys provide legal and policy support for all the Program's responsibilities, including forensics and expert witness preparation, to ensure that program activities are carried out in accordance with legal requirements and the policies of the Agency. These efforts support environmental crime prosecutions primarily by the United States Attorneys and the Department of Justice's Environmental Crimes Section. In FY 2018, the conviction rate for criminal defendants was 92 percent.[32]

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.1, Compliance with the Law in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, EPA will continue to focus its resources on the most egregious cases (e.g., significant human health, environmental, and deterrent impacts), while balancing its overall case load across all environmental statutes. The Criminal Enforcement Program will increase its collaboration and coordination with the Civil Enforcement Program to ensure that EPA's Enforcement program identifies the most egregious cases and responds to them as effectively as possible. The Agency will perform targeted investigations of violations of environmental statutes and associated violations of Title 18 of the United States Code to protect public health and the environment.

[32] For additional information, please refer to: https://www.epa.gov/enforcement/enforcement-annual-results-fiscal-year-2018.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$2,516.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (-$2,929.0 / -17.1 FTE) This net program change reflects a focus on the most egregious cases and increased coordination with the Civil Enforcement Program, and a reduction in resources for small cases that have limited deterrence value.

Statutory Authority:

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

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$6,436.5***	***$6,737.0***	***$2,739.0***	***-$3,998.0***
Hazardous Substance Superfund	$617.0	$758.0	$0.0	-$758.0
Total Budget Authority	$7,053.5	$7,495.0	$2,739.0	-$4,756.0
Total Workyears	32.9	35.5	4.0	-31.5

Program Project Description:

The Environmental Justice (EJ) Program fosters environmental and public health improvements in low-income, minority and tribal and indigenous communities disproportionately burdened by pollution by supporting the integration and consideration of EJ issues throughout EPA's programs, through collaboration with interagency partners, and by directly supporting the efforts of vulnerable and overburdened communities to address environmental public health challenges. EPA's FY 2018 EJ grants program had a special emphasis on projects in rural EJ communities and awarded 80 percent of its grants to community-based organizations in rural areas to support local project activities. Examples of these projects included: addressing lead and radon pollution in low-income housing and educating residents about the public health threats from these pollutants; monitoring for and identifying the sources of and reducing pollutants in local water sources; and supporting an innovative pilot to remediate solid waste issues in Alaskan native villages and remote communities. EPA's FY 2019 EJ grants program has a special focus on supporting projects in communities that focus on disaster preparedness, response and recovery; projects focused on issues related to homelessness and military veterans; and a continuing focus on organizations which have not recently received an EJ grant.

FY 2020 Activities and Performance Plan:

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

In FY 2020, EPA will use $2 million dedicated to the EJ Program to support the Environmental Justice Collaborative Problem Solving cooperative agreement program to support community-based organizations and Environmental Justice Technical Assistance for Communities to support the technical needs of low income, minority and tribal/indigenous populations. The Agency has five measures of national EJ significance that are annually tracked. Results are published in EPA's

annual EJ reports.[33] The Program is currently working to develop and implement measures of EJ integration throughout EPA's program activities.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$178.0) This net change to fixed and other costs is a decrease due to recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (-$3,820.0 / -27.1 FTE) This net program change will focus on providing financial assistance grants to community-based organizations and technical assistance to low income, minority, and tribal/indigenous populations.

Statutory Authority:

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

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

NEPA Implementation

Program Area: Enforcement
Goal: Cooperative Federalism
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$15,751.2***	***$17,622.0***	***$16,598.0***	***-$1,024.0***
Total Budget Authority	$15,751.2	$17,622.0	$16,598.0	-$1,024.0
Total Workyears	101.3	104.5	95.5	-9.0

Program Project Description:

Pursuant to the National Environmental Policy Act (NEPA) and §309 of the Clean Air Act (CAA), EPA's NEPA Implementation Program coordinates and comments on the environmental review of major federal actions. The Program guides EPA's compliance with NEPA, and other related statutes and executive orders. The Program manages the official Environmental Impact Statement (EIS) filing system for all federal EISs, in accordance with a Memorandum of Understanding with the Council on Environmental Quality (CEQ).[34] It also comments on draft and final EISs and makes these comments publicly available. Moreover, the Program manages the review of Environmental Impact Assessments of non-governmental activities in Antarctica, in accordance with the Antarctic Science, Tourism and Conservation Act.

The NEPA Implementation Program also operates, uses and promotes *NEPAssist*, a publicly available geographic information system to help users (EPA, other federal agencies, and the public) with environmental reviews under NEPA. *NEPAssist* receives approximately 5,956 visits per month, with 91 percent being return visitors. EPA also promotes *e-NEPA*, a web-based system for federal agencies to file EISs and to make comments on EISs accessible to the public on a centralized public website.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 2/Objective 2.1, Enhance Shared Accountability in *the FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, EPA will focus its reviews on areas where EPA has statutory authority and expertise. EPA also will continue to work with OMB, CEQ, and other federal agencies to evaluate ways to coordinate, streamline, and improve the NEPA process. In FY 2018, the NEPA Implementation Program issued comment letters on over 260 draft and final EISs as well as numerous environmental assessments. EPA was engaged early with the lead federal agency on 74 percent of projects where a draft EIS was published.

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

In support of EPA efforts to implement Executive Order 13807: "Establishing Discipline and Accountability in the Environmental Review and Permitting Process[35] for Infrastructure Projects", the Memorandum of Understanding Implementing One Federal Decision, Executive Order 13766: "Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects"[36] and the FAST-41 ACT, which all set requirements to streamline infrastructure permitting project reviews,[37] the NEPA Implementation Program will partner with federal agencies on proposed projects throughout the NEPA process to provide expertise and recommendations and will focus efforts on early engagement prior to the publication of the Draft EIS. Early engagement by stakeholders in the NEPA process can support efficiencies and improved project outcomes. Early engagement may involve meeting with the lead agency in person or by phone or providing written comments with recommendations to mitigate impacts of the proposed project or improve the development of the NEPA analysis.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$938.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (+$2,500.0 / +15.0 FTE) This change is an increase to support the implementation of the Agency's FY 2020 environmental review and permitting responsibilities under NEPA, CAA Section 309, FAST-41, Executive Order 13807, and the Memorandum of Understanding implementing One Federal Decision.

- (-$4,462.0 / -24.0 FTE) This program change will provide a centralized approach to elevating NEPA issues to the Administrator for resolution and allow the Agency to expedite environmental reviews and approvals of high-priority infrastructure projects, as directed by the President under Executive Order 13766.

Statutory Authority:

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

[35]For additional information, please refer to: https://www.whitehouse.gov/presidential-actions/presidential-executive-order-establishing-discipline-accountability-environmental-review-permitting-process-infrastructure/.
[36] For additional information, please refer to: https://www.whitehouse.gov/the-press-office/2017/01/24/executive-order-expediting-environmental-reviews-and-approvals-high.
[37] For additional information, please refer to: https://www.gpo.gov/fdsys/pkg/PLAW-114publ94/pdf/PLAW-114publ94.pdf.

Geographic Programs

Geographic Program: Chesapeake Bay

Program Area: Geographic Programs
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$67,542.4***	***$73,000.0***	***$7,300.0***	***-$65,700.0***
Total Budget Authority	$67,542.4	$73,000.0	$7,300.0	-$65,700.0
Total Workyears	32.4	34.4	0.0	-34.4

Program Project Description:

The Chesapeake Bay Program is a voluntary partnership, initiated in 1983, that now includes the Chesapeake Bay watershed states (Delaware, Maryland, New York, Virginia, Pennsylvania, and West Virginia), the District of Columbia, the Chesapeake Bay Commission, and the federal government. EPA represents the federal government on the partnership's Chesapeake Executive Council (EC) and, under the authority of Section 117 of the Clean Water Act, works with the EC to coordinate activities of the partnership. On June 16, 2014, the Chesapeake Bay Program partners signed the most recent Chesapeake Bay Watershed Agreement,[38] which provides for the first time the Bay's headwater states (Delaware, New York, and West Virginia) with full partnership in the Bay Program. The Agreement establishes 10 goals and 31 outcomes for sustainable fisheries, water quality, vital habitats, climate change, toxic contaminants, and other areas.

EPA, the watershed jurisdictions, and other key federal agencies set two-year milestones for water quality to make progress towards the Bay Total Maximum Daily Load (TMDL) and the jurisdictions' Watershed Implementation Plans.[39] The TMDL satisfies a requirement of the Clean Water Act and EPA commitments under Court-approved consent decrees for Virginia and Washington, D.C. dating to the late 1990s.[40] The TMDL is designed to ensure all nitrogen, phosphorus, and sediment pollution control efforts needed to restore the Bay and its tidal rivers are in place by 2025.

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, EPA is requesting $7.3 million for support of state and local collection of water quality monitoring data and coordination of science, research, and modeling. The $7.3 million requested in FY 2020 would support the following activities:

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

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

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

At the end of FY 2018, practices were in place to achieve 87 percent of the phosphorous reductions, 67 percent of the sediment reductions, and 40 percent of the nitrogen reductions necessary to attain applicable water quality standards as measured through the Partnership's Phase 5.3.2 Chesapeake Bay Watershed Model.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$992.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (-$64,708.0 / -34.4 FTE) This program change reduces funding for the Chesapeake Bay Program. Remaining resources will support critical activities in water quality monitoring.

Statutory Authority:

Clean Water Act, Section 117; Estuary Restoration Act of 2000; Chesapeake Bay Accountability and Recovery Act of 2014; Clean Air Act; Appropriation Act: FY 2018 (Public Law 115-141).

Geographic Program: Gulf of Mexico

Program Area: Geographic Programs
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$9,122.9***	***$12,542.0***	***$0.0***	***-$12,542.0***
Total Budget Authority	$9,122.9	$12,542.0	$0.0	-$12,542.0
Total Workyears	11.2	13.1	0.0	-13.1

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. EPA will encourage the five Gulf of Mexico states to continue to make progress in restoring the Gulf of Mexico from within core water programs.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$12,542.0 / -13.1 FTE) This program change eliminates the Gulf of Mexico Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

Clean Water Act; Appropriation Act: FY 2018 (Public Law 115-141).

Geographic Program: Lake Champlain

Program Area: Geographic Programs
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$8,395.0***	***$8,399.0***	***$0.0***	***-$8,399.0***
Total Budget Authority	$8,395.0	$8,399.0	$0.0	-$8,399.0

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Resources are proposed for elimination for this program in FY 2020. EPA will encourage New York and Vermont to continue to make progress in restoring Lake Champlain from within core water programs.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$8,399.0) This program change eliminates the Lake Champlain Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

Boundary Waters Treaty of 1909; Clean Water Act § 120; Appropriation Act: FY 2018 (Public Law 115-141).

Geographic Program: Long Island Sound

Program Area: Geographic Programs
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$11,753.9***	***$12,000.0***	***$0.0***	***-$12,000.0***
Total Budget Authority	$11,753.9	$12,000.0	$0.0	-$12,000.0

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Resources are proposed for elimination for this program in FY 2020. EPA will encourage Long Island Sound states and local entities to continue to make progress in restoring the Sound from within core water programs.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$12,000.0) This program change eliminates the Long Island Sound Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

Clean Water Act § 119.

Geographic Program: Other

Program Area: Geographic Programs
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$7,388.9***	***$7,393.0***	***$0.0***	***-$7,393.0***
Total Budget Authority	$7,388.9	$7,393.0	$0.0	-$7,393.0
Total Workyears	4.3	4.6	0.0	-4.6

Program Project Description:

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

Northwest Forest Program

The Northwest Forest Program supports interagency and intergovernmental efforts that coordinate and leverage resources for water quality and drinking water efforts in seven[41] western states.

Lake Pontchartrain Basin Restoration Program

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

Southeast New England Coastal Watershed Restoration Program (SNECWRP)

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

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. EPA will encourage states and local entities to continue to make progress in restoring these major aquatic ecosystems from within core water programs.

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

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$7,393.0 / -4.6 FTE) This program change eliminates the Geographic Other Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

Clean Water Act.

Geographic Program: South Florida

Program Area: Geographic Programs
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$1,674.5***	***$1,704.0***	***$0.0***	***-$1,704.0***
Total Budget Authority	$1,674.5	$1,704.0	$0.0	-$1,704.0
Total Workyears	1.1	1.8	0.0	-1.8

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. EPA will encourage state, tribal, and local entities to continue to make progress in protecting and restoring sensitive aquatic ecosystems in South Florida from within core water programs.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$1,704.0 / - 1.8 FTE) This program change eliminates the South Florida Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

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

Geographic Program: San Francisco Bay

Program Area: Geographic Programs
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$1,763.7***	***$4,819.0***	***$0.0***	***-$4,819.0***
Total Budget Authority	$1,763.7	$4,819.0	$0.0	-$4,819.0
Total Workyears	2.2	2.3	0.0	-2.3

Program Project Description:

EPA collaborates with agencies and non-governmental organizations to implement the seven-point *Bay Delta Action Plan* (2012)[42] designed to protect and restore water quality, aquatic life, and ecosystem processes in the San Francisco Bay/Sacramento-San Joaquin Delta. EPA assists the State Water Resources Control Board with the comprehensive update of the Bay Delta Water Quality Control Plan.[43]

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. EPA will encourage the State of California and local entities to continue to make progress in restoring the San Francisco Bay from within core water programs.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$4,819.0 / -2.3 FTE) This program change eliminates the San Francisco Bay Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:
Clean Water Act § 320; Appropriation Act: FY 2018 (Public Law 115-141).

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

Geographic Program: Puget Sound

Program Area: Geographic Programs
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$27,961.9***	***$28,000.0***	***$0.0***	***-$28,000.0***
Total Budget Authority	$27,961.9	$28,000.0	$0.0	-$28,000.0
Total Workyears	5.7	6.5	0.0	-6.5

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. EPA will encourage state, tribal, and local entities to continue to make progress in restoring the Puget Sound from within core water programs.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$28,000.0 / -6.5 FTE) This program change eliminates the Puget Sound Program. This change returns the responsibility for funding local environmental efforts and programs to state and local entities.

Statutory Authority:

Clean Water Act; Appropriation Act: FY 2018 (Public Law 115-141).

Great Lakes Restoration

Program Area: Geographic Programs
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$307,739.4***	***$300,000.0***	***$30,000.0***	***-$270,000.0***
Total Budget Authority	$307,739.4	$300,000.0	$30,000.0	-$270,000.0
Total Workyears	68.3	70.4	5.0	-65.4

Program Project Description:

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

Through a coordinated interagency process led by EPA, this program establishes a Great Lakes system-wide surveillance network to monitor the water quality of the Great Lakes. This program is consistent with EPA's focus on streamlining government and cooperative federalism.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. EPA will support states and tribes through Great Lakes system-wide monitoring for the improved collection, evaluation, management, and reporting of Great Lakes environmental information. By supporting programs that measure and assess the physical, biological, and chemical integrity of the Great Lakes, this program will link numerous existing Great Lakes monitoring activities to improve the scientific basis for policy decisions by environmental managers.

The Agency will partner with agencies involved in Great Lakes monitoring and natural resource management including states and tribes and, as appropriate, federal agencies, such as National Oceanic and Atmospheric Administration (NOAA), Bureau of Indian Affairs (BIA), and U.S. Geological Survey (USGS). This coordinated monitoring function is assigned to the federal government under Section 118 of the Clean Water Act and under the Great Lakes Water Quality Agreement. It also is a unique federal function because it involves coordination and collaboration among 8 states, numerous local governments, 35 tribes and tribal organizations, and Canada. Increased state involvement will embody cooperative federalism by better targeting resources to state and regional needs. As appropriate, EPA can invest in state monitoring infrastructure that supports public health, environmental benefits, and economic growth.

This work will measure and assess the overall results of activities that affect the environmental condition of the Great Lakes. A successful monitoring system requires the ability to perform an overall assessment of the Great Lakes, particularly when it can be used to support environmental management decisions that improve the environment and allow economic growth. Performance is assessed through annual reporting from GLNPO's monitoring programs and triennial reporting, such as the State of the Great Lakes Report and the Report of the Parties under the Great Lakes Water Quality Agreement.[44] The United States and Canada, together with many partners, have a suite of 9 indicators of ecosystem health, supported by 45 sub-indicators to assess the state of the Great Lakes. Maintaining this annual monitoring program will help governments evaluate the effectiveness of existing programs, policies and practices and to address, inform, and engage others. Objectives for ongoing activities in FY 2020 are listed below:

- Continuation and enhancement of the long-term trend monitoring programs that existed prior to the Great Lakes Restoration Initiative (GLRI) to measure the water quality of the Great Lakes and toxic chemicals in the Great Lakes air, water, sediments, and fish. This also includes monitoring for detection of invasive species and for nutrients that contribute to harmful algal blooms.
- Building state monitoring capacity to participate in regional collection, evaluation, management, and reporting of Great Lakes environmental information as has been demonstrated by successful Great Lakes Fisheries Management efforts.
- Enhancement coordination, and management of Great Lakes data systems for the benefit of environmental decision makers and the public.

EPA's Great Lakes National Program Office (GLNPO) was assigned oversight of the Great Lakes and Lake Champlain Invasive Species Program at the end of calendar year 2018 as a result of passage of the Vessel Incidental Discharge Act of 2018. In addition to continuing coordinated monitoring of Great Lakes health, EPA looks forward to collaborating with the NOAA, the United States Fish and Wildlife Service, the USGS, and the United States Coast Guard to fulfill the statutory mandate.

Numerous accomplishments under the Great Lakes Restoration Initiative (GLRI) in FY 2018 include:

- Since 2010, the Presque Isle (PA), Deer Lake (MI), and White Lake (MI) Areas of Concern (AOCs) have been delisted. In addition, federal agencies and their partners have completed the cleanup and restoration actions necessary for delisting at eight additional AOCs.
- Since 2010, a total of 70 Beneficial Use Impairments (BUIs), at 24 AOCs in the eight Great Lakes States, have been removed, seven times the total number of BUIs removed in the preceding 22 years. Seven BUIs were removed in FY 2018 at: Cuyahoga River (OH); St. Mary's River (MI); Waukegan Harbor (IL); Ashtabula River (OH); Lower Menominee River (MI/WI); Rochester Embayment (NY); and Buffalo River (NY).
- Since 2010, over 4 million cubic yards of contaminated sediment has been remediated through GLRI-associated projects.

[44] Summary, highlights, and technical report can be found at https://binational.net/2017/06/19/sogl-edgl-2017/.

- Since 2010, GLRI partners implemented invasive species control activities on over 148 thousand acres.
- GLRI has been central to efforts that keep self-sustaining populations of silver, bighead, and black carp out of the Great Lakes.
- Since 2015, GLRI has implemented projects that have resulted in a projected reduction of over 1 million pounds of phosphorus, which contributes to harmful algal blooms around the Great Lakes in priority watersheds.
- Since 2010, more than 240 thousand acres of habitat, including coastal wetlands, have been protected, restored, or enhanced.
- In FY 2018, EPA worked with four federal agencies and five states to finalize Lake Erie phosphorus reduction plans to meet a binational 40 percent phosphorus reduction target.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$909.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (-$269,091.0 / -65.4 FTE) This program change reduces support for the Great Lakes Program. This returns responsibility for local government efforts to state and local entities.

Statutory Authority:

Clean Water Act § 118; Appropriation Act: FY 2018 (Public Law 115-141).

Homeland Security

Homeland Security: Communication and Information

Program Area: Homeland Security
Goal: Rule of Law and Process
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$4,471.8***	***$3,910.0***	***$3,514.0***	***-$396.0***
Total Budget Authority	$4,471.8	$3,910.0	$3,514.0	-$396.0
Total Workyears	11.6	11.0	11.3	0.3

Program Project Description:

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

OHS focuses on chemical, biological, and radiological preparedness and response programs as they relate to protection of air and water quality and the prevention of land contamination through external engagement with federal departments and agencies and others and internal coordination with EPA program offices with Homeland Security responsibilities. OHS coordinates with Regional, State, and Local Fusion Centers and Joint Terrorism Task Forces (JTTFs) to focus on integrating EPA Regions with the information sharing environment and DHS intelligence sharing network. OHS also advances implementation of EPA's Insider Threat, Suspicious Activity Reporting, Operational Security, Counterintelligence, and Committee on Foreign Investment in the U.S. Programs.

In addition, this program utilizes several mechanisms to support its ability to implement EPA's broad range of homeland security responsibilities, ensure consistent development and implementation of homeland security policies and procedures, avoid duplication, and build a network of partnerships. The Agency's Homeland Security Program regularly convenes both the Homeland Security Executive Steering Committee, composed of senior executives from EPA program and regional offices and the Homeland Security Collaborative Network (HSCN), a cross-agency leadership group.

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, EPA's Homeland Security Program will:

- Promote a coordinated approach to EPA's homeland security activities and support the alignment of resources with government-wide homeland security priorities and requirements.
- Support federal, state, tribal, and local efforts to prevent, protect, mitigate, respond to, and recover from the impacts of natural disasters, acts of terrorism, and other emergencies by providing leadership and coordination across EPA's program offices and regions.
- Ensure appropriate Agency representation in various White House and other federal national security and homeland security policy activities. These efforts include serving as EPA's representative for Homeland Security, national disaster response, and mitigation and recovery policy in monthly meetings of the Domestic Resilience Group (DRG, chaired by the National Security Council) and in weekly meetings for other national Homeland Security policy committees. In addition, OHS serves as EPA's representative in monthly meetings of the Recovery Support Function Leaders Group (RSFLG, chaired by the Federal Emergency Management Agency [FEMA]) and the Mitigation Framework Leadership Group (MitFLG, also chaired by FEMA), and on other interagency workgroups.
- Focus on filling critical policy, knowledge, and technology gaps that may be essential for an effective EPA response, including working with our interagency partners to define collective capabilities and resources that may contribute to closing common homeland security gaps.
- Provide EPA end-users with relevant, accurate, reliable, objective, and timely intelligence bearing on matters of environmental policy and regulation and domestic threats and counterintelligence, where EPA functions to preserve or assist in the restoration of human health and the environment.
- Continue phased implementation of Executive Order 13587 (*Structural Reforms to Improve the Security of Classified Networks and the Responsible Sharing and Safeguarding of Classified Information*) to meet the main pillars of classified information protection with a focus on the implementation of an Insider Threat Program (ITP) to address and mitigate threats to national security.
- Track emerging national/homeland security issues, through close coordination with the U.S. Intelligence Community, to anticipate and avoid crisis situations and target the Agency's efforts proactively against threats to the United States.

EPA's FY 2020 resources support national cybersecurity efforts through monitoring across the Agency's IT infrastructure to detect, remediate, and eradicate malicious activity/software from EPA's computer and data networks. EPA will enhance internal Computer Security Incident Response Capability (CSIRC) to ensure rapid identification and reporting of suspicious activity and will increase training and awareness of cybersecurity threats. EPA's personnel are active participants in the United States Computer Emergency Readiness Team (US-CERT), a DHS-led group of experts from incident response and security response teams. Indicators and warnings are shared between EPA incident responders and their cleared counterparts in other agencies and with the Intelligence Community.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$16.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (-$80.0 / +0.1 FTE) This net program change streamlines activities related to communication, policies, and procedures to support and coordinate homeland security efforts across the Agency.

- (-$300.0 / +0.2 FTE) This net program change refocuses IT efforts coordinating homeland security across the Agency. The Agency will refocus on core functions that improve foundational capabilities and close gaps in IT security architecture.

Statutory Authority:

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

Homeland Security: Critical Infrastructure Protection

Program Area: Homeland Security
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$908.7***	***$880.0***	***$1,188.0***	***$308.0***
Science & Technology	$9,504.5	$9,788.0	$7,457.0	-$2,331.0
Total Budget Authority	$10,413.2	$10,668.0	$8,645.0	-$2,023.0
Total Workyears	25.5	26.7	21.0	-5.7

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018-2022 EPA Strategic Plan.* In FY 2020, EPA will build the capacity to identify and respond to threats to critical national water infrastructure by:

- Providing timely information on contaminant properties, water treatment effectiveness, detection technologies, analytical protocols, and laboratory capabilities.
- Supporting effective communication conduits to disseminate threat and incident information and to serve as a clearinghouse for sensitive information.
- Promoting information sharing between the water sector and environmental professionals, scientists, emergency services personnel, law enforcement, public health agencies, the intelligence community, and technical assistance providers. Through this exchange, water systems can obtain up-to-date information on current technologies in water security, accurately assess their vulnerabilities to terror acts, and work cooperatively with public health officials, first responders, and law enforcement officials to respond effectively in the event of an emergency.
- Providing water utilities, of all sizes, access to a comprehensive range of important materials, including the most updated information, tools, training, and protocols designed to enhance the security, preparedness, and resiliency of the water sector.
- Ensuring that water utilities receive timely and informative alerts about changes in the homeland security advisory level or about regional and national trends in certain types of

water-related incidents. For example, should there be types of specific, water-related threats or incidents that are recurring, EPA, in coordination with the Department of Homeland Security and other appropriate agencies, needs to alert the utilities of the increasing multiple occurrences or "trends" of these incidents.

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

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$4.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (+$312.0 / +2.6 FTE) This program change reflects an increase to carry out EPA's mission as the Sector-Specific Agency for drinking water and wastewater infrastructure security. Funding is critical to protect water infrastructure from natural disasters and terrorist threats.

Statutory Authority:

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

Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security
Goal: Rule of Law and Process
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$5,400.2***	***$5,405.0***	***$4,986.0***	***-$419.0***
Science & Technology	$415.0	$416.0	$500.0	$84.0
Building and Facilities	$5,921.7	$6,676.0	$6,176.0	-$500.0
Hazardous Substance Superfund	$1,325.5	$968.0	$915.0	-$53.0
Total Budget Authority	$13,062.4	$13,465.0	$12,577.0	-$888.0
Total Workyears	8.0	9.6	12.2	2.6

Program Project Description:

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

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

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

FY 2020 Activities and Performance Plan:

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

access control measures, determines physical security measures for new construction and leases, and manages the lifecycle of security equipment.

In FY 2020, EPA will partner with GSA to continue migrating to the Enterprise Physical Access Control System (ePACS), which enables the Agency to modernize its security infrastructure in compliance with HSPD-12. ePACS ensures that the Agency is undertaking every effort to enhance safety, security, and efficiency by more effectively controlling access into all EPA-controlled physical space and networks. It provides EPA the ability to produce and maintain secure and reliable forms of identification, as required per HSPD-12, for all EPA employees and contractors.

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

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$419.0) This program change reduces funding for physical security and preparedness infrastructure. The Agency will focus on performing the highest priority annual facility assessments.

- (+2.6 FTE) This program change reflects an increase in reimbursable FTE to support critical working capital fund Agency background investigations needs.

Statutory Authority:

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

Indoor Air and Radiation

Indoor Air: Radon Program

Program Area: Indoor Air and Radiation
Goal: Core Mission
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$2,575.1***	***$3,136.0***	***$0.0***	***-$3,136.0***
Science & Technology	$133.5	$159.0	$0.0	-$159.0
Total Budget Authority	$2,708.6	$3,295.0	$0.0	-$3,295.0
Total Workyears	9.4	9.0	0.0	-9.0

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$3,136.0 / -9.0 FTE) This funding change eliminates the Program in the EPM account.

Statutory Authority:

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

Radiation: Protection

Program Area: Indoor Air and Radiation
Goal: Core Mission
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$9,286.8***	***$9,180.0***	***$2,307.0***	***-$6,873.0***
Science & Technology	$2,407.4	$2,246.0	$990.0	-$1,256.0
Hazardous Substance Superfund	$2,176.9	$1,985.0	$1,933.0	-$52.0
Total Budget Authority	$13,871.1	$13,411.0	$5,230.0	-$8,181.0
Total Workyears	68.5	66.3	25.0	-41.3

Program Project Description:

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

EPA's Radiation Protection Program carries out these responsibilities through its federal guidance and standard-setting activities, including: regulatory oversight and implementation of radioactive waste disposal standards at the Department of Energy's Waste Isolation Pilot Plant (WIPP);[45] the regulation of airborne radioactive emissions; and the development and determination of appropriate methods to measure radioactive releases and exposures under Section 112 of the Clean Air Act.

FY 2020 Activities and Performance Plan:

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

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

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$310.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for FTE due to the adjustments in salary, essential workforce support, and benefit costs.

- (-$6,563.0 / -32.1 FTE) This program change reduces support activities in the Radiation Protection Program to focus Agency resources on priority activities.

Statutory Authority:

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

Radiation: Response Preparedness

Program Area: Indoor Air and Radiation
Goal: Core Mission
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$1,774.5***	***$1,952.0***	***$2,219.0***	***$267.0***
Science & Technology	$3,259.5	$3,266.0	$3,793.0	$527.0
Total Budget Authority	$5,034.0	$5,218.0	$6,012.0	$794.0
Total Workyears	29.6	31.5	31.5	0.0

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.1, Improve Air Quality in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, EPA will continue to evaluate its resources and streamline activities across radiological emergency response activities and assets to focus on essential preparedness work. The RERT will maintain essential readiness to support federal radiological emergency response and recovery operations under the NRF and NCP. EPA will design and conduct essential training and exercises to maintain the RERT's ability to fulfill EPA's responsibilities and improve overall radiation response preparedness.[46]

[46] For additional information, please see: https://www.epa.gov/radiation/radiological-emergency-response-expertise-and-equipment.

Evaluation of Response Plans

In FY 2020, EPA will continue to work with interagency partners under the FRPCC to revise federal radiation emergency response plans and develop radiological emergency response protocols and standards as resources dictate. The Agency will continue to use guidance addressing lessons learned from incidents and exercises to ensure the effective delivery of EPA support in coordination with other federal and state response agencies.

Coordinating Preparedness Efforts

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

Assessment

EPA will continue to develop and use both laboratory and field measurement methods, as well as procedures and quality systems to support expedited assessment and characterization of areas impacted with radiological contamination. These methods and procedures will support rapid assessment and triage of impacted areas (including buildings, indoor environments and infrastructure) and the development of cleanup strategies.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$108.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to the adjustments in salary, essential workforce support, and benefits costs.

- (+$159.0 / +0.6 FTE) This program change is an increase in the Radiation: Response Preparedness Program and provides increased technical support for stakeholders that are responsible for radiological emergency response.

Statutory Authority:

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

Reduce Risks from Indoor Air

Program Area: Indoor Air and Radiation
Goal: Core Mission
Objective(s): Improve Air Quality

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$13,489.6***	***$13,369.0***	***$0.0***	***-$13,369.0***
Science & Technology	$40.0	$326.0	$0.0	-$326.0
Total Budget Authority	$13,529.6	$13,695.0	$0.0	-$13,695.0
Total Workyears	42.8	46.0	0.0	-46.0

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$13,369.0 / -44.6 FTE) This funding change eliminates the Program in the EPM account.

Statutory Authority:

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

Information Exchange

Children and Other Sensitive Populations: Agency Coordination

Program Area: Information Exchange / Outreach
Goal: Core Mission
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$6,496.0***	***$6,548.0***	***$2,545.0***	***-$4,003.0***
Total Budget Authority	$6,496.0	$6,548.0	$2,545.0	-$4,003.0
Total Workyears	18.7	19.6	9.9	-9.7

Program Project Description:

The Program coordinates and advances the protection of children's environmental health across EPA by: assisting with developing regulations; improving risk assessment and science policy; implementing community-level outreach and education programs; and tracking and communicating measures, indicators, and progress on children's health. In addition, the Children's Health Program is directed by EPA's recently reaffirmed *Policy on Evaluating Health Risks to Children*, Executive Order 13045 *Protection of Children's Health from Environmental Health Risks and Safety Risks*, statutory authorities addressing children's environmental health, and other existing guidance.[47] The Program supported the February 2018 Principal's Meeting of the President's Task Force on Environmental Health Risks and Safety Risks to Children, co-chaired by EPA and the U.S. Department of Health and Human Services Deputy Secretary. The Program coordinated the development of the *Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Effects*,[48] which was finalized in December 2018.

FY 2020 Activities and Performance Plan:

Work in this program supports Goal 1/Objective 1.4, Ensure Safety of Chemicals in the Marketplace in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, the Children's Health Program will:

- Continue to serve as co-lead for the interagency efforts of the President's Task Force on Environmental Health Risks and Safety Risks to Children alongside the Department of Health and Human Services. This effort will focus on co-chairing the Senior Steering Committee and implementing priority strategies, including implementation of the *Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts.* Each of the four goals of the Federal Action Plan has specific objectives and associated activities, designed to be tracked by the Task Force. They are as follows: Goal 1: Reduce children's exposure to lead sources; Goal 2: Identify lead-exposed children and improve their health

[47] For more information: https://www.epa.gov/children/history-childrens-environmental-health-protection-epa.
[48] For more information: https://www.epa.gov/sites/production/files/2018-12/documents/fedactionplan_lead_final.pdf.

outcomes; Goal 3: Communicate more effectively with stakeholders; and Goal 4: Support and conduct critical research to inform efforts to reduce lead exposures and related health risks. Implementation efforts associated with federal initiatives may be supported by other Task Force agencies or EPA program offices.

- Support implementation of the amended Toxic Substances Control Act (TSCA) by providing children's environmental health expertise focused on actions addressing the statutory provisions that include children's health, such as existing chemicals prioritization efforts, risk evaluations and regulatory actions.
- Provide children's environmental health expertise in the development of priority pesticide assessments that address children's health concerns.
- Identify both potential health benefits and/or health risks to children during the development of Agency regulations and policies with targeted participation on regulatory workgroups.
- Coordinate two in-person plenary meetings of the Children's Health Protection Advisory Committee (CHPAC).[49]
- Support and administer the newly proposed Healthy Schools Grant Program to provide funding to identify and prevent, reduce or resolve environmental hazards in schools, including preventing childhood lead exposure, reducing asthma triggers, promoting integrated pest management, and reducing childhood exposure to one or more toxics in schools across all environmental media.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$485.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce cost for existing FTE due to adjustments in salary and benefit costs.

- (-$4,064.0 / -12.7 FTE) This net program change reflects a reduction in the Children's Health Program due to streamlining activities including: 1) the Pediatric Environmental Health Specialty Units; 2) grants to state or local organizations; 3) IRIS reviews; 4) regionally selected community-based projects addressing local children's environmental health issues; 5) indicators presented in *America's Children and Environment* and *America's Children; Key National Indicators of Well-Being*; and 6) other streamlined efforts.
- (+$546.0 / +3.0 FTE) This increase is to support and administer the newly proposed Healthy Schools Grant Program to provide funding to identify and prevent, reduce or resolve environmental hazards in schools, including preventing childhood lead exposure, reducing asthma triggers, promoting integrated pest management, and reducing childhood exposure to one or more toxics in schools across all environmental media.

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

Statutory Authority:

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

Environmental Education

Program Area: Information Exchange / Outreach
Goal: Cooperative Federalism
Objective(s): Increase Transparency and Public Participation

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$10,223.4***	***$8,702.0***	***$0.0***	***-$8,702.0***
Total Budget Authority	$10,223.4	$8,702.0	$0.0	-$8,702.0
Total Workyears	6.7	10.3	0.0	-10.3

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. EPA will continue to find ways to streamline education activities and leverage funding outside the Agency for environmental stewardship activities via existing cooperative agreements and at the state and local level.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$8,702.0 / -10.3 FTE) This funding change proposes to eliminate the Environmental Education Program.

Statutory Authority:

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

Exchange Network

Program Area: Information Exchange / Outreach
Goal: Rule of Law and Process
Objective(s): Streamline and Modernize

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$17,432.4***	***$15,956.0***	***$12,127.0***	***-$3,829.0***
Hazardous Substance Superfund	$1,328.6	$1,328.0	$1,293.0	-$35.0
Total Budget Authority	$18,761.0	$17,284.0	$13,420.0	-$3,864.0
Total Workyears	28.5	29.4	30.2	0.8

Program Project Description:

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

The Central Data Exchange (CDX)[50] is the largest component of the EN Program and serves as the point of entry on the EN for environmental data transactions with the Agency. CDX provides a set of core shared services that promote a leaner and more cost-effective enterprise architecture for the Agency by avoiding the creation of duplicative services. It enables faster and more efficient transactions for internal and external EPA clients, resulting in reduced burden. Working in concert with CDX are EPA's System of Registries, which are shared data services, designed to enhance efficiency, reduce burden on the regulated community, and improve environmental outcomes.

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.4, Streamline and Modernize in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, EPA will continue to support core functions for

[50] For more information on the Central Data Exchange, please visit: http://www.epa.gov/cdx/.

the EN IT systems, which is in line with the President's Management Agenda for IT modernization and data, accountability, and transparency.[51]

The potential for burden reduction and savings from IT improvements are significant. For example, the Virtual Exchange Service (VES) used for facilitating large scale data transactions has been implemented by 58 state and tribal partners. The electronic signature service has been adopted by 58 partners to date and six more are expected to join in FY 2019. EPA estimates that implementation of these services has reduced the cost overall for partners to develop, deploy, and operate these services by approximately $7.25 million. These partners would otherwise need to build and manage their own exchange services. EPA will continue to carry out the baseline support for the adoption and onboarding of VES, signature services, and federated identity service for EPA and its partners. In 2019, EPA will deploy EPA's Federal Regulation Finder, which will integrate multiple shared services into a discovery tool that will help industry and the public more easily identify potentially applicable regulations. The Federal Regulation Finder initially will integrate three catalogs: a substance catalog (Substance Registry Services), an Enterprise Vocabulary, and a catalog of federal statutes and regulations (Laws and Regulations Services) to enable a user to search for laws and regulations by substance or keyword. Further, EPA will pursue the development and roll out of a business workflow service that is built once and shared multiple times to support automation of major EPA program initiatives and other streamlining efforts as a result of EPA Lean Management System events. Building and managing a workflow service centrally reduces potential for duplicate and independent development and maintenance of solutions in the Agency.

Multiple performance efforts also use exchange services and registries (shared data services) to improve data quality in EPA, state, and tribal program data, and to reduce reporting burden on the regulated community. Beginning in FY 2019, EPA is promoting adoption of the Tribal Identification (TRIBES) shared service by tracking its use by EPA systems that collect tribal names.

EPA also tracks the number of registry webpages users and web service hits as one measure of usage. For example, the Substance Registry Service (SRS) website is visited by about 50 thousand users per month; many of these users visit SRS to understand regulatory information about chemicals. SRS also receives between 25 thousand and 60 thousand web service hits per month, mostly by EPA systems that have incorporated the web services into their online reporting forms.

Priorities for Agency registries include improving registry technologies and expanding the number of EPA and partner systems that integrate registry services into their online reports and systems, reducing burden and improving data quality. This includes updating EPA's dataset registry to allow EPA scientists, external partners, and others to share information and make information easier to find in the cloud. In addition, the Agency will deploy in 2019 the Federal Regulation Finder tool to help small and medium businesses discover potentially applicable regulations. It allows a user to search by chemical or keyword to discover relevant regulations, with links to EPA's program website for further information. Expansion of this tool in FY 2020 and FY 2021 will allow users to search by industrial classification through the association of industrial processes to North American Industrial Classification System.

[51] For additional information, please refer to: https://www.whitehouse.gov/omb/management/pma/.

In FY 2020, the EN Program will continue to be a pivotal component of the E-Enterprise for the Environment strategy that supports business process change agencywide. The E-Enterprise strategy – jointly governed by states, tribes, and EPA – rethinks how government agencies deliver environmental protection. Under this strategy, the Agency is streamlining business processes and systems to reduce reporting burden on states and regulated facilities and to improve the effectiveness and efficiency of environmental programs for EPA, states, and tribes. In FY 2019 the Agency developed an identity management service that eliminated redundant and time-consuming user registrations across environmental programs and partners. As a result, the E-Enterprise Portal transforms the EN to a more open platform of services and makes environmental data reporting, sharing and analysis faster, simpler and less expensive.

EPA also will continue to work with the Department of Homeland Security's Customs and Border Protection (CBP) to maintain systems that support the importation process of products that are of dual interest to EPA and CBP. Following the successful conclusion of the limited pilot test for electronic reporting and processing of EPA-regulated imports for vehicles and engines in FY 2019, EPA will continue to support mission essential activities of these EPA and CBP data exchanges in FY 2020. Such electronic reporting will aid enforcement coordinators by automating a currently manual review process and allowing them to focus on key high-value monitoring and targeting activities for noncompliant imports.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$292.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (-$4,121.0 / +0.8 FTE) This net program change is an adjustment that reflects a modified timeline to address required modifications to the Exchange Network IT systems; streamlines quality assurance of registries; refocuses modernization efforts; and reduces the collection and exchange of environmental data with states, tribes, and regulated entities.

Statutory Authority:

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

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$49,458.4***	***$49,842.0***	***$41,771.0***	***-$8,071.0***
Total Budget Authority	$49,458.4	$49,842.0	$41,771.0	-$8,071.0
Total Workyears	292.9	298.6	235.6	-63.0

Program Project Description:

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

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

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 2/Objective 2.1, Enhance Shared Accountability in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, the IO will continue providing management, leadership, and direction to all of EPA's programs and activities and develop the guidance necessary to ensure achievement of the Agency's core statutory responsibilities. In FY 2020, IO resources will primarily support critical needs for staff, including travel and workforce support.

OCIR serves as EPA's principal point of contact for Congress, regions, states, and local governments and as the coordination point for interaction with other Agency offices and officials. OCIR is comprised of two main components: The Office of Congressional Affairs (OCA) and the

Office of Intergovernmental Relations (OIR). Interactions with Congress are managed out of the Office of Congressional Affairs, the staff of which is responsible for specific programmatic areas of the Agency. The Office of Intergovernmental Relations manages interactions with state and local governments and serves as the liaison for the Agency with national associations for state and local officials.

In FY 2020, OCIR's OCA will prepare EPA officials for hearings, oversee responses to written inquiries and oversight requests from members of Congress, and coordinate and provide technical assistance and briefings on legislative areas of interest to members of Congress and their staff. OIR will continue to inform state and local governments of regulatory and other EPA activities. Additionally, OIR will lead the Agency's efforts to support productive working relationships with states through a renewed focus on cooperative federalism.

OCIR regularly reviews and evaluates its processes for responding to congressional and intergovernmental correspondence and FOIA requests, preparing for hearings or briefings, providing technical assistance, and coordinating with HQ program offices, regions, states, local officials and associations. Efficiency and effectiveness improvements identified are implemented as appropriate. In addition, OCIR participates in an agencywide metric on responding to state and tribal requests. OCIR also is exploring the use of a new reporting tool which will reduce reporting burdens while enhancing transparency in grant commitment setting across EPA regions.

The Office of Public Affairs (OPA) facilitates the exchange of information between EPA and the public, media, Congress, and state and local governments; broadly communicates EPA's mission; assists in public awareness of environmental issues; and informs EPA employees of important issues that affect them. OPA generally responds to approximately 8,000 media inquiries annually, and oversees more than 200 audio-visual productions; and 300 graphic productions annually. In addition, OPA receives over 45 million impressions on the internet, including www.epa.gov and EPA social media accounts. Also, to facilitate good communications with EPA employees nationwide, OPA annually posts over 200 intranet banners; issues a weekly e-newsletter - *This Week @ EPA*; and sends more than 100 Agencywide Mass Mailers from EPA's Administrator and other senior leaders.

In FY 2020, OPA will continue to inform the media of agency initiatives and deliver timely, accurate information. The Office will continue to update the Agency's internet site to provide stakeholders with transparent, accurate, and comprehensive information on EPA's activities and policies. OPA will continue using social media, multi-media and new media tools to provide stakeholders with information. The Office also will work with EPA's programs and regions to improve employee communications and collaboration, update the Agency's intranet site, and use other tools to provide timely Agency information to employees.

As the central administrative management component of the Administrator's Office (AO), the OAES provides advice, tools, and assistance to the AO's programmatic operations. In FY 2020, OAES will continue to conduct the following activities: human resources management, budget and financial management, information technology and security, and audit management.

The Office of the Executive Secretariat (OEX) manages the AO's correspondence, records management, Privacy Act implementation and FOIA activities. The OEX correspondence team processes correspondence for the Administrator and Deputy Administrator and reviews and prepares documents for their signature. The team also manages the Administrator's primary email account. OEX serves as custodian of the Administrator's, Deputy Administrator's and Immediate Office records and oversees the records management program for all AO staff offices. OEX reviews and issues ethics determinations for gifts received by the Administrator and Deputy Administrator. The Office manages the privacy program for the AO and monitors, reviews and audits AO systems of records. OEX operates the Correspondence Management System, which provides paperless workflow, tracking and records management capabilities to more than three thousand registered users agencywide. Finally, OEX manages FOIA-related operations for the AO, a centralized program that results in greater efficiencies, improved responsiveness and transparency consistent with the statute's intent. In FY 2020, OEX will continue to provide critical administrative support to the Administrator, Deputy Administrator, senior Agency officials, and staff in order to comply with the statutory and regulatory requirements under the Federal Records Act, FOIA, and related statutes and regulations.

The Office of Public Engagement (OPE) in the Office of the Administrator advises the Administrator and senior staff on activities surrounding different stakeholder groups. Also, OPE generates and distributes outreach plans for most regulatory actions. Such plans often include: meeting regularly with stakeholder groups to communicate the Administration's agenda at EPA, providing advance notification communications to relevant stakeholder groups on upcoming regulatory actions, facilitating in-state visits by the Administrator and/or senior staff to collect regulatory feedback, communicating key dates to stakeholders pertaining to opportunities to comment on EPA rulemakings, and organizing conference calls on regulatory topics with impacted stakeholders.

In FY 2020, the United States will be hosting the G7 Summit and EPA will be hosting the associated Environmental Ministers G7 meeting. In preparation for the summit, approximately three planning meetings will occur.

Performance Measure Targets:

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

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						No Target Established	No Target Established	TBD	Commit-ments
Actual						N/A			

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

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						No Target Established	3	3	Alternative Approaches
Actual						0			

Work related to the results of measure: Number of grant commitments achieved by states, tribes, and local communities, is agencywide in scope. The lead office is the Office of the Administrator.

Work related to the results of measure: Number of alternative shared governance approaches to address state, tribal, and local community reviews, is agencywide in scope. The lead office is the Office of the Administrator.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$1,898.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (-$9,981.0 / - 63.1 FTE) This net program change reflects EPA's efforts to focus on the core legal requirements, federal-only and national efforts, provide support to states in implementing environmental laws, and ease burden.

- (+$12.0) This program change reflects an increase for hosting the associated Environmental Minsters as part of the 2020 G7 Summit.

Statutory Authority:

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

Small Business Ombudsman

Program Area: Information Exchange / Outreach
Goal: Rule of Law and Process
Objective(s): Create Consistency and Certainty

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$1,799.8***	***$1,826.0***	***$1,918.0***	***$92.0***
Total Budget Authority	$1,799.8	$1,826.0	$1,918.0	$92.0
Total Workyears	5.4	4.9	4.6	-0.3

Program Project Description:

EPA's Office of Small and Disadvantaged Business Utilization (OSDBU) currently includes the Small Business Ombudsman Program and the Small Business Contracting Program. Effective December 23, 2018, the Disadvantaged Business Enterprise program, which was previously managed within OSDBU, was transferred to EPA's Office of Grants and Debarment as part of a corrective action measure recommended in GAO Report, GAO-17-675. Based on the effective administration of the Small Business Ombudsman Program and the Agency's overall small business regulatory and environmental compliance assistance efforts, EPA has earned a grade of "A" in the last 12 Small Business Administration (SBA) Office of the National Ombudsman Annual Reports to Congress. EPA also has earned an "A" on SBA's last nine government-wide Small Business Procurement Scorecards, for the Agency's record of excellence in affording small business contracting opportunities.

The Small Business Ombudsman Program includes the Asbestos and Small Business Ombudsman (ASBO),[52] as well as the Small Business Advocacy Chair and other small business activities located in the Office of Policy's Office of Regulatory Policy and Management.[53] The Program provides a comprehensive suite of resources, networks, tools, and forums for education and advocacy on behalf of small businesses and leads EPA's implementation of the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act. For example, in FY 2018, ASBO provided a newsletter and hosted a comprehensive environmental compliance and education training conference.

The ASBO serves as the Agency's principal advocate for small business regulatory issues through its partnership with EPA Regional Small Business Liaisons, state Small Business Environmental Assistance Programs (SBEAPs)[54] nationwide, the U.S. Small Business Administration Office of

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

Advocacy, and hundreds of small business trade associations. These partnerships provide the information and perspective EPA needs to help small businesses achieve their environmental goals.

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

The Small Business Contracting Program is mandated under Section 15(k) of the Small Business Act, 15 U.S.C. § 644(k). As prescribed under that section, the Program provides expertise in ensuring small business prime and subcontract opportunities to expand the competitive supplier base in furthering the Agency's mission. The Program offers statutorily required counseling to EPA's contracting community on all aspects of the acquisition cycle. It also affords statutorily mandated advocacy and technical assistance to the various categories of small businesses, including, disadvantaged businesses; certified small businesses located in Historically Underutilized Business Zones (HUBZones); service-disabled veteran-owned small businesses (SDVOSBs); and women-owned small businesses. In accordance with that statutory mandate, during FY 2018 OSDBU hosted or participated in an average of at least one small business outreach and training conference each month, providing technical assistance to hundreds of small businesses across the country.

In implementing the many statutory responsibilities required under Section 15(k), OSDBU reviews acquisition strategies to maximize small business procurement opportunities; provides expertise in conducting market research for EPA acquisitions; performs contract bundling reviews to avoid unnecessary or unjustified limitations on small business utilization; reviews purchase card transactions within the statutory threshold; and evaluates large prime contractor subcontracting plans. In addition, the Office of Small and Disadvantaged Business Utilization reviews unsolicited proposals for agency acquisitions, and assists small businesses in resolving payment issues under EPA acquisitions. It further provides a broad range of training, outreach and technical assistance to new and prospective small business awardees. Current data reported in the Federal Procurement Data Systems indicates that EPA has awarded 52 percent of total acquisition dollars to small business – well above the Agency's established small business contracting goal of 39.9 percent.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Create Consistency and Certainty in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, the Programs will:

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

- Continue to implement a new internal and external outreach program focused on increasing outreach platforms for more effective public engagement. This will include a compendium of available resources for small business environmental compliance assistance.
- Serve as the Agency's point of contact for the Small Business Paperwork Relief Act[55] by coordinating efforts with the Agency's program offices to further reduce the information collection burden for small businesses with fewer than 25 employees.
- Support EPA's efforts to expand regulatory consistency and certainty by strengthening the outreach and engagement efforts of the Agency's Small Business Advocacy Review Panel process performed under Section 609 of the Small Business Regulatory Enforcement Fairness Act. The engagement will ensure appropriate dissemination of relevant information and opportunity for public input to help build trust and create positive environmental outcomes.
- Build on the successful launch of EPA's electronic process for forecasting the Agency's upcoming acquisitions. The new electronic forecast process provides a structured framework for the Agency to strategically plan acquisitions to ensure prudent financial stewardship and resource management. OSDBU will strengthen the forecast data submission requirements to enhance its accuracy and timeliness.
- Expand the transparency of EPA's contract spending by developing more real-time reporting of the specific acquisitions of each EPA organization. OSBU was successful in developing an automated small business contracting dashboard to efficiently track, analyze and report EPA's progress in achieving the small business goals established in accordance with Section 15 of the Small Business Act. The efforts contributed to EPA achieving the highest percent of small business awards in five years. Enhancing the dashboard's real-time reporting capacity in FY 2020 will facilitate more data-driven acquisition planning and efficiency EPA-wide.
- Consistent with the EPA Lean Management System, OSDBU will develop a small business contracting manual that will further streamline and standardize internal business operations. In FY 2018, OSDBU issued first-time operational guidance for carrying out several of its statutory responsibilities. In FY 2020, OSDBU will continue its comprehensive review of governing requirements and internal processes to identify additional opportunities for process improvements. Based on that review, OSDBU will develop new and consolidate existing guidance into a single manual that will serve to strengthen operational efficiency, effectiveness and compliance with governing statutory requirements.
- Institute a new more transparent and collaborative process for conducting the important small business technical assistance required under Section 15(k) of the Small Business Act. The process will leverage existing and emerging collaborative tools, resources and technology to reach a broad and diverse spectrum of small businesses to maintain a qualified industrial base to support EPA mission achievement.

Performance Measure Targets:
EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

[55] For more information, please see: https://www.whitehouse.gov/sites/default/files/omb/assets/omb/inforeg/sbpra-hr327.pdf.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$19.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (+$111.0 / -0.3 FTE) With a limited change in resources, the Agency will prioritize activities to ensure compliance with its statutory obligations under the Small Business act. This net program change incorporates the statutory functions of the Small Minority Business Assistance program project, under the Office of Small and Disadvantaged Business Utilization in this program.

Statutory Authority:

Clean Air Act Amendments of 1990 § 1001 (42 U.S.C. § 7601 note); 42 U.S.C. § 7661f; 42 U.S.C. § 4370d; 15 U.S.C § 644(k); Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.).

Small Minority Business Assistance

Program Area: Information Exchange / Outreach
Goal: Rule of Law and Process
Objective(s): Create Consistency and Certainty

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$1,598.1***	***$1,574.0***	***$0.0***	***-$1,574.0***
Total Budget Authority	$1,598.1	$1,574.0	$0.0	-$1,574.0
Total Workyears	7.0	8.9	0.0	-8.9

Program Project Description:

EPA's Office of Small and Disadvantaged Business Utilization (OSDBU) manages the Agency's Small Business Contracting and Disadvantaged Business Enterprise (DBE) programs.

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

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

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. The Agency will integrate its resources for Small and Disadvantaged Business activities under the Small Business Ombudsman Program.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- ($-1,574.0 / -8.9 FTE) This funding change eliminates the Small Minority Business Assistance Program as part of the effort to streamline functions that can be absorbed into other programs. Key portions of this program's activities will be shifted to the Small Business Ombudsman Program.

Statutory Authority:

15 U.S.C § 644(k); Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.).

State and Local Prevention and Preparedness

Program Area: Information Exchange / Outreach
Goal: Core Mission
Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$14,799.1***	***$14,760.0***	***$10,524.0***	***-$4,236.0***
Total Budget Authority	$14,799.1	$14,760.0	$10,524.0	-$4,236.0
Total Workyears	65.0	67.8	46.9	-20.9

Program Project Description:

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

Under Section 112(r) of the 1990 Clean Air Act amendments, chemical facilities that store more than a certain amount of listed hazardous substances are required to implement a Risk Management Plan (RMP) program. These facilities, known as RMP facilities, take preventive measures, report data, mitigate and/or respond to chemical releases, and work with communities, response, and planning groups to increase understanding of risks.[56]

The Emergency Planning and Community Right–to-Know Act (EPCRA) of 1986 was created to help communities plan for chemical emergencies and to inform the public about chemicals in their community. Under EPCRA, facilities are required to report about the chemicals they produce, use, and store to state and local governments. States, tribes, and local governments use this information to prepare communities for potential releases from these facilities through the development of local emergency response plans.[57]

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination, in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, the State and Local Prevention and Preparedness Program will perform the following activities:

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

- Inspect RMP and EPCRA facilities to ensure compliance with accident prevention and preparedness regulations, and work with chemical facilities to reduce chemical risks and improve safety. There are approximately 12,300 chemical facilities that are subject to the RMP regulations. Of these, approximately 1,850 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.[58] EPA prioritizes inspections at high-risk facilities.
- Provide basic and advanced RMP and EPCRA inspector training for federal and state inspectors.
- Maintain the RMP national database, which is the nation's premier source of information on chemical process risks and contains hazard information on all RMP facilities. Industry electronically submits updated RMPs to this secure database.
- Develop updates to maintain and further enhance the Computer-Aided Management of Emergency Operations (CAMEO) software suite, *i.e.*, the CAMEO Chemicals, CAMEO*fm*, Areal Locations of Hazardous Atmospheres (ALOHA) and Mapping Application for Response, Planning, and Local Operational Tasks (MARPLOT) applications, which provide free and publicly available information for firefighting, first aid, emergency planning, and spill response activities.
- Take action as necessary regarding reconsideration of the RMP Amendments final rule to address three petitions for reconsideration under the Clean Air Act. Based on any further amendments to the final rule, carry out implementation of rule provisions, including drafting and revising facility guidance, and revising the RMP database to accept modified submissions.

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

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$528.0) This change in fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (-$4,764.0 / -20.9 FTE) This program change reduces resources for technical support and outreach, and eliminates grant support for certified RMP inspectors in FY 2020.

[58] Population data is reported in facility risk management plans and available in the EPA RMP national database.

Statutory Authority:

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

TRI / Right to Know

Program Area: Information Exchange / Outreach
Goal: Core Mission
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$13,796.8***	***$12,783.0***	***$7,811.0***	***-$4,972.0***
Total Budget Authority	$13,796.8	$12,783.0	$7,811.0	-$4,972.0
Total Workyears	33.5	35.8	20.8	-15.0

Program Project Description:

EPA's success in carrying out its mission to protect human health and the environment is contingent on collecting timely, accurate and relevant information. The Toxics Release Inventory (TRI) Program[59] supports EPA's mission by annually publishing for the public, release, other waste management (e.g., recycling), and pollution prevention data for over 650 toxic chemicals from approximately 20,000 industrial and federal facilities. The TRI Program is a premiere source of toxic chemical release data for communities, non-governmental organizations, industrial facilities, academia, and government agencies.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.4, Ensure Safety of Chemicals in the Marketplace in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, EPA will focus on the collection of the chemical release data and making the data available to governments and the public.

EPA will continue to provide reporting facilities with an online reporting application, TRI-MEweb, to facilitate the electronic preparation and submission of TRI reports through EPA's Central Data Exchange (CDX). In addition, the TRI data collected by EPA are shared with states, tribes, and territories that have an active node on CDX and are partners of the TRI Data Exchange (TDX). EPA will continue to maintain the TDX used by states, tribes, and territories. The Agency also will continue to support the Toxics Release Inventory Processing System (TRIPS) database, which is the repository for TRI data. Maintaining the TRI data includes data quality activities and transmitting the data to the Envirofacts database in support of the public's access to TRI data. In FY 2020, additional activities include continued streamlining of the application and database using the EPA Lean Management System (ELMS) process including on feedback from users and the Program.

[59] Please see: http://www.epa.gov/tri/

In FY 2020, the TRI Program intends to collect performance evidence by conducting approximately 600 data quality checks which will be used to help ensure the accuracy and completeness of the reported data and thereby improve the Program's analyses of and impacts on chemical releases and wastes. The TRI Program will continue to publish the annual TRI National Analysis, including describing relevant trends in toxic chemical releases as well as trends in other waste management practices and innovative approaches by industry to reduce pollution.

Since electronic systems that collect and disseminate TRI data have already been largely developed, the focus will be on operations and maintenance of TRI-MEweb, TRIPS, and the streamlining of business processes that contribute to the annual TRI National Analysis. This will be accomplished by leveraging the cloud environments and Agency enterprise infrastructure and services. Emphasis also will be placed on optimizing search and data transfers within EnviroFacts, the system that provides public access to the statutorily required data submitted by industry. Use of enterprise infrastructure and services as well as a commitment to continuous service improvement will allow the TRI Program to meet statutory requirements for industry reporting and public access to TRI as efficiently as possible.

As required by the Emergency Planning and Community Right-to-Know Act (EPCRA), the Agency will respond to EPCRA petitions regarding TRI within 180 days after receipt. Petitions may request to add or delete chemicals or industry sectors on the TRI. The quantity and complexity of petitions are unknown until submitted to the Agency.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$127.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs due to adjustments in salary and benefit costs.

- (-$3,458.0 / -13.6 FTE) This program change eliminates funding for the TRI National Training Conference, TRI University Challenge, TRI Tools (other than for operations and maintenance), and other TRI communication initiatives, and reflects planned streamlining of the TRI Program as TRI information can increasingly be accessed remotely via databases and web tools. This program change also reflects a reduction in contractual costs for producing TRI annual reports as a result of the 2013 TRI Electronic Reporting Rule. Resources include -$2,237.0 in associated payroll.

- (-$1,641.0 / -1.4 FTE) This program change reduces resources for operations and maintenance for the OEI TRI tools in EnviroFacts, Data Processing Center operations, Help Desk activities, and security upgrades. In addition, enhancements for TRI-MEweb and TRIPS are eliminated. Resources include -$230.0 in associated payroll.

Statutory Authority:

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

Tribal - Capacity Building

Program Area: Information Exchange / Outreach
Goal: Cooperative Federalism
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$13,979.6***	***$14,547.0***	***$13,201.0***	***-$1,346.0***
Total Budget Authority	$13,979.6	$14,547.0	$13,201.0	-$1,346.0
Total Workyears	83.4	86.6	72.0	-14.6

Program Project Description:

EPA is responsible for protecting human health and the environment in Indian Country under federal environmental statutes. Under the Agency's 1984 Indian Policy,[60] EPA works with federally recognized tribes (tribes) on a government-to-government basis, in recognition of the federal government's trust responsibility to tribes, to implement federal environmental programs. In the 1984 Indian Policy, "EPA recognizes tribes as the primary parties for setting standards, making environmental policy decisions, and managing programs for reservations consistent with agency standards and regulations," therefore, EPA assists tribes in developing the programs to make such decisions. In the absence of a program delegation to a tribe, the Agency directly implements the Program.

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 2/Objective 2.1, Enhance Shared Accountability in the *FY 2018–2022 EPA Strategic Plan*. Overall, the Agency has made steady progress towards strengthening human health and environmental protection on tribal lands. EPA will further its priority of strengthening tribal partnerships and continue to work toward its goal of building tribal capacity through a number of mechanisms in FY 2020. In addition, the Agency continues the direct implementation assessment effort to better understand EPA's direct implementation responsibilities and activities on a program-by-program basis in Indian Country.

Capacity Building: EPA will continue to provide assistance and to support mechanisms for tribes to pursue developing and implementing federal environmental programs, including the "treatment

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

in a manner similar to a state" (TAS) process and the use of the Direct Implementation Tribal Cooperative Agreement (DITCA) authority. The Agency will continue to provide technical and financial assistance to ensure tribal governments have the opportunity to build the capacity to meaningfully participate and engage in environmental protection activities. To date, EPA has approved 78 TAS regulatory program delegations to tribes, including 17 approvals for compliance and enforcement authority. EPA also has entered into 52 DITCAs, with 22 active DITCAs in FY 2018.

Indian Environmental General Assistance Program (GAP) Capacity Building Support: GAP grants to tribal governments help build the basic components of a tribal environmental program. The Agency manages GAP grants according to its *Guidance on the Award and Management of General Assistance Agreements for Tribes and Intertribal Consortia*.[61] In FY 2020, EPA will continue to administer GAP financial assistance to build tribal capacity and address environmental issues in Indian Country. EPA's work in FY 2020 also will continue to enhance EPA-Tribal partnerships through development and implementation of EPA-Tribal Environmental Plans and a continued focus on tracking and reporting measurable results of GAP-funded activities.

GAP Online: EPA will continue to use and evaluate the future needs for GAP Online consistent with evolving EPA grant processes. GAP Online is an internet-based system that assists tribes and EPA in developing, reviewing, and archiving GAP work plans and progress reports. EPA and tribes use the system to negotiate plans and track progress with individual grantees. GAP Online supports program accountability and creates an easily accessible record to help maintain continuity regardless of staff turnover in EPA regional offices and many Tribal environmental departments.

Tribal Consultation: In working with the tribes, EPA follows its *Policy on Consultation and Coordination with Indian Tribes* [62] The Consultation Policy builds on EPA's 1984 Indian Policy and establishes clear agency standards for a consultation process promoting consistency and coordination. In FY 2020, EPA will continue to support the Agency's web-based Tribal Consultation Opportunities Tracking System, a publicly accessible database used to communicate upcoming and current EPA consultation opportunities to tribal governments. The system provides a management, oversight, and reporting structure that helps ensure accountability and transparency.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$487.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to the adjustments in salary, essential workforce support, and benefits costs.

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

- (-$1,833.0 / -14.6 FTE) This reduces some tribal capacity building efforts and eliminates grants to tribal colleges and universities; certain tribal small-grant programs; and including other contract program support.

Statutory Authority:

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

International Programs

International Sources of Pollution

Program Area: International Programs
Goal: Cooperative Federalism
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$6,619.8***	***$6,904.0***	***$5,339.0***	***-$1,565.0***
Total Budget Authority	$6,619.8	$6,904.0	$5,339.0	-$1,565.0
Total Workyears	35.0	36.7	14.2	-22.5

Program Project Description:

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

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

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 2/Objective 2.1, Enhance Shared Accountability in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, EPA will continue to engage both bilaterally and through multilateral institutions to improve international cooperation to prevent and address the transboundary movement of pollution. Specifically, EPA will engage with key priority countries like China to address air pollution that contributes significant pollution to the domestic and international environment. For example, China is implementing national air quality monitoring, planning, and control strategies with advice and lessons learned from the United

States. Environmental policies adopted and implemented in China will improve competitiveness for U.S. businesses, drive demand for U.S. emissions control technologies, and expand exports of U.S. environmental goods and services to China while improving air quality conditions in the United States.

EPA will maintain efforts to reduce environmental threats to U.S. citizens from global contaminants impacting air, water, and food safety. EPA will continue technical and policy assistance for global and regional efforts to address international sources of harmful pollutants, such as mercury. Since 70 percent of the mercury deposited in the U.S. comes from global sources[63], both domestic efforts and international cooperation are important to address mercury pollution. EPA will continue to work with international partners and key countries to fully implement obligations under the Minamata Convention on Mercury in order to protect the U.S. population from mercury emissions originating in other countries, including from artisanal and small-scale gold mining. EPA will continue to play a leadership role in the Lead Paint Alliance to increase the number of countries that establish effective laws to limit lead in paint, which remains a priority health concern following successful efforts to eliminate lead in gasoline worldwide.

EPA also will continue its participation in the North American Commission for Environmental Cooperation (CEC), which provides regional and international leadership to advance environmental protection, human health and sustainable economic growth in North America.

EPA will engage multilaterally and bilaterally to prevent and reduce marine litter, an increasingly prominent global issue that can negatively impact domestic water quality, tourism, industry and public health in the U.S. Because 80 percent of marine litter comes from land-based sources[64] of waste, countries with inadequate waste management contribute to the pollution in our shared oceans. EPA will continue to work with other federal agencies to advance sound policy approaches for global action on marine litter.

The United States assumes the Presidency of the G7 in 2020. Because the G7 Presidency involves hosting ministerial-level meetings in addition to a Leaders Summit, EPA will participate with other federal agencies in ensuring the President's agenda for the United States' G7 Presidency. EPA's work on the G7 for 2020 will advance key environmental policy deliverables on clean air, clean water, and marine litter, developed in partnership with U.S. stakeholders, building on priorities agreed to in previous G7 Environment Ministers Meetings, and in support of the Administration's vision for the U.S. G7 Presidency.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

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

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$316.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefits costs.

- (-$2,869.0 / -22.5 FTE) This reduction supports the continued reprioritization of agency activities. The Program will focus efforts on the highest priority international issues.

- (+$988.0) This program change focuses on the President's agenda for the United States' G7 Presidency by advancing key environmental policy deliverables on clean air, clean water, and marine litter.

Statutory Authority:

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

Trade and Governance

Program Area: International Programs
Goal: Cooperative Federalism
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$5,290.1***	***$5,463.0***	***$0.0***	***-$5,463.0***
Total Budget Authority	$5,290.1	$5,463.0	$0.0	-$5,463.0
Total Workyears	16.2	15.9	0.0	-15.9

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Resources and FTE have been proposed for elimination for this program in FY 2020. EPA will continue its participation in the North American Commission for Environmental Cooperation (CEC) and other international forums, as appropriate, through the International Sources of Pollution Program.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$5,463.0 / -15.9 FTE) This funding change eliminates the Trade and Governance Program.

Statutory Authority:

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

US Mexico Border

Program Area: International Programs
Goal: Cooperative Federalism
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$2,645.5***	***$3,033.0***	***$0.0***	***-$3,033.0***
Total Budget Authority	$2,645.5	$3,033.0	$0.0	-$3,033.0
Total Workyears	13.1	13.9	0.0	-13.9

Program Project Description:

The two thousand-mile border between the United States and Mexico is one of the most complex and dynamic regions in the world, where the benefits of international programs are perhaps most apparent. This region accounts for three of the ten poorest counties in the U.S., with an unemployment rate 250-300 percent higher than the rest of the country.[65] In addition, over 430 thousand of the 14 million people in the region live in 1,200 colonias,[66] which are unincorporated communities characterized by substandard housing and unsafe drinking water. The 1983 La Paz Agreement[67] and the adoption of the Border Programs have gone a long way to protect and improve the health and environmental conditions along a border that extends from the Gulf of Mexico to the Pacific Ocean.

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. Projects historically funded along the border between the United States and Mexico may be eligible for funding under the Clean Water and Drinking Water State Revolving Funds.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$3,033.0 / -13.9 FTE) This funding change eliminates the U.S. Mexico Border Program as part of the effort to focus resources on core environmental work.

[65] http://hsc.unm.edu/community/toolkit/docs2/10.USMBHC-TheBorderAtAGlance.pdf
[66] http://hsc.unm.edu/community/toolkit/docs2/10.USMBHC-TheBorderAtAGlance.pdf
[67] https://www.epa.gov/sites/production/files/2015-09/documents/lapazagreement.pdf

Statutory Authority:

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

IT/ Data Management/ Security

Information Security

Program Area: IT / Data Management / Security
Goal: Rule of Law and Process
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$7,016.5***	***$7,280.0***	***$13,773.0***	***$6,493.0***
Hazardous Substance Superfund	$745.8	$661.0	$5,082.0	$4,421.0
Total Budget Authority	$7,762.3	$7,941.0	$18,855.0	$10,914.0
Total Workyears	16.0	16.6	12.8	-3.8

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. Cybersecurity is a serious challenge to our nation's security and economic prosperity. Effective information security requires vigilance and the ability to adapt to new challenges every day. As reported to the Department of Homeland Security (DHS), in FY 2018, EPA experienced 145 known successful attacks against its systems. EPA has identified significant gaps in its ability to detect, respond to, protect against and recover from attacks. These gaps increase the risk to compromise agency information.

According to the draft FY 2018 Q4 *Cybersecurity Risk Management Assessment* from DHS, EPA is one of the CFO Act agencies whose cybersecurity posture is "At Risk." In response, in FY 2020 EPA will leverage new capabilities through the Continuous Diagnostics and Mitigation (CDM) program to close existing gaps in the *Cybersecurity Risk Management Assessment* areas of identifying and alerting on the introduction of unauthorized hardware and software into the Agency's networks and systems, checking outbound traffic for unauthorized exfiltration, automated removal media prevention and assessing systems with a Security Content Automation Protocol (SCAP) product. In addition to protecting EPA information assets, CDM will help the Agency identify and respond to federal-wide cybersecurity threats and incidents quicker and more efficiently, thereby better protecting all federal information assets.

EPA's cost to implement new and maintain existing CDM capabilities as mandated by the Office of Management and Budget is estimated to be over $10 million in FY 2020 across all appropriations. With available resources, EPA also will work to close non-CDM capability gaps essential to adequately protect agency information assets. Such efforts include the *Cybersecurity Risk Management Assessment* area of analyzing malicious email attachments, detecting and mitigating effects of insider threats and advanced persistent threats, and conducting program responsibilities, such as governance, oversight, and risk management.

Cybersecurity Risk Management Assessment metrics developed by the National Institute of Standards and Technology (NIST) and industry best practices help prioritize action to adequately protect agency information assets, and EPA's Information Security Program continues to provide the Agency visibility on vulnerabilities. While EPA's cybersecurity posture is expected to remain at risk in FY 2020, the Agency will continue to conduct risk-assessments and alternatives analyses to determine which protections EPA must maintain or implement. For example, the Agency is assessing alternatives for Security Operations as a Service and cloud security options such as Cloud Access Security Brokers Services for possible implementation.

In FY 2020, the Information Security Program will continue to collect Federal Information Security Modernization Act (FISMA) metrics and evaluate related processes, tools, and personnel to continue to identify areas of weakness and opportunities for improvement. The Program will collect phishing test results and evaluate the effectiveness of awareness efforts. With these data, the Agency will identify strategies and prioritize areas to mitigate risks. The Agency will expand strategies for identifying and leveraging common controls and smartly managing system boundaries to reduce associated compliance costs.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$5,283.0) This change to fixed and other costs is a net increase due to the recalculation of base workforce costs, including IT security and privacy, for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (+$1,210.0 / -3.8 FTE) This net program change is an adjustment needed for mandatory cyber security requirements,[68] including CDM funding that will be used to close existing gaps by improving audit capabilities, ensuring accountability and adding protections directly associated with the information. This change also supports CDM phase three, which will continue implementation in FY 2020.

[68] Including those found in Federal Information Security Modernization Act of 2014 and Federal Information Security Cybersecurity Act of 2015.

Statutory Authority:

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

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$84,464.5***	***$83,256.0***	***$71,117.0***	***-$12,139.0***
Science & Technology	$2,296.0	$3,089.0	$2,747.0	-$342.0
Hazardous Substance Superfund	$14,126.0	$13,824.0	$13,443.0	-$381.0
Total Budget Authority	$100,886.5	$100,169.0	$87,307.0	-$12,862.0
Total Workyears	412.6	439.9	456.9	17.0

Program Project Description:

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

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. The goal of EPA's IT/DM services is to enhance the power of information by delivering on demand data to relevant parties. The Agency's increased investment in Technology Business Management (TBM) will further support its efforts to make sound, data-driven IT investment decisions by providing increased IT spend information, integrating this information into agency Chief Information Officer (CIO) portfolio reviews, and using this information to optimize IT services funded through the Working Capital Fund.

In FY 2020, the Agency will focus on improving customer experiences to allow EPA, its partners, and the public to acquire, generate, manage, use, and share information as a critical resource. In

line with the President's Management Agenda for IT modernization and data, accountability, and transparency,[69] EPA will improve how it supports and manages the lifecycle of information and information products. In addition, the Agency will continue to modernize IT/IM infrastructure, applications and services, empower a mobile workforce using innovative and agile solutions, and support state and tribal partnerships using innovative and agile solutions.

In FY 2020, EPA will further strengthen its IT acquisition review process as part of the implementation of federal Common Baseline Controls for FITARA. FITARA controls include an established communication and engagement strategy for the CIO with the Agency's programs and regional offices to ensure that their IT plans are well designed, directly drive Agency strategic objectives, and follow best practices. These controls also enable the CIO to engage closely with key IT stakeholders across EPA and to foster plans to refresh IT skills within the Agency.

In FY 2020, the following IT/DM activities will continue:

- **Data Management and Collection**: Data management and collection efforts include support for a variety of essential information management programs, including the National Records Management Program. These national activities include providing regulations, policies/procedures, coordination, and support to help fulfill EPA's statutory obligations to maintain records. Additionally, Discovery Services technology will continue to support the search/collection of agency information needed to help respond to requests for information from external stakeholders. EPA will continue to coordinate and oversee the Agency's Information Collection Request development and approval process, helping to ensure that data collections are approved by the Office of Management and Budget as required by the Paperwork Reduction Act.
- **Mission Software and Digital Services Capabilities:** The FY 2020 budget includes a funding request to enhance the Agency's software development and architecture capability, including application development and deployment approaches and technical platforms. This program continues EPA's adoption of transformative technologies and practices, including cloud computing, agile development methodologies, and shared software development services.
- **Geospatial:** In FY 2020, the Agency will continue to support the essential capabilities of GeoPlatform, a shared technology enterprise for geospatial information and analysis. By implementing geospatial data, applications and services, the Agency can integrate and interpret multiple data sets and information sources to support environmental decisions. GeoPlatform will continue to publish internal and public mapping tools, which will better inform the public about EPA's programs to protect the environment and public health. As of December 2018, EPA has over 4,400 GeoPlatform mapping applications created or modified for public and internal use using the GeoPlatform. The number of GeoPlatform users has increased from nearly two thousand users in early calendar year 2015 to over eight thousand users at the end of calendar year 2018.
- **Information Access and Analysis**: In FY 2020, EPA will focus on providing core support to agency infrastructure and tools that will drive better environmental decision making with data from across the Agency. EPA will provide partnership support to other agencies,

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

states, tribes, and academic institutions to propose innovative ways to use, analyze and visualize data. In FY 2020, EPA will continue to support Envirofacts and data visualization applications, which receives over 40 million annual application interface requests.

- **Information Technology and Infrastructure**: EPA will adjust the schedule for replacement or upgrades to align with resources and will continue to maintain and provide: desktop computing equipment, network connectivity, e-mail and collaboration tools, hosting services, remote access, telephone services, web and network services, and other IT-related equipment. In FY 2020, the Agency will continue efforts to consolidate EPA's data centers and computer rooms and to optimize operations within EPA's remaining data centers.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$822.0) This net change to fixed and other costs is a net decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefits costs.

- (-$11,317.0 / +19.8 FTE) This program change modifies the timeline for development of new technologies to address agency needs such as new assistive technology tools, ability to re-platform legacy applications, and replace end of service IT equipment that provides basic workforce support across the Agency. It also reflects an increase in reimbursable FTE to support critical working capital fund information technology and data service needs.

Statutory Authority:

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

Legal/ Science/ Regulatory/ Economic Review

Administrative Law

Program Area: Legal / Science / Regulatory / Economic Review
Goal: Rule of Law and Process
Objective(s): Compliance with the Law

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$4,706.5***	***$4,753.0***	***$4,812.0***	***$59.0***
Total Budget Authority	$4,706.5	$4,753.0	$4,812.0	$59.0
Total Workyears	24.0	23.2	23.8	0.6

Program Project Description:

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

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

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

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.1, Compliance with the Law in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, the ALJ will convene formal hearings in the location of the alleged violator or violation, as required by statute. In FY 2020, the ALJ will continue to modernize its electronic filing and case management system to reduce mailing delays and costs. In FY 2020, the EAB will continue to implement its streamlined procedures for adjudicating permit appeals under all statutes and will continue to expedite appeals in Clean Air Act New Source Review cases and in FIFRA licensing proceedings.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$1.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (+$60.0 / +0.6 FTE) This net change is an adjustment of funds for managing an electronic filing and case docketing system and for travel.

Statutory Authority:

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

Alternative Dispute Resolution

Program Area: Legal / Science / Regulatory / Economic Review
Goal: Cooperative Federalism
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$1,155.7***	***$1,150.0***	***$0.0***	***-$1,150.0***
Hazardous Substance Superfund	$744.3	$748.0	$0.0	-$748.0
Total Budget Authority	$1,900.0	$1,898.0	$0.0	-$1,898.0
Total Workyears	8.0	8.4	0.0	-8.4

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020.

Performance Measures Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$1,150.0 / -5.9 FTE) This program change eliminates the centralization of the conflict prevention and ADR Program. Programs across the Agency may pursue ADR support services and training individually.

Statutory Authority:

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

Civil Rights Program

Program Area: Legal / Science / Regulatory / Economic Review
Goal: Rule of Law and Process
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$8,848.2***	***$9,335.0***	***$9,003.0***	***-$332.0***
Hazardous Substance Superfund	$60.0	$0.0	$0.0	$0.0
Total Budget Authority	$8,908.2	$9,335.0	$9,003.0	-$332.0
Total Workyears	48.7	53.6	48.3	-5.3

Program Project Description:

The Civil Rights Program enforces federal civil rights laws that prohibit discrimination by recipients of federal financial assistance and protect employees and applicants for employment from discrimination. The Office of Civil Rights (OCR), which has responsibility for Title VII Equal Employment Opportunity (EEO) complaints, affirmative employment analysis, and reasonable accommodations, accomplished the following in FY 2018: eliminated a multi-year backlog of Final Agency Decisions (FADs); conducted a Lean process to evaluate and improve investigatory timeframes; developed a mediation guide to enhance efforts to promote use of alternative dispute resolution; engaged senior management and EPA program offices in the development of the Agency's Anti-Harassment Policy and EEO Policy; launched training for Special Emphasis Program Managers (SEPMs); and processed over 400 Reasonable Accommodations (RA) requests.

The Program provides policy guidance and technical assistance to external recipients and internally on EEO and is responsible for carrying out the following functions:

- External Civil Rights Compliance (Title VI) functions include the enforcement of several civil rights laws, including Title VI of the Civil Rights Act of 1964, that prohibit discrimination on the bases of race, color, national origin (including limited-English proficiency), disability, sex, and age, in programs or activities that receive federal financial assistance from EPA. The Agency investigates and resolves external complaints, develops policy, conducts proactive compliance initiatives and compliance reviews, and provides technical assistance to recipients and outreach to communities.
- Employment Complaints Resolution (Title VII) functions address complaints of employment discrimination, including those filed under Title VII of the Civil Rights Act of 1964 and pursuant to Executive Order 13672 (July 21, 2014).
- Affirmative Employment Analysis and Accountability functions provide leadership, direction, and advice to managers and supervisors to assist them in carrying out equal opportunity and civil rights responsibilities. The Program also is responsible for reporting

under the EEO Commission's Management Directive 715 (MD-715),[70] which provides guidelines for identifying triggers and conducting barrier analysis related to EEO within EPA's workforce.

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018–2022 EPA Strategic Plan*. The Civil Rights Program is developing strategic plans for its internal, employment-related functions, including specific goals, implementation steps, and benchmarks that will serve as internal performance measures to ensure accountability for all of the functions. In FY 2020, EPA's Civil Rights Program will continue its strategic planning process with an emphasis on process improvement, internal performance measures, technology resources, and strategic human capital planning. These actions are consistent with measures called for in the EPA Report "Developing a Model Civil Rights Program at the EPA."[71]

External Civil Rights, including Title VI

In FY 2020, the Program will continue to implement the External Compliance Program Strategic Plan for FY 2015-2020 which focuses on three key goals: Enhance Strategic Docket Management; Develop a Proactive Compliance Program; and Strengthen the External Civil Rights and Compliance Office's Workforce to Promote a High-Performing Organization. The Program continues to support complaint docket management through investigations, informal resolution agreements and mediation consistent with its Case Resolution Manual. Providing proactive technical assistance and partnering with states; reviews, outreach to communities, strategic policy development, and the Program's workforce planning and training will be prioritized.

During FY 2018 and FY 2019, the Program developed and refined internal performance measures and successfully reduced the backlog of complaints under investigation and pending Jurisdictional Reviews. In FY 2020, the Program will continue to track internal performance measures to ensure complaints pending under investigation are resolved within 180 days of acceptance for investigation, as required by EPA's nondiscrimination regulation, and that all Jurisdictional Reviews are processed within 20 days, as required by EPA's nondiscrimination regulation. In FY 2019, and continuing through FY 2020, the Program will continue to deploy and refine an electronic case and document management system to manage the external civil rights complaint docket; refine and reissue its Case Resolution Manual; provide guidance to recipients of EPA funds regarding their regulatory obligation to have in place a nondiscrimination program; and implement a contract to provide language assistance services to limited-English proficient customers

[70] Equal Employment Opportunity Commission, *Equal Employment Opportunity Management Directive 715, October 1, 2013.*

[71] For more information, please see: http://intranet.epa.gov/civilrights/pdfs/training/ecfr-developing-a-model-civil-rights-program.pdf.

throughout EPA. Some specific initiatives may continue to build off FY 2018 and FY 2019 activities, including:

- Deployment of additional proactive technical assistance pilots to work collaboratively with states to build upon and strengthen each state's nondiscrimination program in light of the federal civil rights laws.
- Development of chapter three of the Civil Rights Toolkit to share guidance and promising practices with EPA recipients related to "Risk Communication" on environmental civil rights issues.
- Continued implementation of the Program's Functional Competency Framework which strengthens the Agency's workforce by promoting the development of a highly effective, performance-based organization, including individual development plans that include customized training objectives.

Title VII

In FY 2020, EPA will dedicate most of its financial resources to the processing of discrimination complaints, including EEO counseling, investigations, and drafting FADs. The Program will focus on process improvements to: 1) ensure prompt, effective, and efficient EEO complaint docket management; 2) enhance the proactive EEO compliance program through strategic policy and training development; and 3) strengthen the Title VII workforce through strategic human capital planning. In addition, the Program will:

- Continue to train additional collateral-duty EEO Counselors and professionalize other collateral duty functions for SEPMs, FAD writers, and Local Reasonable Accommodation (RA) Coordinators.
- OCR will continue to improve its investigation timeliness with a target of 92 percent on-time completion rate. The Program currently has a completion rate of 90 percent.
- Improve the Alternative Dispute Resolution (ADR) participation rate to the Equal Employment Opportunity Commission goal of 50 percent by strengthening the Program through increasing training, marketing and the development of an ADR guide for use by Agency employees.
- Institute routine evaluations of the Title VII investigation process for continuous improvement using the Lean methodology.
- Apply visual management techniques to Title VII process improvement efforts to ensure greater accountability and transparency.
- Implement cross agency training for supervisors and staff to increase global understanding of the EEO process, and relevant roles and responsibilities.
- Assess how services are provided nationally to ensure their availability and efficient delivery.

Affirmative Employment Analysis and Accountability (AEAA)

In FY 2020, the Program will continue to focus on process improvements to: 1) ensure prompt, effective, and efficient development of critical and required reports, such as MD-715; 2) enhance the proactive Affirmative Employment function through development of strategic policy, training and the engagement of critical internal EPA partners; and 3) strengthen the AEAA workforce

through strategic human capital planning. Consistent with this strategic approach, the Program will continue to:

- Increase collaboration among program offices and regions to ensure coordination of related EEO and diversity and inclusion objectives.
- Ensure integration of civil rights into EPA's strategic planning processes, organizational assessments, operating plans, and other relevant reporting vehicles.
- Develop and implement activities, trainings, and educational events that assist EPA's programs in civil rights.
- Use the Lean methodology to evaluate the MD-715 development plan to identify efficiencies and process improvements.
- Increase the availability of data from the AEAA Program through visual management (e.g., dashboards) and increased use of technology to demonstrate progress.
- Provide effective training and tools for managers and supervisors in carrying out their responsibilities under MD-715 and the Diversity and Inclusion Strategic Plan.

Reasonable Accommodations (RA) Program

In FY 2020, the RA Program will continue to focus on process and technological improvements to ensure prompt, effective, and efficient RA request docket management. The Program also will enhance the proactive RA compliance function through development of strategic policy; training and the engagement of critical internal EPA partners; The Program will continue to:

- Transition to the Reasonable Accommodations Management System for processing RA requests to ensure greater efficiency and integrity within the Program.
- Update reasonable accommodation processes and templates to improve the timeliness, efficiency, and consistency of communications and to avoid release of sensitive personally identifiable information.
- Assess, evaluate, and further develop the in-person and on-line training curriculum for reasonable accommodation and Section 508 compliance with a goal of training all EPA managers by quarter 2 of FY 2020.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$476.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (-$808.0 / -5.3 FTE) This program change reflects a reduction in the Civil Rights Program through the streamlining of support for the processing of investigations for Title VI and Title VII complaints, enhancement of mandatory reporting, and improvements in the overall management of complaints and reporting processes.

Statutory Authority:

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

Integrated Environmental Strategies
Program Area: Legal / Science / Regulatory / Economic Review
Goal: Rule of Law and Process
Objective(s): Streamline and Modernize

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$9,529.8***	***$10,653.0***	***$8,828.0***	***-$1,825.0***
Total Budget Authority	$9,529.8	$10,653.0	$8,828.0	-$1,825.0
Total Workyears	45.9	47.2	42.0	-5.2

Program Project Description:

The Integrated Environmental Strategies (IES) Program advances the Agency's mission of protecting human health and the environment while promoting economic growth from the national level to the community level. The IES Program provides tools and resources to transform EPA into a more effective organization. Nationally, IES is focused on: (1) streamlining EPA's permitting processes; (2) working with industrial sectors to identify and develop sensible approaches to better protect the environment and public health; and (3) collaborating with federal, state, and municipal partners, communities, businesses, and other stakeholders to implement locally-led, community-driven approaches to environmental protection through technical assistance, policy analysis, and training. Since 2017, community-driven technical assistance workshops have been delivered in 116 communities. Over the same period, $1.9 million in funds from other agencies through interagency agreements have been coordinated with EPA investments to more effectively support this work. Additionally, through the normal course of follow up with community partners, EPA has documented how the assistance products set the stage for private investment in real estate and infrastructure assets that improve neighborhood environmental conditions.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.4, Streamline and Modernize in the *FY 2018 - 2022 EPA Strategic Plan*. This program demonstrates new approaches to streamline and reduce unnecessary burdens and to help communities meet their environmental and economic needs. In FY 2020, the Program will focus on permit streamlining, sector strategies, and community-driven environmental protection. In addition, the Agency will look to provide resources, as available, to assist school districts in addressing the improvement of health and environmental conditions in schools.

Permit Streamlining

One way that EPA implements its statutory authority is through various permitting programs. These programs are based on a set of processes that vary across EPA program and regional offices.

The Agency is focused on working across EPA program offices and with state and tribal co-regulators to streamline EPA's permitting processes in support of the President's Memorandum, "Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing." This work supports the long-term performance goal in the *FY 2018–2022 EPA Strategic Plan* of making permitting decisions within six months. In FY 2020, EPA also will improve its role in cross-cutting permitting and policy issues and partnership with state permitting offices to streamline our review of state-issued permits. The Program will facilitate and support the sharing and implementation of permitting best practices and approaches of environmental co-regulators to achieve efficient and effective permitting.

Smart Sectors

EPA's Smart Sectors is a partnership program that provides a platform to collaborate with 13 regulated sectors of the economy and develop less burdensome approaches to protect the environment and public health. In FY 2018, EPA conducted 17 site visits covering the operations of nine different sectors, and more than 400 other substantive meetings. The Sectors Program launched a new sector snapshot tool that provides environmental and economic data about three industries participating in the program. This interactive, web-based application employs a novel approach by assembling a range of environmental and economic data from different publicly-available sources to provide an integrated, easy-to-understand context for each sector over the last 20 years. EPA will continue highlighting best practices for industry, and states, as well as facilitating cross-sector dialogue to identify innovative solutions to environmental problems. The Program will continue providing sector ombudsmen to connect, facilitate, and convene Agency experts with sector representatives to solve discrete policy, guidance, and implementation issues unique to the sectors. Lastly, EPA will continue working to reduce recordkeeping and reporting burden. In FY 2018, the Agency met its annual target of reducing recordkeeping and reporting burden by 2,000,000 hours.

Community-Driven Environmental Protection

This program delivers technical assistance, training, and tools to economically distressed communities and coordinates the Agency's work with communities to increase efficiency, effectiveness, and accountability. In FY 2020, the IES Program will continue to lead the existing Cross-Agency Communities team, focusing on the Administration's priorities, such as leveraging private investment and aligning federal investments to maximize benefits to communities.

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

The Program will continue analyses on emerging trends, innovative practices, and tools that support clean air, land, and water outcomes. EPA will develop tools to help interested communities

incorporate innovative approaches to infrastructure and land development policies that deliver multiple economic, community, and quality of life benefits while also managing storm water, reducing combined sewer overflows, improving local air quality, facilitating private investment in Brownfield and Superfund site redevelopment, and achieving other environmental benefits.

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

In FY 2018, EPA's Chief of Operations introduced the EPA Lean Management System (ELMS), which has enhanced the Agency's performance management framework. ELMS is a set of practices and tools that supports Agency employees in identifying and solving problems for optimal performance results. As part of ELMS, the Agency's senior leaders hold monthly business meetings to discuss performance results and actions needed to make improvements.

The Agency is deploying ELMS to support the accomplishment of the Agency's priorities by increasing efficiencies and making operational process improvements. Routine monitoring, measurement, and engagement, enable the Agency to identify problems while they are still small, solve problems before they become too big, and sustain improvements over time to carry out their work more efficiently and effectively. The Office of Continuous Improvement (OCI) is providing training and technical assistance to Agency offices on deploying visual management and using Lean and other business process improvement principles and tools to streamline and standardize processes, analyze root causes of problems, and assess progress monthly towards performance measures. Initially, EPA counted an operational process as improved following a completed *kaizen* event that meets a three-part test: (1) the work of the process has been standardized; (2) visual management has been put in place and used, and (3) performance has improved. EPA completed 11 of these events in FY 2018. EPA is currently refining the definition to include other key tools of the EPA Lean Management System, in addition to *kaizen* events, to achieve process improvements that meet a more stringent requirement for improvement. The data lag for the final FY 2018 number of operational processes improved will be rectified and reported by April 30, 2019. The Agency is on target to complete 50 process improvements in FY 2019 and 50 more in FY 2020. Some examples of improvements include, streamlining cleanup decision under the Resource Conservation and Recovery Act, reducing investigations, faster processing of permits and improved acquisitions.

Performance Measure Targets:

(PM PE2) Number of permit applications in backlog.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target							No Target Established	TBD	Permits
Actual									

(PM OP1) Number of operational processes improved.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						25	50	50	Operational Processes
Actual						Data Available 04/2019			

Work related to the results of measure: Number of permit applications in backlog is agencywide in scope. The lead office is the Office of the Administrator.

Reduced the backlog of new applications by nearly 18 percent (from 166 to 136 applications) between June and September 2018, through a series of targeted Lean events to improve the efficiency and effectiveness of permitting programs. (FY 2018-2019 APG).

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$116.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to the adjustments in salary and benefits costs.

- (-$1,709.0 / -5.2 FTE) This program change reflects a reduction in the Integrated Environmental Strategies Program through streamlining of the community work and climate adaptation efforts within the IES Program.

Statutory Authority:

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

Legal Advice: Environmental Program

Program Area: Legal / Science / Regulatory / Economic Review
Goal: Rule of Law and Process
Objective(s): Create Consistency and Certainty

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$51,344.3***	***$50,886.0***	***$48,123.0***	***-$2,763.0***
Hazardous Substance Superfund	$914.1	$505.0	$579.0	$74.0
Total Budget Authority	$52,258.4	$51,391.0	$48,702.0	-$2,689.0
Total Workyears	266.4	282.0	242.8	-39.2

Total workyears in FY 2020 include 5.5 FTE funded by TSCA fees.

Program Project Description:

This program provides legal representational services, legal counseling and legal support for all the Agency's environmental activities.[72] The legal support provided by this program is essential to the Agency's core mission. The personnel assigned to this program represent essential expertise in these critical fields that the Agency relies on for all decisions and activities in furtherance of its mission: to protect human health and the environment.

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Create Consistency and Certainty in the *FY 2018 - 2022 EPA Strategic Plan.* This program provides legal representation in more than 350 defensive judicial cases each year. It is projected that the number of cases in FY 2020 will exceed this number. The Program will continue to provide legal representation in judicial and

[72] Resources for legal services for Support programs are included in the Legal Advice: Support Program.

administrative litigation for core agency environmental programs and for agency priorities. The Program also will provide counseling outside of the litigation context in the highest priority issues arising under all the legal environmental statutes administered by EPA.

In FY 2020, the Agency will continue to focus on its core mission to apply the most effective approaches by implementing EPA's environmental programs under the Resource Conservation and Recovery Act, Leaking Underground Storage Tanks, Clean Air Act, Clean Water Act, Toxic Substances Control Act (TSCA), Federal Insecticide Fungicide and Rodenticide Act, Food Quality Protection Act, Safe Drinking Water Act, and other authorities. This strategy will help ensure that human health and the environment are protected and provided with clean air, water, and land, and safe chemicals and pesticides in the most effective way.

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

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

- EPA proposed to repeal the Clean Power Plan (CPP) and issued a notice of proposed rulemaking to solicit public comment on a potential replacement for the CPP. These ongoing rulemaking efforts are a high priority for the Agency.

- Providing ongoing critical legal support for implementing a Presidential Executive Order directing EPA and the U.S. Army Corps of Engineers to undertake rulemaking to redefine "waters of the United States" under the Clean Water Act, including providing significant support in the drafting of rulemaking documents for three separate rulemaking proceedings.

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

Performance Measure Targets:

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

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						No Target Established	No Target Established	TBD	Percent
Actual						N/A			
Numerator									Legal Deadlines
Denominator									

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$4,082.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to the adjustments in salary, WCF, and benefit costs.

- (-$10,845.0 / -61.2 FTE) This net program change is a reduction in FTE and pay resources. EPA will focus on counseling and legal advice to the highest agency priorities and focus on litigation support.

- (+$4,000.0 / +20.0 FTE) This program change increases to support to priority efforts in deregulation, permitting support and state delegation support.

- (+2.2 FTE) This program change is an increase in fee funded reimbursable FTE to support planned TSCA fee workload.

Statutory Authority:

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

Legal Advice: Support Program

Program Area: Legal / Science / Regulatory / Economic Review
Goal: Rule of Law and Process
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$14,616.0***	***$15,455.0***	***$17,151.0***	***$1,696.0***
Total Budget Authority	$14,616.0	$15,455.0	$17,151.0	$1,696.0
Total Workyears	77.9	86.3	90.4	4.1

Total workyears in FY 2020 include 3.5 FTE funded by TSCA fees.

Program Project Description:

The Legal Advice: Support Program provides legal representational services, legal counseling and legal support for all activities necessary for EPA's operations.[73] It provides legal counsel and support on issues including, but not limited to: appropriations, claims, contracts, employment law, grants, information law, intellectual property law, real property, and all aspects of civil rights law.

For example, if an EPA program office needs guidance on how to respond to a Freedom of Information Act (FOIA) request, whether it may spend money on a certain activity, or what to do when a plaintiff files a tort claim against the Agency, this program provides answers, options, and legal advice. This program also supports EPA in maintaining high ethical standards and in complying with all laws and policies that govern the Agency's operations.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, EPA will continue to address and manage information requests, legal support for work under the Civil Rights Statutes, and employment law. There also is an ongoing need for a high level of involvement in questions related to contracts, ethics, grants, finance, appropriations, and employment.

In addition to the increase in employee and labor relations matters, litigation and appeals under the Freedom of Information Act (FOIA) have continued to increase steadily in both number and complexity. In FY 2020, EPA will continue to focus on responding to the increased number of complex and challenging information requests. Targeted legal counseling will be provided to ensure appropriate responses for FOIA requests.

[73] Resources for legal services to support environmental programs are included in the Legal Advice: Environmental Program.

The following examples illustrate this program's important role in meeting FOIA's requirements, increasing transparency, and in supporting EPA's workforce in maintaining high ethical standards in all their activities:

- The Office of General Counsel provides various trainings for Agency FOIA professionals to ensure that EPA is effectively and efficiently responding to the public's FOIA requests. In FY 2019 and continuing in FY 2020, the Office of General Counsel will launch additional FOIA training for the Agency's supervisors to ensure that supervisors fully understand the relevant legal requirements, and the Office of General Counsel will improve the FOIA intake and assignment process to improve FOIA response timeliness and accuracy. These training opportunities are particularly critical given that the Agency received over 11,350 FOIA requests in FY 2018.

- The Office of General Counsel has developed an Ethics Communication Initiative to improve employee awareness and compliance with ethics laws. In FY 2020, EPA will continue implementing the outcomes of this initiative, including: revamping EPA's ethics intranet site; deploying an online tool to assist EPA's workforce with identifying ethics officials within their organization; and establishing an Ethic's help-line phone number for EPA employees to report ethics concerns.

Performance Measure Targets:

(PM FO1) Percentage reduction in overdue FOIA requests from the April 2018 baseline.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						No Target Established	25	50	Percent
Actual						-9			
Numerator						-224*			Requests
Denominator						2,537			

***** Preferred direction of numerator is an increase. Negative number reflects an addition to the backlog.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$1,168.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (+$528.0 / +2.7 FTE) This program change is an increase to focus on high priority FOIA cases.

- (+1.4 FTE) This program change is an increase in fee funded reimbursable FTE to support planned the Toxic Substance Control Act (TSCA) workload for CBI and other new requirements under the new law.

Statutory Authority:

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

Regional Science and Technology

Program Area: Legal / Science / Regulatory / Economic Review
Goal: Rule of Law and Process
Objective(s): Prioritize Robust Science

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$1,094.6***	***$1,205.0***	***$0.0***	***-$1,205.0***
Total Budget Authority	$1,094.6	$1,205.0	$0.0	-$1,205.0
Total Workyears	2.1	2.0	0.0	-2.0

Program Project Description:

The Regional Science and Technology (RS&T) Program provides assistance to programs implementing the Resource Conservation and Recovery Act; Toxic Substances Control Act; Clean Water Act; Safe Drinking Water Act; Clean Air Act; and Comprehensive Environmental Response, Compensation and Liability Act. The RS&T Program performs laboratory analysis, field monitoring, and sampling investigations in order to provide credible scientific data on environmental pollutants and conditions to agency decision makers.

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. The Agency is working to establish a comprehensive enterprise-wide laboratory approach.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$1,205.0 / -2.0 FTE) This funding change eliminates the RS&T Program. The Agency is working to establish a comprehensive enterprise-wide laboratory approach.

Statutory Authorities:

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

Regulatory/Economic-Management and Analysis

Program Area: Legal / Science / Regulatory / Economic Review
Goal: Rule of Law and Process
Objective(s): Create Consistency and Certainty

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$14,270.7***	***$14,190.0***	***$16,162.0***	***$1,972.0***
Total Budget Authority	$14,270.7	$14,190.0	$16,162.0	$1,972.0
Total Workyears	74.9	73.2	74.0	0.8

Program Project Description:

The Regulatory/Economic, Management and Analysis Program is responsible for reviewing Agency regulations to ensure that they are developed in accordance with the governing statutes, executive orders, and Agency commitments and are based on sound technical, economic and policy assumptions. Further, the Program ensures consistent and appropriate economic analysis of regulatory actions, analyzes regulatory and non-regulatory approaches, and considers interactions between regulations across different environmental media. The Program establishes compliance with Executive Order (EO) 13771 by ensuring that the costs and cost savings of EPA's actions are fully and appropriately estimated. This program also ensures Agency regulations comply with additional statutory and EO requirements, including the Congressional Review Act, the Regulatory Flexibility Act (as amended by the Small Business Regulatory Enforcement Fairness Act), and EOs 12866 and 13563 regarding the Office of Management and Budget (OMB) regulatory review. EPA recently built a prototype economy-wide model and assessed under what circumstances economy wide impacts should be assessed. EPA also completed an assessment of how involuntary unemployment due to regulation affects health and welfare allowing a more robust estimate of the costs of regulatory impacts.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Create Consistency and Certainty in the *FY 2018 - 2022 EPA Strategic Plan*. The Program assists the Administrator and senior agency staff in implementing new regulatory policy priorities, including EO 13771 (Reducing Regulation and Controlling Regulatory Costs), EO 13777 (Enforcing the Regulatory Reform Agenda), EO 13783 (Promoting Energy Independence and Economic Growth), and EO 13790 (Promoting Agriculture and Rural Prosperity in America).

In FY 2020, EPA will continue its efforts to assess, review, and improve its regulations while considering costs and burdens to businesses, jobs, communities, government entities, and the economy, and maximizing the net benefits to protect human health and the environment. EPA will collect data and build models to assess regulatory proposals and their impacts on costs, benefits and economic performance. Key program activities planned include:

- Develop a model of the U.S. economy, ideally suited to assess how regulations affect the economy, including distributional impacts, costs, and broader macro-economic performance. The model will have the capability to assess both costs and benefits of regulation. EPA also will have the model peer reviewed, available for public comment and demonstrated in some regulatory analyses. This model will provide critical evidence-based analyses to inform decision making.

- Currently, EPA relies on dated water quality benefit studies that often are inconsistent with best practices in place today. EPA's National Center for Environmental Economics will gather important benefits data and build a benefits model to assess the benefits of national regulations that change water quality. This effort will provide important evidence-based data and analyses, consistent with economic science best practices to inform decision making.

- Continue to manage EPA's implementation of EOs, including development and management of the annual regulatory budget, analyzing potential areas of cost savings, ensuring that EPA continues to meet or exceed the goal of repealing two regulations for each new regulation issued, pursuant to EO 13771, and maintaining a new website that provides information about deregulatory actions.

- Review economic analyses prepared by EPA to ensure compliance with OMB Circular A-4 on Regulatory Analysis, EO 12866, and other related requirements. Provide the Administrator and the public with high-quality analysis of the costs, benefits, and impacts on jobs, businesses, and communities to better inform decision-making and ensure transparency about the consequences of regulation.[74]

- Work on development of new regulation to support greater consistency and transparency in consideration of economic costs and benefits in the regulatory development process and implementation of Agency programs.

- Update EPA's *Guidelines for Preparing Economic Analyses* to ensure that analyses provide a complete accounting of the impacts of regulatory actions, including distributional consequences. Apply the best economy-wide modeling tools to assess the economic effects of environmental regulatory options, including methods designed to examine the distribution of regulatory burdens. Work to develop open source data and economic models to analyze incidence and distribution of impacts of environmental regulations on U.S. economy. These updated guidelines will help ensure that evidence-based economic

[74] For more information, please see: https://www.epa.gov/environmental-economics/guidelines-preparing-economic-analyses.

analysis will be done consistently across EPA programs and in accordance with best economic methods.

- Pursuant to EPA's Energy Independence Report under EO 13783, conduct more detailed employment analysis of regulations (both the direct and indirect employment impacts) on a regular basis, including developing information and models to help conduct ex post cumulative assessment.

- Continue to develop EPA's semiannual unified Regulatory Agenda, while ensuring EPA complies with requirements under EO 13771.

- Manage EPA's internal Action Development Process and expand and upgrade regulatory planning and tracking tools to facilitate timely decisions and coordination across programs.

- Serve as EPA's liaison with the Office of Information and Regulatory Affairs (OIRA) within OMB.

- Serve as EPA's liaison with the Office of the Federal Register by reviewing, editing, and submitting documents for publication so that the public, states, other agencies, and Congress are informed about EPA's regulatory activities in a timely manner.

- Develop, in conjunction with other EPA programs (e.g., air, land, water), improved analytical tools to capture the uncertainty associated with EPA's risk assessment methods used in quantifying human health effects.

Performance Measure Targets:

(PM RG2) Hours of unnecessary or duplicative reporting burden to the regulated community eliminated.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						2,000,000	2,000,000	2,000,000	Hours
Actual						2,026,627			

(PM RG3) Number of EO 13771 regulatory actions issued.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						No Target Established	No Target Established	No Target Established	Actions
Actual						3			

(PM RG4) Number of EO 13771 deregulatory actions issued.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						No Target Established	No Target Established	No Target Established	Actions
Actual						10			

(PM RG5) Total incremental cost of all EO 13771 regulatory and deregulatory actions.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						-40	-50	No Target Established	Millions of Dollars
Actual						-75			

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$692.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (+$1,280.0 / 0.8 FTE) This net program change reflects a focus to implement regulatory policy priorities and to assess, review, and improve the Agency's regulations and underlying economic tools, in accordance with new Executive Orders.

Statutory Authority:

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

Science Advisory Board

Program Area: Legal / Science / Regulatory / Economic Review
Goal: Rule of Law and Process
Objective(s): Prioritize Robust Science

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$3,531.8***	***$3,787.0***	***$3,763.0***	***-$24.0***
Total Budget Authority	$3,531.8	$3,787.0	$3,763.0	-$24.0
Total Workyears	16.4	17.5	18.7	1.2

Program Project Description:

Congress established EPA's Science Advisory Board (SAB) in 1978, under the Environmental Research, Development, and Demonstration Act, to advise the Administrator on a wide range of highly visible and important scientific matters. The Clean Air Scientific Advisory Committee (CASAC) was established in 1977, under the Clean Air Act Amendments of 1977, to provide independent advice to the EPA Administrator on the technical bases for EPA's National Ambient Air Quality Standards. The SAB and the CASAC, both statutorily-mandated chartered Federal Advisory Committees, draw from a balanced range of non-EPA scientists and technical specialists from academia, states, independent research institutions, and industry. This program provides management and technical support to these advisory committees. The committees provide EPA's Administrator independent advice and objective scientific peer review on the technical aspects of environmental issues, as well as, the science used to establish criteria, standards, regulations, and research planning as requested.[75]

In FY 2018, the SAB and CASAC produced five advisory reports from independent, scientific peer reviews providing scientific and technical advice on topics ranging from risk exposure and integrated science assessments, health and ecological criteria, and both toxicological and regulatory reviews. In FY 2019, the SAB and CASAC anticipate producing six advisory reports while also improving efficiency and response time. To improve efficiency and effectiveness of the committees' advice and recommendations, EPA has proposed a cross-cutting measure. The measure recommends a 7 percent reduction in the time it takes to develop reports as well as posting Federal Advisory Committee Act (FACA) meeting minutes 90 days after the meeting. These actions are intended to increase transparency and public participation. A *kaizen* event will be organized in the spring of 2019 to discuss this performance measure target in more detail.

[75] For more information, please see: http://www.epa.gov/sab/, http://www.epa.gov/casac/.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.3, Prioritize Robust Science in the *FY 2018 - 2022 EPA Strategic Plan*. FY 2020 resource levels are an opportunity for EPA's SAB to reprioritize activities. Authorizing legislation and scientific integrity mandate that each peer review meets certain minimum standards for a successful independent review. In FY 2020, the Program will continue federally mandated CASAC reviews of policy assessments, risk exposure assessments, and health and ecological criteria for primary National Ambient Air Quality Standards. The CASAC will review Particulate Matter (PM), Ozone, and NAAQS Secondary standards for NOx/Sox/PM. The SAB has a statutory requirement to review the FY 2020 spring and fall regulatory agendas and supporting science associated with rulemakings. The SAB also has requested to review several rules to do an in-depth analysis on the science behind the new proposed rules. The Program will assist the Agency in its review of toxic chemicals under the reformed Toxic Substances Control Act (TSCA) and anticipates a review of several chemicals in the Agency's Integrated Risk Information System (IRIS) Program. The Program will accommodate additional requests as made by EPA's Administrator or program offices such as economy-wide modeling, lead and a review of the All Ages Lead Model and risk communication.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$13.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (-$37.0 / +1.2 FTE) This net program change reflects a reduction in the Science Advisory Board Program through streamlined support for conducting peer reviews, hosting meetings to assess Integrated Risk Information System chemicals, and implementing business process improvements to assure logistical support is provided to help the SAB and CASAC adhere to the provisions of Federal Advisory Committee Act.

Statutory Authority:

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

Operations and Administration

Acquisition Management

Program Area: Operations and Administration
Goal: Rule of Law and Process
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$27,441.3***	***$30,210.0***	***$28,032.0***	***-$2,178.0***
Leaking Underground Storage Tanks	$6.5	$152.0	$138.0	-$14.0
Hazardous Substance Superfund	$20,477.3	$21,183.0	$21,541.0	$358.0
Total Budget Authority	$47,925.1	$51,545.0	$49,711.0	-$1,834.0
Total Workyears	263.2	275.1	259.5	-15.6

Program Project Description:

Environmental Programs and Management (EPM) resources in the Acquisition Management Program support EPA's contract activities, which cover planning, awarding, and administering contracts for the Agency. Efforts include issuing acquisition policy and interpreting acquisition regulations; administering training for contracting and program acquisition personnel; providing advice and oversight to regional procurement offices; and providing information technology improvements for acquisition.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, EPA will continue to process contract actions in accordance with Federal Acquisition Regulation (FAR) and guidance from the Office of Federal Procurement Policy (OFPP). EPA is evaluating options for replacing the EPA Acquisition System (EAS) with an approved government-wide Federal Shared Service Provider (FSSP) for a contract writing system. The Agency is focusing on a solution that reduces costs while increasing efficiency by standardizing federal procurement planning, contract award, administration, and close-out processes. Once available, the Agency will plan to migrate to the new contract writing system with a Fit Gap analysis and a "soft" pilot of the system and will begin data migration. At the same time, the Agency will begin to decommission the legacy EAS system.

In FY 2020, EPA will continue to implement Best-in-Class (BIC) solutions to identify pre-vetted, government-wide contracts as part of the Agency's effort to utilize more mature, market-proven acquisition vehicles.[76] Through BIC solutions, EPA will leverage acquisition experts to optimize spending within the government-wide category management framework and increase the

[76] For additional information, please refer to: https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2017/M-17-29.pdf *Best-in-Class Mandatory Solution -Package Delivery Services.*

transactional data available for agency level analysis of buying behaviors. In FY 2020, EPA also will continue to maximize its Strategic Sourcing Program (SSP), thereby enhancing purchase coordination, improving price uniformity and knowledge-sharing, and leveraging small business capabilities to meet acquisition goals.

The SSP allows the Agency to research, assess, and award contract vehicles that will maximize time and resource savings. The SSP serves as a foundation for effective financial and resource management because it simplifies the acquisition process and reduces costs. Long-term implementation of the SSP can transform the Agency's acquisition process into a strategically driven function, ensuring maximum value for every acquisition dollar spent. The Agency has established a goal of obtaining at least five percent savings for all strategically sourced categories of goods and services. Since the SSP's inception at the beginning of FY 2013 through FY 2018, EPA has saved approximately $14.5 million from strategic sourcing initiatives focused on VoIP, laboratory supplies, print, cellular services, shipping, office supplies, equipment maintenance, and software. In FY 2020, EPA anticipates approximately $7.5 million in savings.

In FY 2020, EPA will continue to focus on implementing the Financial Information Technology Acquisition Reform Act (FITARA) by:

- Avoiding vendor lock-in by competing contracts with multiple vendors or confining the scope of the contract to a limited task; and

- Developing acquisition vehicles that support the Agency in FITARA implementation.

Performance Measure Targets:

(PM PR1) Percentage of contract actions processed within the Procurement Action Lead Time (PALT) Standards.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						SA: 75 CP: 65 FAA: 80	85	90	Percent
Actual						SA: 70 CP: 88 FAA: 76			
Numerator						SA:704 CP: 21 FAA: 3,038			Actions
Denominator						SA: 1,007 CP: 24 FAA: 4,002			

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$598.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (-$2,776.0 / -14.9 FTE) This program change streamlines contractor support for: helpdesk services for EPA's Acquisition System; the closeout of contracts; and the Defense Contract Management Agency for Audit Services and the Virtual Acquisition Office (a source for up-to-date government acquisition news, research, and analysis). It also eliminates funding for Contracts Management Assessment Program Reviews which enable EPA to self-identify and remedy internal weaknesses, and reduces the Agency's training for its acquisition community. In FY 2020, EPA will utilize available program resources to prepare to transition from its commercial off-the-shelf acquisition system to an approved federal shared service provider for a new contract writing system.

Statutory Authority:

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

Central Planning, Budgeting, and Finance

Program Area: Operations and Administration
Goal: Rule of Law and Process
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$70,053.3***	***$72,884.0***	***$71,100.0***	***-$1,784.0***
Leaking Underground Storage Tanks	$390.3	$387.0	$434.0	$47.0
Hazardous Substance Superfund	$20,503.7	$22,018.0	$21,340.0	-$678.0
Total Budget Authority	$90,947.3	$95,289.0	$92,874.0	-$2,415.0
Total Workyears	430.9	448.8	433.3	-15.5

Total workyears in FY 2020 include 1.0 FTE funded by TSCA fees and 1.0 FTE funded by e-Manifest fees.

Program Project Description:

Activities under the Central Planning, Budgeting and Finance Program support the management of integrated planning, budgeting, financial management, performance and risk assessments and reporting, and financial systems to ensure effective stewardship of resources. This includes managing and supporting the Agency's performance management system consistent with the Government Performance and Results Modernization Act of 2010 that involves: providing financial payment and support services for EPA, as well as specialized fiscal and accounting services for many of EPA's programs; strategic planning and accountability for environmental, fiscal, and managerial results; executing an Enterprise Risk Management program to support effective and efficient mission delivery and decision making; providing policy, systems, training, reports, and oversight essential for EPA's financial operations; managing the agencywide Working Capital Fund; and managing the Agency's annual budget process. This program also supports the Digital Accountability and Transparency (DATA) Act of 2014 and the Federal Information Technology Acquisition Reform Act (FITARA) of 2015 requirements.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. EPA will continue to provide resource stewardship to ensure that all agency programs operate with fiscal responsibility and management integrity, financial services are efficiently and consistently delivered nationwide, and programs demonstrate results. EPA will maintain key planning, budgeting, and financial management activities. EPA will sustain basic operations and maintenance of core agency financial management systems: Compass, PeoplePlus (Time and Attendance), Budget Formulation System, and related financial reporting systems. In addition, the Agency is reviewing its financial systems for efficiencies and effectiveness, identifying gaps, and targeting legacy systems for replacement.

EPA will continue to modernize and streamline business processes and operations to promote transparency and efficiency. The Program will apply Lean principles and leverage input from customer-focused councils, advisory groups and technical workgroups to continue improving as a high-performance organization. EPA will standardize and streamline internal business processes and use additional federal and/or internal shared services when supported by business case analysis. Since 2014, Department of Interior's (DOI) Interior Business Center (IBC) serves as EPA's payroll and HR shared service provider. In FY 2020 or FY 2021, DOI will transition to the New Pay System under GSA's Office of Shared Solutions and Performance Improvement. To prepare for this transition, DOI must decouple its Federal Personnel and Payroll System to manage payroll separately. The Agency may incur costs to facilitate this transition.

In FY 2020, the Program will continue to focus on core responsibilities in the areas of strategic planning, performance assessment and reporting, and enterprise risk management; budget preparation; financial reporting; and, transaction processing. As the Agency lead in designing and implementing performance and risk management strategies that inform agency decision making and advance mission results, the Program will focus on driving progress toward the Administrator's priorities by regularly assessing performance results against ambitious targets, monitoring and mitigating risks, and adjusting strategies as needed. This includes convening regular Performance Reviews to assess progress; promoting an increased use of data analytics and evidence-based decision-making practices; working collaboratively with agency programs to assess and analyze performance and risk data; and providing technical assistance on agencywide measures governance to enhance data quality. EPA also will continue to use the performance data and other evidence to answer fundamental business questions and identify opportunities for service improvements.

During FY 2020, EPA will focus on the Financial Management – Financial Acquisition Modernization Effort (FAME) project. The goal of FAME is to deliver a streamlined approach for the end-to-end delivery of financial transactions for contracts and grants by taking advantage of federal shared services. Among other benefits, EPA seeks to adopt accepted and standardized business processes that will deliver greater streamlining and efficiency and achieve improved financial and programmatic oversight. Equally important is the ability to meet increased transparency needs, such as those prescribed in the DATA ACT, as well as increased compliance and reporting standards. The FY 2020 investment will fund activities including system configuration, training, and outreach. This project will reduce the IT costs, streamline business processes, improve data reliability and security, and position the Agency to leverage additional federal/non-federal financial services and systems capabilities.

EPA will continue to follow OMB Circular A-123 guidance, conduct internal program reviews and use the results and recommendations from the Office of Inspector General (OIG) to provide evidence of the soundness of EPA's financial management program and identify areas for further improvement. The Agency will collect key operational statistics for its financial management program to further evaluate its operations and for management decision making. For example, in FY 2018, EPA tracked the timeliness of employees submitting travel vouchers. Through monthly review of performance, strategies were identified and implemented that resulted in improving compliance from 60 percent to 80 percent.

The Program will continue to support FITARA requirements in accordance with EPA's Implementation Plan.[77] The Chief Information Officer will continue to be engaged throughout the budget planning process to ensure that IT needs are properly planned and resourced in accordance with FITARA.

EPA is dedicated to reducing fraud, waste, and abuse and strengthening internal controls over improper payments. Since the implementation of the Improper Payments Information Act of 2002, EPA has reviewed, sampled, and monitored its payments to protect against erroneous payments. The Agency's payment streams are consistently well under the government-wide threshold of 1.5 percent and $10 million of estimated improper payments. EPA conducts risk assessments in its principal payment streams, including grants, contracts, commodities, payroll, travel, purchase cards, and the Clean and Drinking Water State Revolving Funds. When overpayments are identified, they are promptly recovered. EPA has expanded its risk assessments, performed statistical sampling, set appropriate reduction/recovery targets, and implemented corrective action plans. The Agency conducts these activities to reduce the potential for improper payments and ensure compliance with the Improper Payments Information Act, as amended by the Improper Payments Elimination and Recovery Act of 2010 (P.L. 111-204) and the Improper Payments Elimination and Recovery Act of 2012 (P.L. 112-248).

Performance Measure Targets:

(PM CF1) Number of administrative shared services.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						6	7	8	Shared Services
Actual						5			

(PM CF2) Number of Agency administrative subsystems.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						24	22	20	Subsystems
Actual						26			

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$1,045.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (-$4,572.0 / -24.0 FTE) This program change streamlines efforts in the areas of strategic planning, budget preparation, financial reporting and transaction processing.

- (+7.5 FTE) This program change is an increase in reimbursable FTE to support the Agency's fee-funded programs and to support working capital fund financial management services.

[77] For more information please see: http://www.epa.gov/open/fitara-implementation-plan-and-chief-information-officer-assignment-plan.

- (+$3,833.0) This increase supports the implementation of the Financial Management Payment Processing Modernization project and fixed costs to operate the Agency's financial management systems.

Statutory Authority:

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

Facilities Infrastructure and Operations

Program Area: Operations and Administration
Goal: Rule of Law and Process
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$292,535.1***	***$308,701.0***	***$308,335.0***	***-$366.0***
Science & Technology	$70,101.6	$68,339.0	$67,274.0	-$1,065.0
Building and Facilities	$34,605.1	$27,791.0	$33,377.0	$5,586.0
Leaking Underground Storage Tanks	$1,056.6	$813.0	$773.0	-$40.0
Inland Oil Spill Programs	$753.8	$584.0	$665.0	$81.0
Hazardous Substance Superfund	$76,061.2	$75,253.0	$73,540.0	-$1,713.0
Total Budget Authority	$475,113.4	$481,481.0	$483,964.0	$2,483.0
Total Workyears	321.8	327.6	308.0	-19.6

Program Project Description:

Environmental Programs and Management (EPM) resources in the Facilities Infrastructure and Operations Program fund the Agency's rent, utilities, and security. This program also supports centralized administrative activities and support services, including health and safety, environmental compliance and management, facilities maintenance and operations, space planning, sustainable facilities and energy conservation planning and support, property management, printing, mail, and transportation services. Funding for such services is allocated among the major appropriations for the Agency.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, EPA will continue to invest to reconfigure EPA's workspaces, enabling the Agency to release office space and reduce long-term rent costs, consistent with HR 4465,[78] the *Federal Assets Sale and Transfer Act of 2016*. EPA is implementing a long-term space consolidation plan that will reduce the number of occupied facilities, consolidate space within remaining facilities, and reduce square footage wherever practical.

EPA is working toward the long-term performance goal in the *FY 2018–2022 EPA Strategic Plan* to reduce unused office and warehouse space by 850,641 square feet nationwide. This has the

[78] For additional information, please refer to: https://www.congress.gov/bill/114th-congress/house-bill/4465, *Federal Assets Sale and Transfer Act of 2016*.

potential to provide a cumulative annual rent avoidance of approximately $28 million across all appropriations. These savings help offset EPA's escalating rent and security costs. Planned consolidations in FY 2020 will allow EPA to release an expected 146,477 square feet of space. For FY 2020, the Agency is requesting $165.82 million for rent, $9.02 million for utilities, and $23.05 million for security in the EPM appropriation.

In FY 2020, the Agency will continue to explore opportunities to reconfigure EPA's workplaces with the goal of reducing long-term rent costs. Space consolidation and reconfiguration enables EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace. However, even if modifications are kept to a minimum, each move requires initial B&F funding to achieve long-term cost avoidance.

At the requested resource levels, EPA will continue to manage lease agreements with GSA and other private landlords, maintain EPA facilities, fleet, equipment, and fund costs associated with utilities and building security needs. EPA also will meet regulatory Occupational Safety and Health Administration (OSHA) obligations and provide health and safety training to field staff (e.g., inspections, monitoring, On-Scene Coordinators), and track capital equipment of $25 thousand or more. In addition, the Agency will retire EPA's Personal Access and Security System (EPASS) program and shift to GSA's Managed Service Office, *USAccess*, for PIV card enrollment and issuance. *USAccess* is a shared services solution which is in line with OMB's Federal IT Shared Services Strategy and the President's Management Agenda.[79]

Performance Measure Targets:

(PM FA1) Reduction in EPA Space (sq. ft. owned and leased).

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						241,000	163,626	146,477	Square Feet
Actual						149,278			

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$2,607.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (+$5,830.0) This net change to fixed and other costs is an increase due to the recalculation of rent, utilities, security, partially offset by a decrease in transit subsidy.

- (-$8,803.0 / -15.6 FTE) This net program change reflects:
  - a decrease in the recalculation for moves and space reconfiguration to assist the Agency in reducing its footprint;
  - a net increase for core operations and maintenance costs at EPA-owned facilities and laboratories;

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

- a decrease in programs associated with environmental management systems, comprehensive facility energy audits, re-commissioning, and sustainable building design; and
- a decrease in the minor facilities alterations service.

Statutory Authority:

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

Financial Assistance Grants / IAG Management

Program Area: Operations and Administration
Goal: Rule of Law and Process
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$24,462.0***	***$24,729.0***	***$20,202.0***	***-$4,527.0***
Hazardous Substance Superfund	$2,498.6	$2,607.0	$2,655.0	$48.0
Total Budget Authority	$26,960.6	$27,336.0	$22,857.0	-$4,479.0
Total Workyears	139.3	142.8	115.7	-27.1

Program Project Description:

Environmental Programs and Management (EPM) resources in the Financial Assistance Grants and Interagency Agreement (IA) Management Program support the management of grants and IAs, and suspension and debarment activities. Grants comprise approximately 40 percent of EPA's overall budget. Resources in this program ensure that EPA's management of grants and IAs meet the highest fiduciary standards, that grant and IA funding produces measurable results for environmental programs, and that the suspension and debarment program effectively protects the government's business interest.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018–2022 EPA Strategic Plan*. In accordance with the overarching 2016-2020 EPA Grants Management Plan (GMP), and EPA's Strategic Plan, EPA will continue to implement activities to achieve efficiencies while enhancing quality and accountability. In FY 2020, EPA will continue investment in modernizing grant and IA IT systems in support of the President's Management Agenda.[80]

In FY 2019, EPA is preparing to deploy *GrantSolutions* software, an OMB-selected grants business leader for end-to-end grants management services provided by the Department of Health and Human Services. *GrantSolutions* will support the full 14 stages of the grants management lifecycle. FY 2020 work will center on streamlining business processing in the new system, and leveraging the full complement of system capabilities, including enhanced reporting and dashboards. For IAs, EPA will maintain and operate an integrated business solution using EPA's Interagency Agreement Payment Tracking System (IA PTS) IA Module, which will be deployed in FY 2019. Benefits of this modernization include:

[80] For more information, please visit: https://www.whitehouse.gov/wp-content/uploads/2018/03/Presidents-Management-Agenda.pdf.

- Eliminating reliance on paper for records and improving records management. For grants, EPA will utilize the records management solution provided by the Federal Shared Service – *GrantSolutions*. For IAs, EPA will evaluate options to integrate IA PTS with the Agency's internal electronic records management tool using Documentum technology.

- Strengthening decision making with improved and standardized reporting capabilities. For grants, EPA will leverage common reporting tools and other capabilities provided by *GrantSolutions* Enterprise Reporting System. For IAs, EPA will consolidate technology and capabilities to leverage the Agency's existing financial reporting system.

In addition to IT-related investments, the GMP focuses on reducing the administrative burden on EPA and grants recipients, and on improving grants management procedures. In FY 2020, the Agency will continue to: 1) fully implement the streamlining reforms in OMB's Uniform Grants Guidance; 2) streamline EPA's grants management policies through utilization of a new comprehensive framework to guide policy development, implementation, compliance, and review; 3) use EPA's Lean Management System to refine grants management processes; and 4) move to a risk-based method of pre- and post-award monitoring for grants to more effectively ensure compliance and also reduce burden.

EPA is a recognized leader in suspension and debarment. The Agency will continue to make use of discretionary debarments and suspensions as well as statutory debarments under the Clean Air Act and Clean Water Act to protect the government's business interests. In FY 2020, EPA will focus suspension and debarment activity to the most egregious violations. Congress and federal courts have long recognized federal agencies' inherent authority and obligation to exclude non-responsible parties from eligibility to receive government contracts and non-procurement awards (for example: grants, cooperative agreements, loans, and loan guarantees). A number of recent federal statutes, GAO reports, and OMB directives require that federal agencies administer effective suspension and debarment programs in order to protect the public's interest and the integrity of federal programs.

Performance Measure Targets:

Work under this program supports performance results in the Central Planning, Budgeting, and Finance Program under the EPM appropriation.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$763.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (-$5,290.0 / -27.6 FTE) This program change is a decrease based on the Agency's shift to focusing on core grants management operations, which include pre-award reviews; post-award monitoring; compliance; administrative advanced monitoring reviews; management effectiveness reviews; baseline monitoring; and audit follow-up activities on the highest risk awards. This program change is offset by expected efficiencies in the processing of

grant and IA awards, lower requested grant funding levels throughout the Agency, and a review of unliquidated obligations.

Statutory Authority:

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Federal Grant and Cooperative Agreement Act; Federal Acquisition Streamlining Act § 2455.

Human Resources Management
Program Area: Operations and Administration
Goal: Rule of Law and Process
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$43,220.4***	***$44,227.0***	***$41,635.0***	***-$2,592.0***
Hazardous Substance Superfund	$6,279.4	$7,044.0	$5,444.0	-$1,600.0
Total Budget Authority	$49,499.8	$51,271.0	$47,079.0	-$4,192.0
Total Workyears	217.7	230.9	223.8	-7.1

Program Project Description:

Environmental Programs and Management (EPM) resources for the Human Resources (HR) Management Program support human capital (HC) activities throughout EPA. To help achieve its mission and maximize employee productivity and job satisfaction, EPA continually works to improve business processes for critical HC functions including recruitment, hiring, employee development, performance management, and workforce planning. EPM resources also support overall federal advisory committee management and Chief Human Capital Officer Council activities under applicable statutes and guidance.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018–2022 EPA Strategic Plan*. Effective workforce management is critical to EPA's ability to accomplish its mission. EPA's efforts in HR enterprise risk management are focused on sustaining the workforce, retaining critical expertise, and capturing institutional knowledge. The Agency is developing and deploying management tools to assist EPA in ensuring the right staff with the appropriate skills are placed in the most suitable positions. These tools also will be valuable as an increasing percentage of the workforce becomes retirement eligible in the next five years, which is estimated to be greater than 40 percent. EPA will continue to support efforts that increase the quality of core operations, improve productivity, and achieve cost savings in mission support functions including HC management.

In FY 2020, the Agency will continue to build upon its performance, learning, and succession management activities. EPA will maintain and operate *FedTalent*, a talent management system provided through the Department of Interior (DOI)'s Interior Business Center (IBC), which was deployed in FY 2019. *FedTalent* serves as a valuable tool that assists with developing, delivering, and tracking high-impact training. EPA will continue to migrate and consolidate training data from more than fifteen disparate training repositories to ensure *FedTalent* is a one-stop-shop for all training needs. The Agency is planning to procure and deploy two additional *FedTalent* modules in FY 2020: the performance management module and the competency assessment module.

In FY 2020, EPA will continue to maintain and operate two other recent workforce planning tools. The Workforce Demographics Dashboard, deployed in FY 2018, provides data visualizations and easy-to-understand information about the current workforce and succession planning and management. It affords managers a strategic view of retirement eligibility, diversity information, occupational series, and grade levels, as well as the ability to drill down and access data at lower organizational levels. The dashboard assists EPA with succession planning by helping anticipate workforce gaps due to anticipated retirements.

The Talent Enterprise Diagnostics (TED) tool, which EPA will fully implement in FY 2019, advances human capital priorities by enhancing EPA's ability to make strategic workforce decisions. TED data will serve a crucial role in EPA's Workforce Planning and Succession Management process to identify potential competency gaps across the Agency and to increase management's understanding of where needed skill sets reside within EPA.

EPA will continue to focus on delivering statutorily required services associated with the Employee Counseling Assistance Program, the Federal Worker's Compensation Program, the Drug-free Workplace Program, Unemployment Compensation, and Sign Language Interpreting and Captioning services. Furthermore, the Agency will continue its focus on Labor and Employee Relations (LER) by administering and/or negotiating national labor agreements in accordance with Executive Orders 13836[81], 13837[82], and 13839[83] and providing advice, guidance, and assistance to regional and local level negotiations. EPA also will continue its efforts to strengthen managers' and supervisors' institutional knowledge on LER related matters through training and outreach; provide advisory and counseling support agencywide; and conduct analysis of HC information to assist managers and supervisors.

The Agency is planning to strengthen and improve its HR accountability program through internal assessments with the Office of Personnel Management's HRStat framework. EPA also is working to reconstitute an intern program to address the retirement wave expected over the next three to five years, which will complement formal coaching and performance management programs aimed at sustaining the workforce, expanding professional development opportunities, and increasing employee productivity.

EPA's advisory committees, which operate as a catalyst for public participation in policy development, implementation, and decision making, have proven effective in building consensus among the Agency's diverse external partners and stakeholders. The Agency will continue its ongoing efforts to modernize the advisory committee administrative processes by implementing an electronic committee membership nomination and appointment process to improve operational efficiency, effectiveness, accuracy, and timeliness. The Agency is heavily involved with OPM's Chief Human Capital Officer Council and the President's Management Council and Agenda to address the challenges of the twenty-first century federal workforce. EPA will continue to actively

[81] For more information, please refer to: https://www.federalregister.gov/documents/2018/06/01/2018-11913/developing-efficient-effective-and-cost--reducing-approaches-to-federal-sector-collective-bargaining.
[82] For more information, please refer to: https://www.federalregister.gov/documents/2018/06/01/2018-11916/ensuring-transparency-accountability-and-efficiency-in-taxpayer-funded-union-time-use.
[83] For more information, please refer to: https://www.federalregister.gov/documents/2018/06/01/2018-11939/promoting-accountability-and-streamlining-removal-procedures-consistent-with-merit-system-principles.

participate and collaborate in these forums to maximize the value these communities add to important policy considerations.

This program also supports the transition from DOI's IBC payroll manager to GSA's New Pay System. The Agency may incur costs to facilitate this transition.

Performance Measure Targets:

Work under this program supports performance results in the Central Planning, Budgeting, and Finance Program under the EPM appropriation.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$1,136.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (-$1,504.0 / -2.0 FTE) This net program change reflects a reduction for:
  - Operational support for the following HR programs being utilized agencywide: the Agency's recruitment and diversity and inclusion activities; EPA's Human Resources Council and National Partnership Council; the Leave Bank; and the Workplace Solutions.
  - Enhancements and maintenance of EPA's HR IT Systems including HR Line of Business, data management and analysis, troubleshooting, and change requests; maintenance of EPA's University portal that provides online training and professional development;
  - Support for Federal Advisory Committees not mandated by statute; and
  - Centrally-provided, non-mandatory training.

- (+$48.0) This program change is an increase due to recalculation of sign language support costs.

Statutory Authority:

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

Workforce Reshaping

Program Area: Operations and Administration
Goal: Rule of Law and Process
Objective(s): Improve Efficiency and Effectiveness

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$0.0***	***$0.0***	***$25,003.0***	***$25,003.0***
Science & Technology	$0.0	$0.0	$5,994.0	$5,994.0
Total Budget Authority	$0.0	$0.0	$30,997.0	$30,997.0

Program Project Description:

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

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.5, Improve Efficiency and Effectiveness in the *FY 2018 - 2022 EPA Strategic Plan*. Effective workforce reshaping is critical to EPA's ability to accomplish its mission. EPA will be examining our statutory functions and processes to eliminate inefficiencies and streamline our processes. Primary criteria will include effectiveness and accountability, as EPA is focused on greater value and real results. These analyses will likely create a need to reshape the workforce. The Agency anticipates the need to offer voluntary early out retirement authority (VERA) and voluntary separation incentive pay (VSIP), and potentially relocation expenses, as part of the workforce reshaping effort.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$25,003.0) In support of the reprioritization of Agency activities, this increase will support:
  - Voluntary early out retirement authority;
  - Voluntary separation inventive pay, and
  - Workforce support costs for relocation of employees as we realign work assignments.

Statutory Authority:

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

Pesticides Licensing

Pesticides: Protect Human Health from Pesticide Risk

Program Area: Pesticides Licensing
Goal: Core Mission
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$56,288.2***	***$58,016.0***	***$49,440.0***	***-$8,576.0***
Science & Technology	$2,888.3	$2,531.0	$2,401.0	-$130.0
Total Budget Authority	$59,176.5	$60,547.0	$51,841.0	-$8,706.0
Total Workyears	362.9	336.8	416.5	79.7

Total work years in FY 2020 include 126.0 FTE funded by the Reregistration and Expedited Processing Revolving Fund.

Program Project Description:

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)[84] and the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act (FQPA) of 1996, and the Pesticide Registration Improvement Extension Act of 2012 (PRIA),[85] EPA is charged with protecting people from the health risks that pesticide use can pose. FIFRA requires EPA to register pesticide products before they are marketed for use in the United States. Registration is based on review of scientific data sufficient to demonstrate that the product can perform its intended function without unreasonable adverse effects on people or the environment.

Under FFDCA, if a pesticide is to be used in a manner that may result in pesticide residues in food or animal feed, EPA must establish a tolerance, or maximum legal residue level or exemption from the requirement of a tolerance before it can be registered. To establish a tolerance, EPA must find that the residues are "safe," which, under FFDCA, means that there is a reasonable certainty of no harm to human health from aggregate exposure to the pesticide residue in food and from all other exposure except occupational exposure.[86] EPA must periodically review the registration and tolerances that the Agency issues to ensure that the public health is adequately protected.

[84] For more information on FIFRA, please see: https://www.epa.gov/laws-regulations/summary-federal-insecticide-fungicide-and-rodenticide-act.
[85] Authority provided under the Pesticide Registration Improvement Extension Act of 2012 expires under the current Continuing Resolution on February 15, 2019. Authority to continue to collect fees was authorized by H.R. 1625 - Consolidated Appropriations Act, 2018.
86 Additional information related to pesticide registration, the setting of tolerance levels, and the pesticide risk assessment process can be found at the following location: https://www.epa.gov/pesticide-tolerances/setting-tolerances-pesticide-residues-foods.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.4 Ensure Safety of Chemicals in the Marketplace in the *FY 2018 - 2022 EPA Strategic Plan*.

Pesticide Review and Registration

In FY 2020, EPA will continue to review and register new pesticides, new uses for existing pesticides, and other registration requests in accordance with statutory requirements. In addition, the Agency will be evaluating pesticides that are already in the market against current scientific standards for human health. To further advance EPA's work supporting environmental justice and children's health, EPA will process these registration requests with special consideration for susceptible populations, especially children. Under the Food Quality Protection Act, EPA is statutorily required to ensure that its regulatory decisions are protective of children's health and other vulnerable subpopulations. EPA will continue to emphasize the registration of reduced risk pesticides, including biopesticides, to provide farmers and other pesticide users with new safer alternatives. The Agency, in collaboration with the United States Department of Agriculture (USDA), will work to ensure that minor use registrations receive appropriate support and that needs are met for reduced risk pesticides for minor use crops. EPA will assist farmers and other pesticide users in learning about new, safer products and methods of using existing products through workshops, demonstrations, small grants, and materials available on the website and in print.

In FY 2020, EPA will continue to review the registrations of existing pesticides with a focus on assessing and ensuring that pesticides can continue to be used safely, without unreasonable adverse effects to human health and the environment. The goal of the registration review process, as mandated by statute, is to review pesticide registrations every 15 years to determine whether it continues to meet the FIFRA standard for registration.[87]

For pesticides registered before October 1, 2007, EPA has a statutory mandate to make registration review decisions by October 1, 2022. There is a total of 725 such cases. For each case, the steps in this process include, in this order, opening dockets, developing work plans, completing risk assessments, and making decisions regarding any risk management measures. It is important to open dockets and develop work plans for as many cases as possible early in the process so that there is time to complete the risk assessments and make decisions by the end of the FY 2022 deadline. EPA completed the opening of all 725 dockets in FY 2017 and can now focus its resources on completing risk assessments and making decisions to meet the FY 2022 statutory deadline. In working towards meeting the FY 2022 deadline for registration review, EPA expects to complete approximately 75 draft risk assessments and 75 decisions during FY 2020. The draft risk assessments will be published for public comments.

In FY 2020, EPA will continue enhancements to the Pesticide Registration Information System (PRISM). Expanding the capabilities of PRISM via further inclusion of electronic processes will

[87] Please see U.S. Environmental Protection Agency, Registration Review Internet site: http://www.epa.gov/oppsrrd1/registration_review/index.htm.

reduce paperwork burden and maximize efficiency, in accordance with the President's Management Agenda (PMA), by converting paper-based processes into electronic processes and corresponding workflows for the Pesticide Program's regulated entities. In addition, PRISM will create an iterative/inclusive, streamlined electronic workflow to support pesticide product registration, chemical reviews and assessments, and will be used as a centralized data repository to electronically store associated data as they relate to regulatory decisions and scientific information. Overall, the Agency projects that by expanding PRISM and related projects, over 150 existing business process workflows supporting the implementation of the Pesticide Registration Improvement Act (PRIA) will be improved.

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

This program emphasizes the use of reduced risk methods of pest control, including the use of reduced risk pesticides and helping growers and other pesticide users learn about new, safer products and methods of using pesticides. In FY 2020, EPA will continue to promote reduced risk pesticides by giving registration priority to pesticides that have lower toxicity to humans and non-target organisms such as birds, fish, and plants; low potential for contaminating groundwater; lower use rates; low pest resistance potential; and compatibility with Integrated Pest Management (IPM).[88]

Several other countries and international organizations also have instituted programs to facilitate registering reduced risk pesticides. EPA works with the international scientific community and the Organization for Economic Cooperation and Development (OECD) member countries to register new reduced risk pesticides and to establish related tolerances (maximum residue limits). Through these efforts in FY 2020, EPA will help reduce risks to Americans from foods imported from other countries.

Protecting Workers from On-the-Job Pesticide Risks

Millions of America's workers are exposed to pesticides in occupations such as agriculture, lawn care, food preparation, and landscape maintenance. Protecting workers from potential effects of pesticides is an important role of the Pesticide Program. Workers in several occupations may be exposed to pesticides when they prepare pesticides for use, such as by mixing a concentrate with water or loading and applying the pesticide.

The Worker Protection Standard (WPS)[89] and the Certification of Pesticide Applicators rules were finalized in FY 2015 and FY 2017, respectively, and are key elements of EPA's strategy for reducing occupational exposure to pesticides. In FY 2020, EPA will provide extensive in-person training to state regulators and inspectors and regions on the revised regulations to ensure accurate implementation and protection of America's workforce.

[88] Please see U.S. Environmental Protection Agency, Pesticides: Health and Safety, Reducing Pesticide Risk internet site: http://www.epa.gov/pesticides/health/reducing.htm.
[89] For more information, please see: https://www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps.

EPA also will further expand outreach and training to healthcare providers in the recognition and management of pesticide-related illnesses, via a grant awarded in FY 2019. The outreach will focus on efforts to train clinicians serving the migrant and seasonal farmworker community, further improving the treatment of agricultural workers and communities potentially exposed to pesticides.[90]

Preventing Disease through Public Health Pesticides: Antimicrobial Testing

Antimicrobial pesticides play an important role in public health and safety by killing germs, bacteria, viruses, fungi, protozoa, algae, and slime. Some of these products are used to sterilize hard surfaces in hospitals. Chemical disinfection of hard, non-porous surfaces such as floors, bed rails, and tables is one component of the infection control systems in hospitals, food processing operations, and other places where disease-causing microorganisms, such as bacteria and viruses, may be present. In reviewing registrations for antimicrobials, EPA is required to ensure that antimicrobials maintain their effectiveness.[91]

EPA's Antimicrobial Testing Program has been testing hospital sterilants, disinfectants, and tuberculocides since 1991 to help ensure that products in the marketplace meet stringent efficacy standards. EPA is currently in the process of developing a risk-based testing strategy in response to OIG recommendations made in FY 2016[92]. EPA expects to release the new strategy in FY 2019 and continue to seek public input prior to implementation in FY 2020 – FY 2021.

Outreach and Education

Giving priority to reduced risk and Integrated Pest Management (IPM)-friendly pesticides are two steps toward protecting human health. It is essential for people using pesticides to be well informed, to understand the importance of reading and following label directions, and the importance of proper disposal. They also need to understand how to protect themselves from pests that can transmit disease. In FY 2020 the Pesticide Program will continue to invest in environmental education and training efforts for growers, pesticide applicators, and workers, as well as the public in general.

Reducing Animal Testing

In FY 2020, the Agency will continue to utilize its guiding principles on data needs[93], to ensure that the Agency has enough information to support strong regulatory decisions to protect human health, while reducing, and eliminating in some cases, unnecessary resources, animal testing, and cost of data. EPA's Hazard and Science Policy Council (HASPOC) plays an important role in the implementation of the vision of the 2007 National Academy of Sciences (NAS) report on toxicity testing in the 21st century -- moving toward smarter testing strategies by waiving human health toxicity studies that do not provide useful information. Since its inception, HASPOC has waived

[90] For more information, please see https://www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps.
[91] FIFRA section 3(h)(3), 7 U.S.C. 136a(h)(3).
[92] For more information, please see: https://www.epa.gov/pesticide-registration/antimicrobial-testing-program.
[93] Reducing animal testing information may be found at: https://www.epa.gov/pesticides/new-epa-guidance-testing-pesticides-will-reduce-animal-testing.

hundreds of studies resulting in the saving of tens of thousands of animals and tens of millions of dollars in the cost of conducting the studies. In addition, the Agency has continued to develop and implement 21st Century toxicology and exposure methods, including the use of computer-modeling and in vitro testing techniques, to advance more efficient and effective human health risk assessments that support sound, risk-based, regulatory decision-making.

Evidence and Evaluation

One area that EPA is actively working to improve, using the Lean Management System, is the review process for pesticides new active ingredient applications, and specifically, reducing the timeframes that the Agency takes to review these types of applications. In FY 2020, the focus will be on gathering evidence that will assist the Agency with streamlining the review process for new active ingredient applications and building on previous efforts to map the process and identify bottlenecks. By identifying efficiencies in the review process for new active ingredients, the Agency expects to reduce decision time frames for new active ingredient applications and leverage those process improvements for related processes (e.g., new uses).

Performance Measure Targets:

Work under this program supports performance results in the Pesticides: Protect the Environment from Pesticide Risk Program under the EPM appropriation.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$233.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary and benefit costs.

- (-$8,343.0 / -2.1 FTE) This program change reflects a reduction in funding for pesticide program activities from annual appropriations with the intent to increase utilization of pesticide user fee collections. Proposed legislative language accompanying the President's Budget will expand EPA's scope of activities that can be funded with user fees.

- (+78.7 FTE) This program change shifts 78.7 FTE from annual appropriations to pesticide user fee collections.

Statutory Authority:

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

Pesticides: Protect the Environment from Pesticide Risk

Program Area: Pesticides Licensing
Goal: Core Mission
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$38,380.7***	***$41,081.0***	***$30,668.0***	***-$10,413.0***
Science & Technology	$2,309.7	$3,072.0	$2,257.0	-$815.0
Total Budget Authority	$40,690.4	$44,153.0	$32,925.0	-$11,228.0
Total Workyears	288.1	257.1	268.4	11.3

Total work years in FY 2020 include 85.0 FTE funded by the Reregistration and Expedited Processing Revolving Fund.

Program Project Description:

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires EPA to register a pesticide if, among other things, the product "will also not generally cause unreasonable adverse effects on the environment" when used in accordance with labeling and common practices. The goal of this program is to protect the environment from the potential risks posed by pesticide use. EPA must conduct risk assessments before the initial registration of each pesticide for each use, as well as re-evaluate each pesticide at least every 15 years, as required by the Food Quality Protection Act (FQPA). This periodic review is accomplished through EPA's Pesticide Registration Review Program.

In addition to FIFRA responsibilities, the Agency has distinct obligations under the Endangered Species Act (ESA).[94] These obligations include ensuring that pesticide regulatory decisions will not also destroy or adversely modify designated critical habitat or jeopardize the continued existence of species listed as threatened or endangered by the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS) (jointly, the Services).

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.4 Ensure Safety of Chemicals in the Marketplace in the *FY 2018 - 2022 EPA Strategic Plan.*

[94] For more information, please see: https://www.epa.gov/endangered-species.

Assessing the Risks Pesticides Pose to the Environment

To accomplish the goals set out in the FIFRA and ESA statutes, in FY 2020, EPA will continue to conduct ecological risk assessments[95] to determine what risks are posed by each pesticide to plants, animals, and ecosystems that are not the targets of the pesticide and whether changes are necessary to protect the environment. EPA has extensive authority to require the submission of data to support its scientific decisions and uses the latest scientific methods to conduct these ecological risk assessments. The Agency requires applicants for pesticide registration to conduct and submit a wide range of environmental laboratory and field studies. These studies examine the ecological effects or toxicity of a pesticide and its breakdown products on various terrestrial and aquatic animals and plants, and the chemical fate and transport of the pesticide (how it behaves and where it enters the soil, air, and water). EPA uses these and other data to prepare an environmental fate assessment and a hazard, or ecological effects, assessment that interprets the relevant toxicity information for the pesticide and its degradation products.[96]

In FY 2020, EPA will examine all the toxicity and environmental fate data together to determine what risks its use may pose to the environment. The process of comparing toxicity information and the amount of the pesticide a given organism may be exposed to in the environment is called risk assessment. A pesticide can be toxic at one exposure level and have little or no effect at another. Thus, the risk assessor's job is to determine the relationship between possible exposure to a pesticide and the resulting harmful effects.

The Agency reviews all data to make sure they were developed according to standard practices within the discipline and EPA's test guidelines. Risk assessments are peer reviewed, and regulatory decisions are posted on the Internet for review and comment to ensure that these actions are transparent, and stakeholders are engaged in decisions that affect their environment. When complex scientific issues arise, the Agency consults the FIFRA Scientific Advisory Panel[97] for independent scientific advice.

Risk Mitigation

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

[87] For more information, please see: https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/factsheet-ecological-risk-assessment-pesticides.
[96] For more information, please see: https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/overview-risk-assessment-pesticide-program.
[97] For more information, please see: http://www.epa.gov/scipoly/sap.

Ensuring Proper Pesticide Use through Labeling

Under FIFRA, it is illegal to use a registered pesticide in a manner inconsistent with the label instructions and precautions. In FY 2020, EPA will continue to use pesticide labels to indicate what uses are appropriate and to ensure that the pesticide is used at the application rates and according to the methods and timing approved. When EPA registers a pesticide product, it requires specific labeling instructions and precautions. When risks are identified during the initial registration or during registration review, the Agency may mitigate those risks by requiring label changes. For example, EPA may require buffer zones around water sources to prevent contamination of water or endangering aquatic plants and wildlife. Other examples are changing the application method, or rate or timing of applications to when pollinators are not present to prevent risks to pollinators such as bees.

Pesticide Registration Review

In FY 2020, EPA's activities will involve increased efforts on comprehensive risk assessments to protect the environment. For the 725 cases covering all pesticides registered before October 1, 2007, EPA has a statutory mandate to make registration review decisions by October 1, 2022. For each case, the steps in this process include, in this order; opening dockets, developing work plans, completing risk assessments, and making decisions regarding any risk management measures. It is important to open dockets and develop work plans for as many cases as possible early in the process so that there is time to complete the risk assessments and make decisions by the FY 2022 deadline. EPA completed the opening of all 725 dockets in FY 2017 and can now focus its resources on completing risk assessments and making decisions to meet the FY 2022 statutory deadline. In working towards meeting the FY 2022 deadline for registration review, EPA expects to complete approximately 75 draft risk assessments and 75 decisions during FY 2020. The draft risk assessments will be published for public comments.

Pesticide Registration and Reducing Risk Through the Use of Safer Pesticides and Methods

The review of pesticides currently in the marketplace and implementation of decisions made as a result of these reviews are a necessary element of meeting EPA's goals. However, attaining risk reduction would be significantly hampered without availability of alternative products to these pesticides for consumers.[98] Consequently, the success of the Registration Program in ensuring the availability of reduced risk pesticides plays a significant role in meeting the environmental outcome of improved ecosystem protection. EPA has promoted reduced risk pesticides since 1993 by giving registration priority to pesticides that have lower toxicity to people and non-target organisms such as birds, fish, and plants; low potential for contaminating groundwater; lower use rates; low pest resistance potential; and compatibility with Integrated Pest Management[99]. Biological pesticides and biotechnology often represent lower risk solutions to pest problems. In FY 2020, EPA will continue to assist pesticide users in learning about new, safer products and

[98] Reducing Pesticide Risk, found at: http://www.epa.gov/pesticides/health/reducing.htm.
[99] For more information, please see: http://www.epa.gov/pesticides/ipm/.

methods for using existing products. The Agency also will continue encouraging the use of IPM tools.

Reducing Animal Testing

In FY 2020, through stakeholder discussions and participation in intergovernmental working groups, the Agency will work to identify opportunities to reduce the use of animals in ecological hazard testing. EPA will reach out to non-governmental organizations to collaborate on projects (*e.g.*, to retrospectively analyze the results of ecological hazard testing). Based on the results of those projects, EPA will then develop and disseminate guidance materials for companies to clarify ecotoxicology testing requirements/needs.

Minimizing Environmental Impacts through Outreach and Education

Through public outreach, the Agency will continue to encourage the use of Integrated Pest Management (IPM) and other practices to maximize the benefits pesticides can yield while minimizing the impacts on the environment in. The Agency will develop and disseminate brochures, provide education on potential benefits of IPM, and promote outreach on the success of IPM to encourage its use.[100] To encourage responsible pesticide use that does not endanger the environment, EPA will reach out to the public through the Internet, and to workers and professional pesticide applicators through worker training programs.

Protection of Endangered Species

EPA is responsible for complying with the Endangered Species Act (ESA). This presents a great challenge given that there are approximately 1,200 active ingredients in more than 17,000 products – many of which have multiple uses – and over 1,600 listed endangered species in the US with diverse biological attributes, habitat requirements, and geographic ranges.[101] In FY 2020, as part of EPA's determination of whether a pesticide product may be registered for a particular use, the Agency will assess whether listed endangered or threatened species or their designated critical habitat may be affected by use of the product. Where risks are identified, EPA will work with the FWS and the NMFS in a consultation[102] process to ensure these new or existing pesticide registrations also will meet the ESA standard.[103]

Under the ESA, federal agencies must ensure that the "actions" they authorize will not result in jeopardy to species listed as endangered or threatened by the Services, or adversely modify designated critical habitat. Based on the parameters specified in the labeling, the Agency performs comprehensive risk assessments to determine if there is a potential risk to Threatened or Endangered species.

[100] For additional information, please see: http://www.epa.gov/pesp/ipminschools/implementation.html.
[101] For additional information, please see: https://ecos.fws.gov/ecp0/reports/box-score-report.
[102] For additional information, please see: https://www.epa.gov/endangered-species/assessing-pesticides-under-endangered-species-act.
[103] Additional information on how EPA protects endangered species from pesticides can be found at: https://www.epa.gov/endangered-species.

During registration review, EPA will support obtaining risk mitigation earlier in the process by encouraging registrants to agree to changes in uses and applications of a pesticide that are beneficial to the protection of endangered species prior to completion of EPA's consultations with FWS and NMFS. In FY 2020, pesticide registration reviews are expected to contain environmental assessments, including determining potential endangered species impacts. This effort will continue to expand the Program's workload due to the need to review studies that were received as a result of data call-ins and the need to conduct additional environmental assessments for pesticides already in the review pipeline.

In FY 2020, in cooperation with the Services and the United States Department of Agriculture (USDA), the Agency will continue to work on implementing the ESA. To this end, the Agency continues to implement recommendations from the National Academy of Sciences (NAS) National Research Council regarding scientific and technical issues related to the methods and assumptions used by EPA and the Services to carry out their joint responsibilities under the ESA and FIFRA. Since receiving the NAS report, the four agencies have developed shared scientific approaches, solicited input from stakeholders, and presented those approaches to stakeholders. During FY 2020, EPA will continue to improve the Biological Evaluations methodology and will apply the revised approaches to selected pesticide risk assessments.

The Agency will continue to provide technical support for compliance with the requirements of the ESA. In FY 2020, EPA will continue the advancement and integration of state-of-the-art science models, knowledge bases, and analytic processes to increase productivity and better address the challenge of potential risks of specific pesticides to specific species. Interconnection of the various databases within the program office also will provide improved support to the risk assessment process during registration review by allowing risk assessors to more easily analyze complex scenarios relative to endangered species.

EPA authorizes the sale, distribution, and use of pesticides according to the product labeling. EPA will continue to impose use limitations through appropriate label statements, referring pesticide users to EPA-developed Endangered Species Protection Bulletins when necessary, which are available on the Internet via *Bulletins Live Two!*[104] These bulletins also will, as appropriate, contain maps of pesticide use limitation areas necessary to ensure protection of listed species and compliance with the ESA. Any such limitations on a pesticide's use will be enforceable under the misuse provisions of FIFRA. In FY 2020, EPA will continue revising and updating *Bulletins Live Two!* to provide a more interactive and more geographically discrete platform for pesticide users to understand the use limitations necessary to protect endangered or threatened species.

Pollinator Protection

Bees and other pollinators play a critical role in ensuring the production of food. USDA is leading the federal government's effort to understand the causes of declining pollinator health and identify actions that also will improve pollinator health. EPA is part of this effort and is focusing on the potential role of pesticides. EPA's emphasis is to ensure that the pesticides used represent acceptable risks to pollinators and that products are available for commercial bee keepers to

[104] For additional information, please see: https://www.epa.gov/endangered-species/endangered-species-protection-bulletins.

manage pests that impact pollinator health. EPA is working with pesticide registrants to change pesticide labels to reduce acute exposure and ensure that pollinators are protected.

EPA has implemented a pollinator risk assessment framework to assess the potential effects that pesticides may have on bees through the registration and registration review programs, in cooperation with Canada and the California Department of Pesticide Regulation. In addition, EPA is working with several other federal agencies, including USDA and the Department of the Interior (DOI), to increase and improve pollinator habitat. EPA also is working with seed companies to develop and implement strategies to reduce the release of pesticide residues during the planting process of treated seed. In FY 2020, EPA will continue to apply the best available science and risk management methods for sustaining pollinators.[105]

Protection of Water Resources

Reduced concentration of pesticides in water sources is an indication of the effectiveness of EPA's risk assessment, management, mitigation, and communication activities. Using monitoring data collected under the U.S. Geological Survey (USGS) National Water Quality Assessment (NWQA) Program for urban watersheds, EPA will continue to monitor the impact of regulatory decisions for three priority chemicals – diazinon, chlorpyrifos, and carbaryl. In agricultural watersheds, the Program will monitor the impact of regulatory decisions on azinphos-methyl and chlorpyrifos and consider whether any additional action is necessary.[106] These four organophosphate insecticides most consistently exceeded EPA's aquatic life benchmarks for aquatic ecosystems[107] during the last ten years of monitoring by the USGS NAWQA Program. In FY 2020, the Agency will continue to work with USGS to develop sampling plans and refine program goals. Water quality is a critical endpoint for measuring exposure and risk to the environment and a measure of EPA's ability to reduce exposure from these key pesticides of concern.[108]

Evidence and Evaluation

One area that EPA is actively working to improve, through the use of the Lean Management System, is the review process for pesticide new active ingredient applications, and specifically, reducing the timeframes that EPA takes to review these types of applications. In FY 2020, the focus will be on gathering evidence that will assist the Agency with streamlining the review process for new active ingredient applications and building on previous efforts to map the process and identify bottlenecks. By identifying efficiencies in the review process for new active ingredients, the Agency expects to reduce decision time frames for new active ingredient applications and leverage those process improvements for related processes (e.g., new uses).

[105] Additional actions EPA is taking to protect pollinators from pesticides can be found at: https://www.epa.gov/pollinator-protection.
[106]Gilliom, R.J., et al. 2006. *The Quality of Our Nation's Waters: Pesticides in the Nation's Streams and Ground Water, 1992–2001*. Reston, Virginia: U.S. Geological Survey Circular 1291, p 171. Available on the Internet at: http://pubs.usgs.gov/circ/2005/1291/.
[107] For additional information, please see: http://www.epa.gov/oppefed1/ecorisk_ders/aquatic_life_benchmark.htm.
[108] The most sensitive aquatic benchmarks for the chemicals are posted on the following website: http://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/aquatic-life-benchmarks-pesticide-registration.

Performance Measure Targets:

(PM FIFRA1) Number of FIFRA decisions completed through pesticides registration review.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						58	75	75	Decisions
Actual						65			

(PM FIFRA2) Number of FIFRA registration review draft risk assessments completed.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						70	72	75	Risk
Actual						113			Assessments

(PM PRIA1) Average number of days to complete PRIA decisions for new active ingredients.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						643	631	619	Days
Actual						603			

(PM 091) Percentage of decisions (registration actions) completed on time (on or before PRIA or negotiated due dates).

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target	99	97	96	96	97	99	99	99	Percent
Actual	98.8	85	98.4	99	99	99.7			
Numerator	2,023	1,627	2,078	2,157	2,008	2,193			Decisions
Denominator	2,048	1,919	2,111	2,174	2,026	2,199			

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$623.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (-$11,036.0 / -28.3 FTE) This program change reflects the reduction of funding for pesticide program activities from annual appropriations with the intent to increase utilization of pesticide user fee collections. Proposed legislative language accompanying the President's Budget will expand EPA's scope of activities that can be funded with user fees.

- (+44.5 FTE) This program change shifts 44.5 FTE from annual appropriations to pesticide user fee collections.

Statutory Authority:

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

Science Policy and Biotechnology

Program Area: Pesticides Licensing
Goal: Rule of Law and Process
Objective(s): Prioritize Robust Science

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$1,604.1***	***$2,040.0***	***$0.0***	***-$2,040.0***
Total Budget Authority	$1,604.1	$2,040.0	$0.0	-$2,040.0
Total Workyears	7.0	7.2	0.0	-7.2

Program Project Description:

The Science Policy and Biotechnology Program provides scientific and policy expertise, coordinates EPA's intra/interagency efforts, and facilitates information-sharing related to core science policy issues concerning pesticides and toxic chemicals. In addition, the Science Policy and Biotechnology Program provides for independent, external scientific peer review through the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel (FIFRA SAP), a federal advisory committee and the newly-formed Science Advisory Committee on Chemicals (SACC).

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. Statutory requirements will be absorbed by the pesticides and toxics programs.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$2,040.0 / -7.2 FTE) This program change eliminates the Science Policy and Biotechnology Program. The science advisory committee oversight, including peer review, required by FIFRA and TSCA, will be conducted by the pesticides and toxics program offices.

Statutory Authority:

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

Pesticides: Realize the Value of Pesticide Availability

Program Area: Pesticides Licensing
Goal: Core Mission
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$7,004.6***	***$8,226.0***	***$5,571.0***	***-$2,655.0***
Science & Technology	$362.0	$424.0	$615.0	$191.0
Total Budget Authority	$7,366.6	$8,650.0	$6,186.0	-$2,464.0
Total Workyears	34.5	36.8	46.3	9.5

Total work years in FY 2020 include 10.5 FTE funded by the Reregistration and Expedited Processing Revolving Fund.

Program Project Description:

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

This program seeks to realize the value of pesticides that can be used safely to yield many benefits, such as killing viruses and bacteria in America's hospitals. These benefits also include guarding the nation's abundant and wholesome food supply, protecting the public from disease-carrying pests, and protecting the environment from the introduction of invasive species from other parts of the world.

This program manages the following types of pesticide registrations and regulatory actions under FIFRA:

- Special Local Needs under FIFRA section 24(c);
- Federal registrations at the national level under FIFRA section 3;
- Experimental Use Permit;
- Emergency, Quarantine and Crisis Exemption; and
- Periodic review of existing chemicals under the Registration Review Program.[109]

[109] Additional information can be found at: https://www.epa.gov/pesticide-registration/types-registrations-under-fifra.

FY 2020 Activities and Performance Plan:

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

Meeting Agriculture's Need for Safe, Effective Pest Control Products

With the passage of FQPA, Congress acknowledged the importance of and need for "reduced-risk pesticides" and supported expedited Agency review to help these pesticides reach the market sooner and replace older and potentially riskier chemicals. The law defines a reduced risk pesticide as one that "may reasonably be expected to accomplish one or more of the following: (1) reduces pesticide risks to human health; (2) reduces pesticide risks to non-target organisms; (3) reduces the potential for contamination of valued, environmental resources, or (4) broadens adoption of Integrated Pest Management (IPM)[110] or makes it more effective." In FY 2020, EPA will continue to support and develop procedures and guidelines for expedited review of applications for registration or amendments for a reduced risk pesticide.

FIFRA's Version of "Generic" Pesticides

FIFRA authorizes EPA to register products that are identical to or substantially similar to already registered products (known as "me too" products). Applicants for these substantially similar products may rely on, or "cite" data already submitted by another registrant. The entry of these new products into the market can cause price reductions resulting from new competition and broader access to products, which benefits farmers and other consumers. The agency will continue to prioritize and review generic registrations consistent with the statutory schedule for decision-making. Application submissions for this category of action can generally be reviewed in four months. In FY 2018, the Agency completed just over 200 registrations for the primary PRIA category (R-300) that involves 'me-too' conventional chemical registration requests. The Agency expects to complete a similar volume of registrations in FY 2020.

Outreach and Education

In FY 2020, the Agency will continue to encourage IPM, which emphasizes minimizing the use of broad-spectrum chemicals and maximizing the use of sanitation, biological controls, and selective methods of application. IPM relies on pesticide users being well-informed about the pest control options available and how to best use them. It is not enough to have pesticide products registered to control pest infestations. Pesticide users need to know which pesticides to use, how to use them, and how to maintain the site, so pests do not return. The Pesticide Program is invested in outreach and training efforts for people who use pesticides and the public in general.

Review and Registration

During FY 2020, EPA will review and register new pesticides, new uses for existing pesticides, and act on other registration requests in accordance with FIFRA and FFDCA standards as well as

[110] For additional information, please see: http://www.epa.gov/pesticides/factsheets/ipm.htm.

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

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

Similarly, the Agency will continue its work-sharing efforts with its international partners. Through these collaborative activities and resulting international registrations, international trade barriers will be reduced. When nations with whom the U.S. trade accept imported crops treated with newer, lower-risk pesticides, domestic users can more readily adopt these newer pesticides into their Crop Protection Programs. Work-sharing efforts also reduce the costs of registration to governments by sharing the expenses.

Emergency, Quarantine, and Crisis Exemptions

In FY 2020, EPA will continue to prioritize emergency exemptions under FIFRA Section 18, which authorizes EPA to allow an unregistered use of a pesticide for a limited time in the event of an emergency, such as a severe pest infestation, public health emergency, or invasive pest species quarantine. The economic benefit of the Section 18 Emergency Exemptions Program to growers is the avoidance of losses incurred in the absence of pesticides exempted under FIFRA's emergency exemption provisions. In addition, exemptions serve as important public health controls to avert pests that may cause significant risk to human health. In FY 2018, the Agency processed just over 110 requests for emergency uses and expects to process a similar level in FY 2020.

Evidence and Evaluation

One area that EPA is actively working to improve, through the use of the Lean Management System, is the review process for pesticide new active ingredient applications, and specifically, reducing the timeframes that EPA takes to review these types of applications. In FY 2020, the focus will be on gathering evidence that will assist the Agency with streamlining the review process for new active ingredient applications and building on previous efforts to map the process and identify bottlenecks. The process also will be streamlined by incorporating special antimicrobial sections and further monitoring the use of unregistered pesticides under Section 18. By identifying efficiencies in the review process for new active ingredients, the Agency expects to reduce decision time frames for new active ingredient applications and leverage those process improvements for related processes (e.g., new uses).

Performance Measure Targets:

Work under this program supports performance results in the Pesticides: Protect the Environment from Pesticide Risk Program under the EPM appropriation.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$190.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (-$2,465.0 / -2.0 FTE) This program change reflects a reduction in funding for pesticide program activities from annual appropriations with the intent to increase utilization of pesticide user fee collections. Proposed legislative language accompanying the President's Budget will expand EPA's scope of activities that can be funded with user fees. This reduction recognizes the adoption of some process improvements in the registration and registration review processes and the completion of some upgrades to program IT systems.

- (+10.5 FTE) This program change shifts 10.5 FTE from annual appropriations to pesticide user fee collections.

Statutory Authority:

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

Resource Conservation and Recovery Act (RCRA)

RCRA: Corrective Action

Program Area: Resource Conservation and Recovery Act (RCRA)
Goal: Core Mission
Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$37,118.1***	***$39,052.0***	***$33,202.0***	***-$5,850.0***
Total Budget Authority	$37,118.1	$39,052.0	$33,202.0	-$5,850.0
Total Workyears	198.3	199.4	172.0	-27.4

Program Project Description:

To reduce risks from exposure to hazardous wastes, EPA's Resource Conservation and Recovery Act (RCRA) Corrective Action Program: ensures that contaminated facilities subject to RCRA requirements are cleaned up by the responsible party, returns contaminated property to productive use, and keeps costs from being transferred to the taxpayer-funded portion of the Superfund program. Pursuant to EPA promulgated regulations and administrative orders under RCRA, EPA and authorized states will continue to direct financial assurance funds set aside by members of the regulated community to ensure that the funds are used to meet regulated entities' obligations and to protect taxpayers from having to pay the bill. Approximately 111 million Americans live within three miles of a RCRA corrective action facility (roughly 35 percent of the U.S. population),[111] and the total area covered by these corrective action sites is approximately 18 million acres.[112]

EPA works in close partnership with 44 states and one territory authorized to implement the Corrective Action Program[113] to ensure that cleanups are protective of human health and the environment. The Corrective Action Program allows for the return of properties to beneficial use, which benefits the surrounding communities, reduces liabilities for facilities, and allows facilities to redirect resources to productive activities. The Agency provides program direction, leadership, and support to its state partners. This includes specialized technical and program expertise, policy development for effective program management, national program priority setting, measurement and tracking, training and technical tools, and data collection/management/documentation. In addition, through work-sharing, the Agency serves as lead or support for a significant number of complex and challenging cleanups in both non-authorized and authorized states.

In FY 2018, EPA approved 117 RCRA corrective action facilities as ready for anticipated use (RAU), bringing the total number of RCRA RAU facilities to 1,349 of our priority universe. In

[111] U.S. EPA, Office of Land and Emergency Response Estimate 2017. Data collected includes: (1) site information as of the end of FY 2016 from RCRAInfo; and (2) census data from the 2011-2015 American Community Survey.
[112] As compiled by RCRAInfo.
[113] State implementation of the Corrective Action Program is funded through the STAG Categorical Grant: Hazardous Waste Financial Assistance and matching state contributions.

addition, 95 percent of corrective action facilities achieved protection of human health while 89 percent achieved groundwater protection.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination, in the *FY 2018–2022 EPA Strategic Plan*. The Program is currently focusing its resources on cleaning up 3,779 priority contaminated facilities (the "2020 Baseline"), which includes highly contaminated and technically challenging sites. As of the end of FY 2018, only 36 percent of the 2020 Baseline facilities has completed final and permanent cleanups, leaving approximately 2,500 facilities still needing oversight and technical support to reach final site-wide cleanup objectives. Additionally, the 2020 Baseline is a subset of a larger group of facilities with potential corrective action obligations under the RCRA. The Program's goals are to control human exposures, control migration of contaminated groundwater, complete final cleanups for the 2020 Baseline facilities, and assess and cleanup identified non-2020 Baseline facilities.

In FY 2020, EPA will:

- Reassess its universe of cleanup facilities, priorities, and measures to ensure that resources are focused on addressing those facilities that present the highest risk to human health and the environment by implementing actions to end or reduce these threats. The Program also will prioritize meeting the RCRA RAU measure targets, ensuring that where possible properties are returned to productive use and human health and environment are protected into the future.
- Provide technical assistance to authorized states in the areas of site characterization, sampling, remedy selection, reaching final cleanup goals, and long-term stewardship at 2020 Baseline facilities.
- Prioritize and focus the Program on completing site investigations to identify the most significant threats, establish interim remedies to reduce and eliminate exposure, and select and construct safe, effective long-term remedies that also maintain the economic viability of the operating facility.
- For high priority facilities, perform cleanup work under work-sharing agreements to assist with facilities that have complex issues[114] or special tasks (e.g. ecological risk assessments).
- Continue to improve cleanup approaches and share best practices and cleanup innovations, such as the use of the Lean RCRA FIRST[115] toolbox developed to speed up and improve cleanups by eliminating inefficiencies in key procedural steps.
- Maintain RCRAInfo, which is the primary data system that many states rely upon to manage their RCRA permitting, corrective action, and hazardous waste generator programs. RCRAInfo receives data from hazardous waste handlers for the National Biennial RCRA Hazardous Waste Report, which is mandated by RCRA Sections 3002 and 3004. The last biennial report showed there were 26,284 generators of over 33 million tons of hazardous waste. RCRAInfo provides the only national-level RCRA hazardous waste

[114] For example, vapor intrusion, wetlands contamination, or extensive groundwater issues.
[115] For more information, please visit: https://www.epa.gov/hw/toolbox-corrective-action-resource-conservation-and-recovery-act-facilities-investigation-remedy.

data and statistics to track the environmental progress of approximately 20,000 hazardous waste units at 6,600 facilities.

Performance Measure Targets:

(PM RSRAU) Number of RCRA corrective action facilities made ready for anticipated use.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						75	91	107	Facilities
Actual						117			

(PM CA5RC) Number of RCRA corrective action facilities with final remedies constructed.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target							98	98	Facilities
Actual									

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$915.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (-$6,765.0 / -27.4 FTE) This net program change will modify the timeline for initiating cleanups and ongoing cleanups. EPA will prioritize resources on those facilities that present the highest risk to human health and the environment.

Statutory Authority:

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

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$58,434.1***	***$60,791.0***	***$46,813.0***	***-$13,978.0***
Hazardous Waste Electronic Manifest System Fund	$2,146.2	$0.0	$0.0	$0.0
Total Budget Authority	$60,580.3	$60,791.0	$46,813.0	-$13,978.0
Total Workyears	296.9	289.7	227.2	-62.5

Total workyears in FY 2020 include 10.0 FTE funded by e-Manifest fees.

Program Project Description:

The Resource Conservation and Recovery Act (RCRA) established EPA's role as a federal leader in the conservation and recovery of resources. Under RCRA, EPA sets national standards for managing hazardous wastes and provides federal agencies, state, tribal, and local governments, and industries with technical assistance on solid waste management, resource recovery, and resource conservation. Approximately 60,000 facilities generate and safely manage hazardous waste in the United States.[116] Eighty percent of the U.S. population lives within three miles of one of these facilities,[117] making national standards and procedures for managing hazardous wastes a necessity.

The Waste Management Program safeguards the American people while facilitating commerce by supporting an effective waste management infrastructure. Cradle-to-grave hazardous waste management regulations help ensure safe management practices through the entire process of generation, transportation, recycling, treatment, storage, and final disposal. The Program increases the capacity for proper hazardous waste management in states by providing grant funding and technical support.

EPA and its state partners issue, update, maintain, and oversee RCRA controls for approximately 20,000 hazardous waste units (e.g., incinerators, landfills, and tanks) located at 6,600 treatment, storage, and disposal facilities.[118] Just as businesses innovate and grow, the waste management challenges they face also evolve; this requires new direction and changes in the federal hazardous waste program through updated regulations, guidance, and other tools.

[116] Memorandum, February 18, 2014, from Industrial Economics to the EPA, Re: Analysis to Support Assessment of Economic Impacts and Benefits under RCRA Programs: Key Scoping Assessment, Initial Findings and Summary of Available Data (Section 1), pages 5-11.
[117] U.S. EPA, Office of Solid Waste and Emergency Response Estimate. 2014. Data collected includes: (1) site information as of the end of FY 2011 from RCRAInfo; and (2) census data from the 2007-2011 American Community Survey.
[118] As compiled by RCRAInfo.

EPA directly implements the entire RCRA program in Iowa and Alaska and provides leadership, work-sharing, and support to the states and territories authorized to implement the permitting program. Additionally, the Toxic Substances Control Act polychlorinated biphenyls (PCB) cleanup and disposal program is implemented under the Waste Management Program to reduce PCB exposure from improper disposal, storage, and spills. The Program reviews and approves PCB cleanup, storage, and disposal activities. This federal authority is not delegated to state programs. PCBs were banned in 1979, but legacy use and contamination still exists, and PCBs can still be released into the environment from poorly maintained hazardous waste sites that contain them.

In FY 2018, EPA permitted, clean-closed, or otherwise had initial controls in place to prevent release at an additional 43 facilities. Issuance of controls decreases the risk of future releases and enhances protection of human health and the environment. At the end of FY 2018, 251 (50 percent) of 500 facilities in need of controls had initial controls. Additionally, EPA issued RCRA hazardous waste permit renewals or clean-closures to 109 additional facilities. Maintaining updated permits and controls ensures that permitted facilities have consistent and protective standards to prevent release; proper standards for waste management can protect human health, prevent land contamination/degradation, and avoid future cleanups and associated substantial costs.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination in the *FY 2018–2022 EPA Strategic Plan*. In FY 2020, the RCRA Waste Management Program will:

- Provide technical assistance to regions, states, and tribes regarding the development and implementation of solid waste programs.
- Provide technical and implementation assistance, oversight, and support to facilities that generate, treat, store, recycle and dispose of hazardous waste.
- Review and approve PCB cleanup, storage, and disposal activities to reduce exposures, particularly in sensitive areas like schools and other public spaces. EPA will prioritize PCB approvals and expedite high priority cleanups or address those unaddressed in a timely fashion. Issuing PCB approvals is a federal responsibility, non-delegable to states.
- Under EPA's Lean Management System, EPA will monitor progress in issuing permits more quickly without sacrificing permit integrity. This includes progress towards meeting the Agency's goal of reaching all permitting-related decisions in a timely manner.
- Manage the Waste Import Export Tracking System (WIETS) system, which provides for the electronic submission of hazardous waste import and export notices. This saves businesses time and effort and makes shipping hazardous waste across borders more efficient. Managing hazardous waste imports and exports is a federal responsibility, nondelegable to states.
- Provide technical hazardous waste management assistance to tribes to encourage sustainable practices and reduce exposure to toxins from hazardous waste.
- Directly implement the RCRA program in unauthorized states, on tribal lands, and other unauthorized portions of state RCRA programs. Issue and update permits, including continuing to improve permitting processes.

- Take action as necessary regarding regulations to ensure protective management of coal combustion residuals (CCR). The Agency has promulgated regulations specifying improved management and disposal practices to ensure people and ecosystems are protected. The Agency will continue to work with our stakeholders as we develop and implement regulations, through technical assistance and guidance.
- Implement applicable provisions of the Water Infrastructure Improvements for the Nation Act of 2016, which enables states to submit for EPA approval state CCR permit programs. The Agency will continue to work closely with state partners to review and make determinations on State programs. Subject to appropriations, EPA will implement a permit program for CCR disposal facilities on tribal lands as well as participating states.

Performance Measure Targets:

(PM HW5) Number of permit renewals issued at hazardous waste facilities.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						64	64	64	Facilities
Actual	113	110	100	89	125	109			

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$924.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (+$3,000.0 / +14.0 FTE) This program change reflects an increase to support states in the development and implementation of a coal combustion residual permit program.

- (-$17,902.0 / -78.6 FTE) This program change reflects a focus on PCB cleanup and hazardous waste disposal programs, while reducing technical assistance to stakeholders regarding the development, approval, and implementation of solid waste management programs.

Statutory Authority:

Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) §§ 3002, 3004, 3005, 3017; Toxic Substances Control Act (TSCA) § 6.

RCRA: Waste Minimization & Recycling

Program Area: Resource Conservation and Recovery Act (RCRA)
Goal: Core Mission
Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$6,782.4***	***$9,534.0***	***$0.0***	***-$9,534.0***
Total Budget Authority	$6,782.4	$9,534.0	$0.0	-$9,534.0
Total Workyears	36.4	47.6	0.0	-47.6

Program Project Description:

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

The RCRA Waste Minimization Program is designed to collect, maintain, and share information on the market potential of energy and materials recovered from solid waste, including information regarding the savings potential of conserving resources that go into the waste stream.[119] As a result, industries can efficiently conserve virgin resources, including natural resources, fossil fuels, minerals, and precious metals.

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

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. State and local entities or industry groups may elect to continue to promote reuse and recycling of materials based on previous work supported by this program.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

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

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$9,534.0 / -47.6 FTE) This funding change proposes to eliminate the RCRA Waste Minimization and Recycling Program in FY 2020. EPA will focus on core waste management work.

Statutory Authority:

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

Toxics Risk Review and Prevention

Endocrine Disruptors

Program Area: Toxics Risk Review and Prevention
Goal: Core Mission
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$4,583.1***	***$7,553.0***	***$0.0***	***-$7,553.0***
Total Budget Authority	$4,583.1	$7,553.0	$0.0	-$7,553.0
Total Workyears	7.8	7.7	0.0	-7.7

Program Project Description:

The Endocrine Disruptor Screening Program (EDSP) was established in 1996 under authorities contained in the Federal Food, Drug and Cosmetic Act (FFDCA) and the Safe Drinking Water Act (SDWA) amendments. Current activities within the EDSP include transitioning to the use of high throughput screening (HTS) and computational toxicology (CompTox) tools to screen thousands of chemicals for endocrine activity, establishing policies and procedures for screening and testing, and evaluating data to ensure chemical safety by protecting public health and the environment from endocrine disrupting chemicals.

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. EPA will absorb the remaining functions within the Pesticides Program using the currently available tiered testing battery.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$7,553.0 / -7.7 FTE) This program change eliminates the Endocrine Disruptors Program. The ongoing functions of the Program can be continued within the Pesticides Program.

Statutory Authority:

Federal Food Drug and Cosmetic Act (FFDCA) § 408(p); Safe Drinking Water Act (SDWA) § 1457.

Pollution Prevention Program

Program Area: Toxics Risk Review and Prevention
Goal: Cooperative Federalism
Objective(s): Enhance Shared Accountability

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$10,353.0***	***$11,236.0***	***$0.0***	***-$11,236.0***
Total Budget Authority	$10,353.0	$11,236.0	$0.0	-$11,236.0
Total Workyears	47.8	46.2	0.0	-46.2

Program Project Description:

The Pollution Prevention (P2) Program is a tool for advancing environmental stewardship and sustainability by federal, state and tribal governments; businesses; communities; and individuals. The P2 Program seeks to alleviate environmental problems by achieving reductions in the generation of hazardous releases to air, water, and land; reductions in the use of hazardous materials; reductions in the generation of greenhouse gases; and reductions in the use of water. The Program also helps businesses and others reduce costs as a result of implementing these preventative approaches.

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. Based on previous investments in P2 solutions made under this program project, partners are expected to be able to continue to share best practices and pursue additional pollution prevention solutions. EPA will continue to meet core statutory requirements under the Pollution Prevention Act of 1990 in other programs.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$11,236.0 / -46.2 FTE) This program change eliminates the Pollution Prevention Program.

Statutory Authority:

Pollution Prevention Act of 1990 (PPA); Toxic Substances Control Act (TSCA).

Toxic Substances: Chemical Risk Review and Reduction

Program Area: Toxics Risk Review and Prevention
Goal: Core Mission
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$65,947.8***	***$61,105.0***	***$66,418.0***	***$5,313.0***
Total Budget Authority	$65,947.8	$61,105.0	$66,418.0	$5,313.0
Total Workyears	248.7	289.2	258.7	-30.5

Total Workyears in FY 2020 include 51.6 FTE funded by TSCA fees.

Program Project Description:

Under the Toxic Substances Control Act (TSCA), as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, EPA has significant responsibilities for ensuring that chemicals in or entering commerce do not present unreasonable risks to human health or the environment. These responsibilities are executed by the Agency through the Chemical Risk Review and Reduction (CRRR) Program, which works to ensure the safety of:

- Existing chemicals (those already in use when TSCA was first enacted in 1976 and those which have since gone through review by the TSCA New Chemicals Program)[120] by obtaining and evaluating chemical data and by taking regulatory action, where appropriate, to prevent any unreasonable risk posed by their use; and

- New chemicals by reviewing new chemical notices submitted by industry, including Pre-Manufacture Notices (PMNs), and taking action, as appropriate, to ensure that no unreasonable risk will be posed by such chemicals upon their entry into U.S. commerce.

The amended TSCA law, signed on June 22, 2016, provided EPA with significant new authorities and obligations:

- *Clear deadlines.* EPA is required to systematically prioritize and evaluate existing chemicals on a specific schedule, complete specified numbers of chemical risk evaluations within specified time frames, complete risk management actions within specified time frames where warranted by the findings of the evaluations, and review and make determinations on Confidential Business Information (CBI) claims within specified time frames, among other actions.

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

- *Requirement to address risks.* EPA is required to take timely action to address any unreasonable risks identified in the risk evaluations by applying by rule one or more of the requirements specified in TSCA Section 6(a), which can include: prohibiting or restricting the manufacture, processing or distribution in commerce of the chemical substance or mixture for a particular use; limiting the amount of the substance or mixture that may be manufactured, processed or distributed in commerce for a particular use; or imposing requirements affecting labeling, recordkeeping or any manner or method of commercial use or disposal of the substance or mixture; to the extent necessary so that the chemical will no longer present an unreasonable risk.

- *Increased transparency of chemical data while protecting legitimate confidential information.* EPA is required to review all chemical identity CBI claims for certain types of submissions and for 25 percent of most other CBI claims within 90 days of receipt.

- *Requirement that EPA make an affirmative determination of safety on every new chemical.* Previously, new chemicals were allowed to enter the marketplace unless EPA made a specific determination that regulatory controls were needed. Now, an affirmative determination must be made by EPA within a mandated 90-day timeframe[121] that a new chemical substance will present, may present, or is not likely to present an unreasonable risk to human health or the environment; or that the available information is insufficient to enable the Agency to make any of the above determinations. Unless EPA determines that the substance is not likely to present unreasonable risk, the Agency must issue an order or rule that imposes conditions sufficient to protect against any such unreasonable risk before the chemical can enter the marketplace.

In addition, amended TSCA provided a sustainable source of funding for EPA to carry out its responsibilities, authorizing the Agency to collect user fees designed to defray 25 percent of its costs for administering certain sections[122] of TSCA, as amended.[123] Fee levels may be adjusted on a recurring three-year basis for inflation and to ensure that fees defray 25 percent of relevant costs. Chemical manufacturers (including importers) and, in limited instances, processors began incurring TSCA User Fees on October 1, 2018.

The statute authorizes EPA to collect fees from chemical manufacturers (including importers) and, in limited instances, processors who:

- Are required to submit information (TSCA section 4);
- Submit notification of or information related to intent to manufacture a new chemical or significant new use of a chemical (TSCA section 5);

[121] EPA may extend this timeline by 90 days, and submitters may request to suspend review to develop/provide additional information.

[122] The costs of implementing TSCA (as amended) Sections 4, 5 and 6 are defrayable up to the statutory caps, as are the costs of collecting, processing, reviewing and providing access to and protecting from disclosure, as appropriate, chemical information under Section 14.

[123] The authority to assess fees is conditioned on appropriations for the CRRR Program, excluding fees, being held at least equal to the amount appropriated for FY 2014.

- Manufacture, (including import) a chemical substance that is subject to an EPA-initiated risk evaluation (TSCA section 6); or
- Request that EPA conduct risk evaluation on an existing chemical (TSCA section 6), subject to the Agency's approval of the request.

The Agency has made considerable progress in carrying out work activities required under the amended law. Key achievements include:

- Commencing risk evaluations for the initial set of 10 chemicals, issuing scoping documents in accordance with statutory deadlines, issuing problem formulation documents and initiating development of draft evaluations;
- Completing the first draft risk evaluation, for Pigment Violet 29, in November 2018;
- Finalizing all four key framework rules needed to carry out provisions of the amended TSCA law (Inventory Rule, Risk Evaluation Process Rule, Prioritization Process Rule, User Fees Rule);
- Releasing guidance for external parties interested in submitting draft risk evaluations to EPA for consideration;
- Completing reviews under the new law of more than 2,600 new chemical notifications and submissions[124] and utilizing a pre-submission consultation step to engage early with submitters;
- Enhancing chemical data transparency by issuing guidance for state, tribal, and local governments and emergency responders on sharing TSCA CBI, guidance on structurally descriptive names, and policy and procedures for assigning unique identifiers to improve public tracking of information on chemicals;
- Finalizing a Strategic Plan to promote the development and implementation of alternative test methods and strategies to reduce, refine or replace vertebrate animal testing and the initial List of Alternative Test Methods and Strategies (or New Approach Methodologies [NAMs]), which the Agency plans to update at least once a year;
- Proposing a Significant New Use Rule (SNUR) requiring EPA review for new uses of asbestos before they can be allowed to be commercialized;
- Advancing development of a required regulatory action under section 6(a) for five Persistent, Bioaccumulative and Toxic (PBT) chemicals from the 2014 update of the TSCA Work Plan for Chemical Assessments that meet a specific set of criteria laid out in section 6(h), with publication of a draft rule planned to occur in the early summer of 2019;
- Releasing for public comment a systematic review approach document to guide EPA's selection and review of studies and to explain how the agency plans to evaluate scientific information;
- Publishing an Interim List of Active Substances, as required by TSCA Section 8;
- Publishing a list of five mercury compounds that are to be made subject to export restrictions and a final rule on reporting mercury manufacturing and imports; and
- Conducting a series of public meetings and webinars to gather public input on TSCA implementation activities.

[124] For more information, please see: https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/statistics-new-chemicals-review#chart

Future implementation activities will build on the progress EPA already has made.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.4 Ensure Safety of Chemicals in the Marketplace in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, the resources requested by EPA will support continued implementation of the amendments to TSCA, with emphasis on the critical mandates and timelines applicable to pre-market review of new chemicals, chemical risk evaluation and management, review and determinations on incoming CBI claims, and other statutory priorities. EPA anticipates an increased workload to support these efforts in FY 2020 as the Agency reaches statutory deadlines to conclude the first ten risk evaluations for existing chemicals, and initiate risk management regulatory actions as necessary. EPA also will conclude the statutorily required prioritization work to identify 20 Low-Priority chemicals for which risk evaluation is not warranted at this time, and to identify 20 High Priority chemicals for which risk evaluation must begin immediately. At the same time, the Agency will work to reduce review timeframes for review of Pre-Manufacture Notices for new chemicals and will continue to carry out ongoing base program activities.

<u>Primary TSCA Implementation Activities – TSCA Sections 4, 5, 6, and 14:</u>

TSCA, as amended, provides requirements and authorities to EPA to collect chemical test data, review new and existing chemicals, and address unreasonable risks under TSCA Sections 4, 5, and 6; to collect, process, review, and provide access to and protect from disclosure information on chemical substances as appropriate under TSCA Section 14; and to defray 25 percent of the costs of those activities through user fees.

TSCA Section 4, as amended, authorizes EPA to require testing of a chemical substance or mixture by manufacturers (including importers) or processors. The 2016 TSCA amendments provided new test order authorities which are designed to expedite the Agency's collection of testing information for prioritizing and conducting chemical risk evaluations for new and existing chemicals. In FY 2020, EPA may utilize these authorities to require testing on chemicals in connection with the prioritization and risk evaluation processes, where such testing is needed. The Agency will continue to review test data submitted from prior test rules and enforceable consent agreements. As in past years, EPA will make use of Toxics Release Inventory (TRI) data in prioritizing chemicals for collection of testing information and evaluation of potential risks.

Under TSCA Section 5, as amended, EPA is responsible for reviewing all new chemical submissions to determine whether the chemicals may pose unreasonable risks to human health or the environment if they were to enter U.S. commerce, and, when necessary, requiring restrictions or testing prior to allowing chemicals to be commercialized. In FY 2020, the Agency will continue to implement these responsibilities; EPA expects to review and manage, as necessary, the potential risks from approximately one thousand new chemicals, including nanoscale materials and products of biotechnology, prior to their entry into the marketplace. The Program also will evaluate the data submitted under requirements of Section 5 Consent Orders. The Agency also will continue to make improvements to internal data and tracking systems stemming from lean projects undertaken by the program to enhance the efficiency of the new chemical review process. These improvements

will provide regulatory relief to submitters by increasing certainty about review timeframes and associated risk management actions. In addition, in FY 2020, EPA will continue to use TSCA Section 5 authorities to issue SNURs to require notification to EPA for significant new uses of existing chemicals, where applicable.

Under TSCA Section 6, as amended, EPA is statutorily mandated to maintain an ambitious schedule for initiating and completing chemical risk evaluations of existing chemicals. When unreasonable risks are identified, TSCA sets timelines for initiating and completing risk management regulatory actions to address those unreasonable risks.

- *Chemical Prioritization and Risk Evaluation*: In FY 2020, EPA intends to complete risk evaluations for the first 10 chemicals designated to undergo risk evaluation under the amended law no later than December 2019, in accordance with statutory timelines, or by June 2020 if EPA invokes a statutorily allowed 6-month extension. (Designation of Ten Chemical Substances for Initial Risk Evaluations Under the Toxic Substances Control Act, 81 FR 91927). Scoping and problem formulation documents for all 10 evaluations were released by EPA in June 2017 and June 2018, respectively.

  For EPA-initiated risk evaluations beyond the first 10 chemicals noted above, EPA must first undertake a risk-based prioritization process to determine which chemicals will be evaluated, identifying them as either "high" or "low" priority substances for evaluation as set forth in TSCA section 6(b)(1)(A). In FY 2020, in accordance with statutory requirements, EPA will finalize designations of at least 20 high-priority and at least 20 low-priority chemicals and will commence risk evaluations for the 20 high-priority chemicals. After EPA designates at least 20 high-priority substances in FY 2020, EPA is required to commence a risk evaluation for another high-priority substance each time a risk evaluation is completed so that EPA maintains a pace of at least 20 EPA-initiated risk evaluations underway from the end of calendar year 2019 forward [TSCA section 6(b)(2)].

  The law also includes provisions allowing manufacturers to request that EPA conduct evaluations of specific chemicals. EPA is required to undertake manufacturer-requested risk evaluations that meet the Agency's acceptance criteria at levels up to 50 percent of the number of EPA-initiated evaluations underway.

- *Risk Management:* When unreasonable risks are identified in the final risk evaluation, EPA must finalize risk management actions (rulemakings under TSCA Section 6(a)) to address the unreasonable risk within two years, or up to four years if an extension is utilized. Accordingly, the Agency may be proposing risk management actions in FY 2021 for chemicals which have been found to present an unreasonable risk, based upon the first ten risk evaluations that must be completed in FY 2020.

  In FY 2020, EPA also will take risk management regulatory action on other chemicals. TSCA Section 6(h) establishes a fast-track process to address certain persistent, bioaccumulative, and toxic (PBT) chemicals on the 2014 TSCA Work Plan. EPA is developing a regulation for five such chemicals based upon peer-reviewed exposure and use assessments and expects to propose that regulation by June 2019 as prescribed by the

law. In FY 2020, EPA expects to work to finalize this regulation. EPA also expects to continue work on regulating certain uses of methylene chloride in paint and coating removal in FY 2019. The final rule action was based on a final risk assessment released in 2014 ("TSCA Work Plan Chemical Risk Assessment Methylene Chloride: Paint Stripping Use").

Under TSCA Section 14, as amended, EPA is required to review and make determinations on confidential business information (CBI) claims contained in TSCA submissions, to share – under defined circumstances – TSCA CBI with states, tribes, health and medical professionals, first responders, and similar persons, and to make non-CBI TSCA data available to the public. EPA is updating policies, regulations and guidance to implement the amendments. In FY 2020, EPA will:

- Complete CBI claim reviews for more than 2,500 new cases[125] anticipated to be associated with Section 4, 5 and 8 submissions;
- Complete CBI claim reviews for approximately 1,900 chemical identity claims associated with Notice of Activity submissions;
- Complete CBI claim reviews for approximately 1,500 CBI cases from the backlog that has developed since 2016 pending finalization of EPA's review procedures;
- Assign unique identifiers to chemicals where CBI claims for chemical identify are upheld.

Other TSCA Mandates and Activities

TSCA Section 8: In FY 2020, as required under Section 8 of TSCA, as amended, EPA will publish the next inventory of supply, use and trade of mercury and mercury compounds in the U.S. This effort will include implementation of a June 2018 rule establishing reporting requirements for persons who manufacture or import mercury and mercury-added products, or intentionally use mercury in a manufacturing process. In FY 2020, EPA also will maintain the Mercury Electronic Reporting application, an electronic reporting interface and database within the Central Data Exchange (CDX) and conduct outreach to instruct potentially affected stakeholders on how to report required information.

In FY 2020, EPA also expects to analyze about 300 Substantial Risk Notifications submitted by industry pursuant to Section 8(e), which requires EPA be notified immediately when a company learns that a substance or mixture presents a substantial risk of injury to health or the environment.

TSCA Section 8, as amended, also requires the Agency to promulgate a rule that establishes a plan for reviewing claims to protect confidential chemical identities reported in retrospective commercial activity notices. The review plan rule must be finalized by February 18, 2020 (within

[125] "Case" is not equivalent to a "CBI claim." The term "case" is a term utilized within the Agency that reflects a unique submission of a particular type from a particular company, and generally from a particular site. A "case" may have a large number of individual CBI claims, each of which might be subject to individual CBI claim consideration. To demonstrate the relationship of a case to claims, here are two examples:

1. In a particular TSCA Section 5 PMN "case", the PMN document and the related attachments may number 1,000 pages or more. Within the case there may be dozens of individual CBI claims.
2. In a TSCA section 8(a) CDR case with chemical identity and non-chemical identity elements being subject to review, there could be hundreds of individual chemical reports with many individual CBI claims related to each chemical report.

one year of compiling the initial Inventory with active and inactive designations). CBI claims made by manufacturers or processors for chemical identities in retrospective activity notices must be reviewed and determinations made no later than five years after the rule is made final (compiling the initial Inventory). The current Inventory has approximately 7,750 chemicals on the confidential portion that have been reported as being active in commerce in the last 10 years.

In FY 2020, EPA will continue to provide responses to any requests for exemption from export prohibitions under the Mercury Export Ban Act and work as necessary to support compliance with the Minamata Convention on Mercury, to which the United States is a party. In FY 2020, EPA also will continue to meet the requirements of Section 21 of TSCA, as amended, which authorizes citizen petitions for the issuance, amendment or repeal of certain actions (rules and orders) promulgated under TSCA: §4 (rules and orders requiring chemical testing); §6 (rules imposing risk mitigation controls on chemicals); §8 (rules requiring submission of information); §5 (orders affecting new chemical substances). Since September 2007, 24 citizen petitions have been filed with EPA under this authority. The Agency must grant or deny a Section 21 petition within 90 days; if EPA grants a petition, the requested action must be initiated in a timely fashion.

In FY 2020, EPA will continue implementing regulations under the TSCA Title VI Formaldehyde Standards for Composite Wood Products Act (Public Law 111-199), which established national emission standards for formaldehyde in new composite wood products.[126]

In FY 2020, the Agency will shift into the CRRR Program a subset of its activities to implement required TSCA Title IV activities. These activities make significant contributions to protecting children's health by helping to reduce the number of children with blood lead levels of five micrograms per deciliter or higher[127] and to reduce the disparities in blood lead levels between low-income children and non-low-income children.[128]

- In FY 2020, EPA will provide firm and individual certifications for safe work practices for lead-based paint abatement and renovation, repair, and painting efforts; provide operation and maintenance of the online database (FLPP)[129] that supports the processing of applications for training providers, firms and individuals; and continue efforts to increase the number of certified renovation firms capable of providing lead-safe renovation, repair, and painting services through targeted outreach campaigns to contractors.

- In accordance with an order from the Ninth Circuit Court of Appeals, EPA published a proposed rule in the Federal Register on July 2, 2018, to change the dust-lead hazard standard from 40 µg/ft2 and 250 µg/ft2 to 10 µg/ft2 and 100 µg/ft2 on floors and window sills, respectively. EPA did not propose to change the post-abatement clearance levels in

[126] For additional information, please see http://www2.epa.gov/formaldehyde/formaldehyde-emission-standards-composite-wood-products.
[127] 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.
[128] 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/.
[129] For additional information, please see: https://ssoprod.epa.gov/sso/jsp/flppLogin.jsp.

this proposal; however, the Agency noted that it intended to review the clearance levels at a later date. The court also ordered the Agency to propose a rule on the definition of lead-based paint. In the proposal, EPA proposed to make no change to the definition of lead-based paint because the Agency currently lacks sufficient information to support such a change. In FY 2020, EPA will continue work as necessary to determine if the definition of lead-based paint should be changed as well as if changes to the clearance levels are necessary.

- Per a settlement agreement, in FY 2020, EPA will continue to work on determining the extent to which renovations of pre-1978 public and commercial buildings do or do not create lead-based paint hazards and develop appropriate work practice standards to the extent they are deemed necessary.

Information Technology (IT) in Support of TSCA Implementation

In line with the President's Management Agenda, TSCA IT systems development will continue in FY 2020 with the goal of minimizing reporting burdens on industry, and streamlining data management by EPA, including the following activities:

- Continuing enhancement of the TSCA Chemical Information System (CIS) to reduce manual handling of data, increase internal EPA access to data relevant to chemical assessments, and expedite review of chemicals;
- Continuing integration of TSCA information management, e-Reporting and public access systems with the Agency's E-Enterprise business strategy, leveraging the E-Enterprise portal to provide better customer service for external users;
- Developing new tools for hazard and exposure identification assessment and characterization, while improving existing tools to better assess risks from both new and existing chemicals;
- Maintaining and enhancing the functionality of ChemView and expanding the information it makes available to the public to include newly completed chemical assessments, worker protection information and other new data reported to EPA under TSCA (e.g., Section 5 Pre-manufacture Notices (PMNs), Section 12(b) data, and Section 8 (d), 8(e), and 8(c) submissions).

In FY 2020, the Agency will monitor and evaluate its progress on key metrics related to carrying out its core responsibilities under the amended law in a timely manner. These include TSCA-related external long-term performance goals, annual performance goals, and two-year Agency Priority Goals, supported by internal monthly tracking systems. In accordance with these goals, EPA expects to complete all EPA-initiated risk evaluations and all associated risk management actions for existing chemicals within statutory timelines. In addition, EPA plans to continue to reduce review times for new Pre-manufacture, Microbial Commercial Activity, and Significant New Use Notices so that by FY 2022, EPA will aim to make 80 percent of all final determinations within the initial 90-day review period.

In addition to performance monitoring, EPA will undertake other forms of assessment and evidence gathering in FY 2020. The Agency's ongoing risk evaluation processes for existing chemicals utilizes scientific evidence obtained from data gathered pursuant to TSCA authorities

and systematic review of literature sources in making the risk determination required under amended TSCA. EPA's approach to systematic review is described in "Application of Systematic Review in TSCA Risk Evaluations" (May 2018). Additional evidence will be obtained by completing an annual programmatic risk assessment exercise and a statutorily required OIG audit of TSCA user fees to determine whether fee levels are appropriate.

Performance Measure Targets:

(PM TSCA1) Number of final EPA-initiated TSCA risk evaluations completed within statutory timelines.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						No Target Established	N/A	10	Evaluations
Actual						N/A			

(PM TSCA2) Number of final existing chemical TSCA risk management actions completed within statutory timelines.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						No Target Established	N/A	N/A	Actions
Actual						N/A			

(PM TSCA3) Percentage of final TSCA new chemical determinations for Pre-Manufacture Notices, Significant New Use Notices and Microbial Commercial Activity Notices completed within the initial 90-day statutory timeframe.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						65	80	80	Percent
Actual						59.7			
Numerator						46			Final Determinations
Denominator						77			

(PM TSCA3b) Percentage of final TSCA new chemical determinations for Pre-Manufacture Notices, Significant New Use Notices and Microbial Commercial Activity Notices completed within the full timeframes allowable by statute.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target							100	100	Percent
Actual									
Numerator									Final Determinations
Denominator									

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$1,665.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (+$6,150.0 / +20.0 FTE) This reflects an increase to support the implementation of efforts to meet statutory deadlines for prioritization, risk evaluation, and risk management of existing chemicals and to streamline and accelerate the review of premature and significant new use notices for new chemicals. Resources include $3,386.0 in associated payroll.

- (-$2,502.0 / -50.5 FTE) This program change reflects an increase of $8.9M in non-pay resources that is offset by a $11.5M reduction in payroll for appropriated FTE associated with a shift in FTE from appropriated resources to TSCA user fee accounts. Increased non-pay resources support the implementation of efforts to meet statutory deadlines for prioritization, risk evaluation, and risk management of existing chemicals and to streamline and accelerate the review of pre-manufacture and significant new use notices for new chemicals.

Statutory Authority:

Toxic Substances Control Act (TSCA).

Toxic Substances: Lead Risk Reduction Program

Program Area: Toxics Risk Review and Prevention
Goal: Core Mission
Objective(s): Ensure Safety of Chemicals in the Marketplace

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$12,523.5***	***$12,627.0***	***$0.0***	***-$12,627.0***
Total Budget Authority	$12,523.5	$12,627.0	$0.0	-$12,627.0
Total Workyears	64.7	66.0	0.0	-66.0

Program Project Description:

EPA is working to reduce the number of children with blood lead levels of five micrograms per deciliter or higher through multiple programs.[130] The Lead Risk Reduction Program also has worked to reduce the disparities in blood lead levels between low-income children and non-low-income children.[131]

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. Lead paint certifications will continue under the Chemical Risk Review and Reduction Program. Other forms of lead exposure are addressed through other targeted programs such as lead pipe replacement with the State Revolving Funds.

EPA will continue to provide firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts, as well as provide for operation and maintenance of the online database (Federal Lead Based Lead Program) that supports the processing of applications for training providers, firms and individuals, through the Chemical Risk Review and Reduction Program.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

[130] 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.
[131] 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/.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$12,627.0 / -66.0 FTE) This program change eliminates the Lead Risk Reduction program. Firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts will be funded through the Chemical Risk Review and Reduction Program.

Statutory Authority:

Toxic Substances Control Act (TSCA).

Underground Storage Tanks (LUST/UST)

Program Area: Underground Storage Tanks (LUST / UST)
Goal: Core Mission
Objective(s): Revitalize Land and Prevent Contamination

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$10,812.6***	***$11,295.0***	***$5,996.0***	***-$5,299.0***
Leaking Underground Storage Tanks	$9,731.5	$9,240.0	$6,722.0	-$2,518.0
Total Budget Authority	$20,544.1	$20,535.0	$12,718.0	-$7,817.0
Total Workyears	96.5	98.5	68.8	-29.7

Program Project Description:

Releases of petroleum from Underground Storage Tanks (UST) can contaminate groundwater, the drinking water source for many Americans. Environmental Programs and Management funding helps prevent releases by providing states[132] and tribes with technical assistance and guidance, and by funding work that assists states and tribes.

EPA partners with tribes to maintain information on tribal USTs and is the primary implementer of the UST Program in Indian Country. With few exceptions, tribes do not have independent UST program resources. This funding supports direct implementation of UST Program in Indian Country.

In 2005, Congress passed the Energy Policy Act which, along with other release prevention measures, required states to inspect all facilities in their jurisdictions at least once every three years. EPA has been supporting states in these efforts (and ensuring these requirements are met before continuing to grant additional funding for this). A recent EPA study suggests that increased UST compliance is a result of increasing inspection frequency prompted by the Act. EPA's statistical model, using the State of Louisiana's UST data, showed a positive and statistically significant effect of increased inspection frequency on facility compliance.[133] This evidence supports the data trends the Agency has been witnessing: compliance rates are higher today than they were a decade ago as a result of the three-year inspection requirement.

[132] States as referenced here also include the District of Columbia and five territories as described in the definition of state in the Solid Waste Disposal Act.
[133] Sullivan, K. A. and A. Kafle. Do more frequent inspections improve compliance? Evidence from underground storage tank facilities in Louisiana. OCPA Working Paper No. 2017-05. May 2017. https://www.epa.gov/sites/production/files/2017-06/documents/olem_ocpa_working_paper_do_more_frequent_inspections_improve_compliance.pdf.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.3, Revitalize Land and Prevent Contamination in the *FY 2018-2022 EPA Strategic Plan.* EPA, with its state and tribal partners, works to prevent releases of contamination and in partnership with tribes, provides training, compliance assistance, and inspection support to implement the 2015 UST regulations in Indian Country. Between the end of FY 2008 and the end of FY 2018, the number of annual confirmed releases has decreased by 23 percent (from 7,364 to 5,654). In FY 2018, EPA made available to the public an inspector training course and an operator exam.

EPA will continue to collect data regarding both the compliance rate and the number of new releases for UST systems in Indian Country. The compliance rate will help determine progress toward meeting EPA's revised regulations, and help identify any areas that need specific attention. In addition, EPA will continue its work to determine the correlation between inspection frequency and compliance rates.

In FY 2020, EPA will:

- Continue to coordinate with state UST prevention programs.
- Provide technical assistance, compliance help, and expert consultation to state, tribal, and stakeholders on both policy and technical matters. This support strives to strengthen our network of federal, state, tribal, and local partners (specifically communities and people living and working near UST sites) and assists implementation of the UST regulations.
- Provide guidance, training and assistance to the regulated community to improve understanding and compliance.
- Work with states and tribes regarding UST compatibility with alternative fuels. Work in this area is important given the national growth in biofuels and other emerging fuels.[134]
- Continue to work with industry, states, and tribes to identify causes and potential solutions for corrosion in diesel tanks. Work in this area is important given the significant findings regarding the increasing prevalence of corrosion of UST system equipment containing ethanol or diesel fuels.135

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$109.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

[134] See EPA website: www.epa.gov/ust/emerging-fuels-and-underground-storage-tanks-usts#tab-2.
[135] See EPA website: www.epa.gov/ust/emerging-fuels-and-underground-storage-tanks-usts#tab-3.

- (-$5,408.0 / -21.5 FTE) This program change reflects a reduced workload due to the proposed elimination of the LUST Prevention and the Categorical Grant Underground Storage Tanks programs. With available resources, the Program will continue to directly implement a targeted compliance and release prevention program in Indian Country, and work with any state partners who choose to maintain an UST program after the elimination of the federal grant funds.

Statutory Authority:

Resource Conservation and Recovery Act §§ 8001, 9001-9011.

Water Ecosystems

National Estuary Program / Coastal Waterways

Program Area: Water: Ecosystems
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$25,187.6***	***$26,723.0***	***$0.0***	***-$26,723.0***
Total Budget Authority	$25,187.6	$26,723.0	$0.0	-$26,723.0
Total Workyears	36.2	36.9	0.0	-36.9

Program Project Description:

The National Estuary Program (NEP) / Coastal Waterways Program works to restore the physical, chemical, and biological integrity of estuaries of national significance and coastal watersheds to protect and restore water quality, habitat, and living resources.[136]

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$26,723.0 / -36.9 FTE) This program change eliminates the National Estuary Program/Coastal Waterways Program. EPA will encourage states to continue this work and continue to implement conservation management plans.

Statutory Authority:

Great Lakes Legacy Reauthorization Act of 2008; Clean Water Act § 320; Estuaries and Clean Waters Act of 2000; Protection and Restoration Act of 1990; North American Wetlands Conservation Act of 1989.

[136] For more information, please see: https://www.epa.gov/nep.

Wetlands

Program Area: Water: Ecosystems
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$18,528.7***	***$21,065.0***	***$21,578.0***	***$513.0***
Total Budget Authority	$18,528.7	$21,065.0	$21,578.0	$513.0
Total Workyears	120.3	122.3	130.0	7.7

Program Project Description:

EPA's Wetlands Protection Program has two primary components: (1) the Clean Water Act (CWA) section 404 regulatory program and (2) the state and tribal development program. Major activities of the Program include timely and efficient review of section 404 permit applications submitted to the U.S. Army Corps of Engineers (USACE) or authorized states; engaging and partnering with the USACE, states and other stakeholders to develop stream and wetland assessment tools, and improve compensatory mitigation effectiveness and availability of credits; assisting in the development of state and tribal wetland protection programs under the CWA; and providing technical assistance to the public on wetland management and legal requirements.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. Working with federal, state, tribal and local partners, EPA will help to ensure an effective, consistent approach to wetlands protection. This is done through both the Agency's work with USACE in federal CWA 404 permitting and in working with states and tribes to build their wetlands programs.

Clean Water Act Section 404

The USACE is responsible for managing the day-to-day permit processes nationwide under section 404 of the CWA. EPA engages in the USACE process to ensure compliance with the CWA section 404(b)(1) guidelines as they formulate their proposed permits. EPA and the USACE will work together to implement the One Federal Decision Executive Order and Memorandum of Understanding and implement activities for: improving efficiencies in federal CWA section 404 permitting that would help reduce potential costs and delays; increase consistency and predictability, improve protection of public health and the environment, and ensure permit decisions are legally defensible. In FY 2020, EPA is planning for potential regulatory revisions to the CWA section 404(c) regulations, which will ensure greater predictability and regulatory certainty. Section 404(c) allows EPA to restrict or prohibit the discharge of dredged or fill material

at specified disposal sites. EPA and the USACE also are planning for potential regulatory revisions to the 2008 Mitigation Rule, which will provide for greater efficiencies in mitigation bank approvals and operations.

EPA also will continue carrying out its responsibilities as a member of the Gulf Coast Ecosystem Restoration Council authorized under the RESTORE Act, and as a Natural Resource Damage Assessment (NRDA) Trustee for the Deepwater Horizon oil spill under the Oil Pollution Act (OPA). With specific regard to section 404 of the CWA, the RESTORE Act, and OPA, EPA responsibilities include timely, environmentally-sound, and compliant implementation of National Environmental Policy Act (NEPA) review and associated permitting. Under NRDA, EPA is a cooperating or lead federal agency for NEPA on all Trustee Implementation Group restoration plans, and the appropriate level of NEPA analysis is integrated into those referenced restoration plans. EPA's RESTORE responsibilities include NEPA analysis for projects that EPA has been assigned by the Council. Deepwater Horizon Oil Spill Natural Resource and Damage Assessment Trustees undertake mandatory independent third-party financial audits every three years to ensure accountability regarding the use of funds provided under a 2016 Consent Decree. The first independent third-party financial audit was initiated in FY 2018 and is anticipated to conclude in FY 2019.

Building State and Tribal Wetlands Programs

EPA will continue to work with states and tribes to target Wetlands Protection Program funds to core statutory requirements while providing states and tribes with the flexibility they need to best address their priorities. This includes continued EPA assistance for states and tribes interested in assuming administration of the CWA section 404 program. EPA will propose a rule to update the existing assumption regulations and provide greater clarity to state and tribes on what waters may be assumed. EPA also will continue to administer Wetland Program Development Grants in support of state and tribal wetland programs, with a focus on working more efficiently with states and tribes to achieve specific program development outcomes including supporting state and tribal assumption of the Section 404 program.[137]

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program. EPA will work with interested states and tribes to develop and improve their wetland program capacity and will track progress on an annual basis at the program level.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$657.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

[137] For more information, please see: https://www.epa.gov/wetlands or http://www.cfda.gov.

- (+$2,600.0 / +15.0 FTE) This increase provides support for priority efforts on infrastructure projects, regulatory permitting, and state delegations and certifications. This will improve consistency and efficiency and help ensure predictability and certainty in the CWA section 401 and section 404 programs.

- (-$1,430.0 / -7.3 FTE) This program change is a reduction in the Wetlands program. EPA will work with USACE, states, and tribes to increase consistency and predictability in the Wetlands program as well as streamlining business practices.

Statutory Authority:

Clean Water Act § 404.

Water: Human Health Protection

Beach / Fish Programs

Program Area: Water: Human Health Protection
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$1,777.0***	***$2,014.0***	***$0.0***	***-$2,014.0***
Total Budget Authority	$1,777.0	$2,014.0	$0.0	-$2,014.0
Total Workyears	3.0	4.1	0.0	-4.1

Program Project Description:

The Fish Component of the Beach/Fish Program provides up-to-date-science, guidance, technical assistance, and nationwide information to state, tribal, and federal agencies on the human health risks associated with eating potentially contaminated locally caught fish.

The Beach Component of the Beach/Fish Program provides up-to-date science, guidance, technical assistance and nationwide information to state, tribal, and federal agencies on the human health risks of swimming in pathogen-contaminated waters.

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. The Agency will encourage states to continue this work within ongoing core programs.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$2,014.0 / -4.1 FTE) This program change eliminates the Beach/Fish Program, which is a mature, well-established program with objectives that can continue to be implemented at the local level.

Statutory Authority:

Clean Water Act § 104.

Drinking Water Programs

Program Area: Water: Human Health Protection
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$91,494.4***	***$96,493.0***	***$89,808.0***	***-$6,685.0***
Science & Technology	$3,458.2	$3,519.0	$4,094.0	$575.0
Total Budget Authority	$94,952.6	$100,012.0	$93,902.0	-$6,110.0
Total Workyears	459.0	466.0	457.1	-8.9

Program Project Description:

Safe drinking water is critical for protecting human health and the economic vitality of the Nation. Approximately 320 million Americans rely on the safety of tap water provided by public water systems (PWS) that are subject to national drinking water standards.[138] EPA's Drinking Water Program is based on a multiple-barrier and source-to-tap approach[139] to protecting public health from contaminants in drinking water. EPA protects public health through: (1) source water assessment and protection; (2) promulgation of new or revised National Primary Drinking Water Regulations (NPDWRs); (3) training, technical assistance, and financial assistance programs to enhance public water system capacity to comply with regulations and provide safe drinking water; (4) underground injection control (UIC) programs; (5) supporting implementation of NPDWRs by state and tribal drinking water programs through regulatory, non-regulatory, and voluntary programs and policies; and (6) providing states and tribes with resources and tools to support the financing of water infrastructure improvements.[140]

The drinking water issues in Flint, Michigan and East Chicago, Indiana highlighted the need for additional attention to lead in drinking water. In addition per- and polyfluoroalkyl substances (PFAS), such as Perfluorooctanoic acid (PFOA), Perfluorooctane sulfonate (PFOS) and *Gen-X* chemicals, have been detected in drinking water systems and there is increased demand for tools that can help communities across the country protect public health and address these chemicals. These events highlight the importance of safe drinking water to public health and local economies, and in particular, the need to prioritize threats and protect drinking water sources.

[138] U.S. Environmental Protection Agency Safe Drinking Water Information System (SDWIS/FED), found at: http://water.epa.gov/scitech/datait/databases/drink/sdwisfed/index.cfm.
[139] For more information, please see: https://www.epa.gov/sites/production/files/2015-10/documents/guide_swppocket_2002_updated.pdf.
[140] For more information, please see: https://www.epa.gov/ground-water-and-drinking-water and https://www.cfda.gov.

In FY 2018, 92.8 percent of the population served by Community Water Systems (CWSs) received drinking water that met all applicable health-based drinking water standards. Ongoing compliance challenges include violations related to the Lead and Copper, revised Total Coliform, Stage 2 Disinfectants and Disinfection Byproducts, and Nitrate Rules. EPA's enhanced oversight of the Lead and Copper Rule for drinking water has identified an increased rate of non-compliance with this rule.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, EPA will continue its core mission to protect the public from contaminants in drinking water by: (1) developing new and revised drinking water standards; (2) supporting states, tribes, and water systems in implementing standards; (3) enabling funding and financing of infrastructure projects while promoting partnerships and sustainable management of drinking water systems; and (4) promoting source water protection and implementing the underground injection control (UIC) program.

In FY 2020, the Agency will continue to streamline its business processes and systems to reduce reporting burden on states and regulated facilities, and improve the effectiveness and efficiency of regulatory programs for EPA, states, and tribes. EPA also is seeking efficiencies within the Drinking Water Program to support drinking water systems. This includes work with state programs to decrease the number of community water systems out of compliance with health-based standards. Over the 5-year period of the *FY 2018–2022 EPA Strategic Plan*, EPA is pursuing a 25 percent reduction in the number systems that have health-based violations from 3,508 in FY 2017 to 2,700 by FY 2022. The Drinking Water Program supports this effort by providing assistance and training to state drinking water programs, tribal drinking water officials, and technical assistance providers on: achieving and maintaining compliance at drinking water systems; developing best practices; strengthening state and tribal Drinking Water Program capacity and certifying drinking water operators.

EPA also is partnering with states to increase the number of community water systems that should have had a sanitary survey within the last three years. The Safe Drinking Water Act (SDWA) requires that primacy agencies conduct a sanitary survey for each drinking water system every three years (five years for outstanding performance). The Agency is working toward the goal of improving the proportion of community water systems that should have had a sanitary survey within the last three years to 98 percent by FY 2022 from the 3-year rolling average of 92 percent in FY 2017. Information gained during on-site sanitary surveys comprise the backbone of state understanding of performance challenges that drinking water systems face.

<u>Water Infrastructure</u>

With the aging of the Nation's critical water infrastructure and a growing need for infrastructure investment, the drinking water and wastewater sectors face a significant challenge to maintain and advance the achievements attained in protecting public health and the environment. In FY 2020, EPA will continue its robust funding of the Nation's drinking water infrastructure, focusing efforts

to leverage and encourage public and private collaborative efforts and investments in improving the Nation's water infrastructure.

The Drinking Water Program also supports the policy and fiduciary oversight of the Drinking Water State Revolving Fund (DWSRF) Program, which provides low-interest loans to help finance drinking water infrastructure improvements needed to achieve compliance with the Safe Drinking Water Act (SDWA). The Program supports policies and outreach that help ensure the good financial condition of the State Revolving Funds.

The FY 2020 budget continues to provide funding for the Environmental Finance Program, which will help communities across the country improve their wastewater, drinking water, and stormwater systems, particularly through innovative financing. EPA will continue to support financing and construction of drinking water infrastructure and encourage public water systems to adopt sustainable management practices by doing the following:

- Providing states with funds, through the DWSRF capitalization grants, for low-interest loans to assist utilities with financing drinking water infrastructure needs and to support utility compliance with SDWA standards.
- Providing non-infrastructure support for states to use the set-asides in the DWSRF to build water system technical and managerial capacity.
- Providing effective oversight of the DWSRF funds.
- Advising states on maintaining their capacity development and operator certification programs to support compliance by public water systems with SDWA and to enable water systems, especially small systems, to meet statutory prerequisites for receiving infrastructure financing.
- Encouraging states to develop state-centric tools, in lieu of national tools, to assist water systems with capacity development.
- Continuing to support close coordination between state infrastructure and PWSS Programs.

In addition, the Agency is requesting over $2 million, not including grants, and 11.6 FTE to begin implementation and administration of the drinking water requirements mandated in the new America's Water Infrastructure Act of 2018 (AWIA). AWIA strengthens many existing programs within EPA while creating new programs to tackle significant public health concerns and environmental needs. These programs are vital to protecting public health, continuing to grow the American economy and ensuring that rural and urban communities from coast-to-coast can thrive. New mandates range from the creation of grant programs to promoting water quality workforce development. AWIA mandates will be critical to achieving the Administrator's agenda by increasing water infrastructure investment and improving drinking water and water quality across the country.

Drinking Water Implementation

In FY 2020, the Agency will continue to work with states to implement requirements for all NPDWRs to ensure that systems install, operate, and maintain appropriate levels of treatment and effectively manage their distribution systems. In particular, EPA will continue to focus on working with states to optimize corrosion control treatment and develop other strategies to minimize

exposure to lead. EPA also will continue to focus on the reduction of the number of community water systems with health-based violations.

While most small systems consistently provide safe and reliable drinking water to their customers, many small systems face challenges with aging infrastructure, complying with regulatory requirements, workforce shortages and high staff turnover, increasing costs, and declining rate bases. In FY 2018, small community water system violations made up 94 percent of overall violations;[141] and EPA will continue to focus on small systems by strengthening and targeting financial assistance, in coordination with state infrastructure programs, to support rehabilitation of the Nation's infrastructure.

Drinking water system partnerships provide opportunities to increase capacity by working together to solve compliance challenges, share costs of operations and maintenance activities, and leverage other resources. EPA's new website highlights ways partnerships can address these challenges, leading to enhanced public health by working together and sharing information: https://www.epa.gov/dwcapacity/water-system-partnerships. The Agency will continue to promote partnerships among water systems to build capacity and work with states and tribes, as well as with utility associations, third-party technical assistance providers and other federal partners, to promote the sustainability practices that are the foundation for building technical, managerial, and financial capacity, known as Capacity Development.[142]

One key to addressing the most pressing public water system issues is being able to identify which systems have the greatest need. In FY 2020, EPA will continue working with states to transition to the *Safe Drinking Water Information System (SDWIS) Prime* program management and reporting tool. *SDWIS Prime* is a centralized infrastructure technology system that will replace *SDWIS State,* currently used by the majority of state drinking water programs, and other systems that are hosted and operated separately by each primacy agency. Benefits of this transition to *SDWIS Prime* include: improvements in program efficiency and data quality, greater public access to drinking water data, facilitation of electronic reporting, reductions in reporting burdens on laboratories and water utilities, reductions in data management burden for states, and ultimately reduction in public health risk. While supporting state transition, EPA also will assist states to meet state-specific program needs by making the core SDWIS code available and by utilizing data exchange services that allow states to connect their own applications. Under the E-Enterprise for the Environment shared governance model, EPA has been partnering with the Environmental Council of the States and the Association of State Drinking Water Administrators to maximize the use of shared services. Through this effort, states will be able to leverage services developed by EPA, other states and the private sector to more efficiently meet their state-specific program needs.

EPA continues to support state migration to the Compliance Monitoring Data Portal (CMDP), which enables drinking water utilities and laboratories to report drinking water data electronically. Currently eight states are utilizing the CMDP, and multiple other states are testing the system. The portal increases data accuracy and completeness and, once fully implemented, could decrease the overall reporting burden for primacy agencies by hundreds of thousands of hours. Primacy

[141] For more information, please see: https://www.epa.gov/waterdata/drinking-water-tools.
[142] For more information, please see: http://water.epa.gov/type/drink/pws/smallsystems/index.cfm.

agencies can use CMDP-reported data to make more informed decisions about water system compliance and focus their limited resources on preventing and responding to public health problems. In FY 2020, EPA will continue to assist additional primacy agencies in testing and utilizing CMDP to receive drinking water compliance sampling data electronically.

In FY 2020, EPA also will conduct the following activities to facilitate compliance with rules:

- Oversee the national Public Water System Supervision (PWSS) Program by administering the PWSS grants to states and measuring program results based on state reporting of health-based rule violations at public water systems for over 90 drinking water contaminants (*i.e.*, microbial pathogens and disinfection byproducts, other chemicals, and radiological contaminants).
- Offer training and technical assistance on a prioritized basis to states, tribes, and public water systems for the Lead and Copper Rule (LCR) and other rules with significant noncompliance, including the Stage 2 Disinfectants/ Disinfection Byproducts Rule.
- Directly implement the Aircraft Drinking Water Rule, designed to protect millions of people who travel on approximately 5,700 aircraft in the U.S., if necessary to address identified significant risk.
- Directly implement the drinking water program where states and tribes do not have primacy (*e.g.*, Wyoming, the District of Columbia, and tribal lands), focused on actions that are under court order or address significant identified risks.

Drinking Water Standards

To assure the American people that their water is safe to drink, EPA's drinking water regulatory program monitors for a broad array of contaminants, evaluates whether contaminants are of public health concern, and regulates contaminants when there is a meaningful opportunity for health risk reduction for persons served by public water systems. In addition, EPA will work to reduce lead risks by continuing to work on revisions to the LCR, and regulations to implement the Water Infrastructure Improvement for the Nation Act and the Reduction of Lead in Drinking Water Act (RLDWA). EPA will continue its communication with states, tribes, and communities to understand local perspectives on the quality of drinking water.

The Agency also will continue to evaluate and address drinking water risks in FY 2020, including:

- Issuing a final SDWA action on perchlorate in accordance with a consent decree.
- Evaluating input from public commenters and developing final revisions to the LCR.
- Publishing preliminary regulatory determinations for contaminants on the fourth contaminant candidate list (CCL 4) for public comment. Some of the contaminants that will be considered include PFOA, PFOS, and 1-4 dioxane. Continued evaluation of these contaminants in response to public input in FY 2020 is critical for the Agency to publish final determinations by January 2021.
- Developing and publishing the draft fifth contaminant candidate list (CCL 5) based on the analysis of available health effects and occurrence data on unregulated contaminants.

- Initiating the request for states to voluntarily submit compliance monitoring data for regulated contaminants collected between 2012 - 2018 in support of the fourth Six-Year Review of existing National Primary Drinking Water Regulations.
- Continuing to participate in a cross-agency effort to address PFAS, which include PFOA, PFOS and *Gen-X* chemicals to better understand the health impacts, the extent of occurrence in the environment, and exposures to PFAS; to develop tools to support states, tribes and localities in managing PFAS in their communities; and to evaluate the need for a national Maximum Contaminant Level (MCL) for PFOA and PFOS.
- Providing support to - and oversight of - drinking water systems and laboratories as they collect and analyze samples during the implementation of the fourth Unregulated Contaminant Monitoring Rule (UCMR 4). UCMR 4 requires monitoring for 30 chemical contaminants, including cyanotoxins, between FY 2018 and FY 2021.
- Developing and publishing the proposed rule for the next cycle of UCMR monitoring (UCMR 5). This includes evaluating and prioritizing candidate contaminants, such as short-chain PFAS and contaminants on the Agency's CCL, for consideration.

Source Water Protection

EPA will continue to partner with states, federal counterparts, drinking water utilities, and other stakeholders to identify and address current and potential impacts to sources of drinking water. These efforts are integral to the sustainable infrastructure effort because source water protection can reduce the need for additional drinking water treatment and the associated additional infrastructure and technical costs and energy usage, while improving public health protection.

In FY 2020, the Agency will:

- Continue to develop data-layers and decision support tools to assist source water assessment, planning, and emergency preparation efforts. Support users of the Drinking Water Mapping Application for Protecting Source Waters (DWMAPS)[143], an online GIS program available through EPA's *Geoplatform*, through targeted outreach and development of how-to materials. DWMAPS enables states, tribes, utilities and others to combine national datasets previously integrated with DWMAPS with their own datasets, such as chemical storage facilities and sensitive drinking water intakes, to evaluate and prioritize threats to drinking water. DWMAPS also allows users to leverage Clean Water Act (CWA) data to analyze and coordinate water quality assessments, impaired waters, and point source permit information to protect drinking water sources.
- Work with state, federal, utility, and local stakeholder organizations to encourage continuing engagement in the Source Water Collaborative,[144] which works to leverage resources, support efforts to assist communities in source water protection activities and projects, and promote ongoing efforts to protect drinking water sources.
- Continue to partner with United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) and state partners to support implementation of the source water protection pilot component of the NRCS's National Water Quality

[143] For more information, please see: https://www.epa.gov/sourcewaterprotection/dwmaps.
[144] For more information, please see: https://www.epa.gov/sourcewaterprotection/source-water-collaborative.

Initiative (NWQI). This presents an opportunity to forge stronger connections between state nonpoint source and source water protection programs and to address agriculture-related impacts to drinking water sources.
- Continue to provide support for workshops that promote source water protection at the local level and support the integration of source water protection into related programs at the state and federal levels – including with state and private foresters and the U.S. Forest Service.
- Identify source water protection opportunities to help reduce the number of health-based violations, especially those violations related to disinfection byproducts.
- Continue to serve as experts on sources of emerging drinking water contaminants and options for limiting or preventing such contamination through source water protection and integration of SDWA and the Clean Water Act (CWA).

Underground Injection Control (UIC)

To safeguard current and future underground sources of drinking water from contamination, the UIC Program regulates the permitting, construction, operation, and closure of injection wells that place fluids underground for storage, disposal, enhanced recovery of oil and gas, and minerals recovery. As population growth, land use changes and drought exacerbate water supply challenges in many areas of the country, management of water availability has become increasingly important in providing safe and reliable drinking water to communities.

In FY 2020, EPA will continue to provide technical support to states and tribes in making permitting decisions, providing training for and oversight to implementation of underground injection regulations, and directly implement the UIC regulations where EPA has primary enforcement responsibility (primacy). Activities include:

- Working with the Ground Water Protection Council, Interstate Oil and Gas Compact Commission, and the National Rural Water Association to identify best practices in oil and gas development, such as reuse and recycling of produced water, that can help safeguard public health, recognizing the important role that energy extraction, including natural gas development plays in our energy future.
- Working with authorized state and tribal agencies in their efforts to effectively manage Class II enhanced oil and gas recovery wells and oil and gas-related disposal wells in a rapidly growing energy sector to protect underground sources of drinking water.
- Supporting states and tribes in applying for primary enforcement responsibility and those implementing UIC Program revisions.
- Working with the State of California to review and approve aquifer exemptions so that the state program is consistent with the SDWA and UIC regulations.
- Providing technical assistance, tools and strategies to states for improving implementation of UIC Programs, including development of e-learning material and approaches to reduce the number of earthquake events related to underground injection activities.
- Using national UIC data to assist with promoting nationally consistent approaches to program oversight of state and EPA UIC Programs.
- Streamlining EPA UIC Direct Implementation permitting, developing standard work, deploying Lean Management Principles and reducing the permit application backlog. In

FY 2018, the backlog of EPA-issued new Underground Injection Control (UIC) permits decreased from 44 to 36.

Performance Measure Targets:

(PM DW-01) Number of community water systems out of compliance with health-based standards.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						3,510	3,380	3,280	CWSs
Actual						3,480			

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$2,161.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (+$1,000.0) This increase advances priority PFAS actions associated with per- and polyfluoroalkyl substances (PFAS), such as Perfluorooctanoic acid (PFOA), Perfluorooctane sulfonate (PFOS) and Gen-X chemicals, in drinking water systems.

- (+$1,500.0) This increase supports the initiation of the seventh Drinking Water Infrastructure Needs Survey. The Survey provides a 20-year capital investment need for public water systems that are eligible to receive funding from state DWSRF programs.

- (+$3,842.0 / +11.6 FTE) This increase supports the implementing and administering of the drinking water requirements of AWIA.

- (-$15,188.0 / -22.8 FTE) This program change is a decrease to reflect the refocusing of Agency efforts to core Drinking Water Program activities and requirements.

Statutory Authority:

Safe Drinking Water Act (SDWA); Clean Water Act.

Water Quality Protection

Marine Pollution

Program Area: Water Quality Protection
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$10,242.6***	***$11,065.0***	***$0.0***	***-$11,065.0***
Total Budget Authority	$10,242.6	$11,065.0	$0.0	-$11,065.0
Total Workyears	42.2	42.5	0.0	-42.5

Program Project Description:

EPA's Marine Pollution Program partners with other agencies, including the Department of Defense, the National Oceanic and Atmospheric Administration, and others to integrate management of oceans and coasts. This program aims to: 1) ensure marine ecosystem protection; 2) manage ocean dumping of dredged material and limit and prevent disposal of wastes and other materials in the ocean; 3) address emerging environmental threats to the marine and coastal water quality; 4) protect sensitive marine habitats; and 5) gather data and undertake research to inform policy and program decisions for protection of the marine and near coastal environment.

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. EPA will seek opportunities to continue to meet statutory mandates through the national water program.

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$11,065.0 / -42.5 FTE) This program change eliminates the Marine Pollution Program. Other federal agencies may continue to support these efforts.

Statutory Authority:

Clean Water Act; Marine Protection, Research, and Sanctuaries Act (Ocean Dumping Act); Marine Debris Research, Prevention and Reduction Act of 2006; Marine Plastic Pollution Research and Control Act of 1987.

Surface Water Protection

Program Area: Water Quality Protection
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$192,705.9***	***$199,352.0***	***$188,233.0***	***-$11,119.0***
Total Budget Authority	$192,705.9	$199,352.0	$188,233.0	-$11,119.0
Total Workyears	953.3	970.6	959.6	-11.0

Program Project Description:

The Surface Water Protection Program, under the Clean Water Act (CWA), directly supports efforts to protect, improve, and restore the quality of our Nation's coasts, rivers, lakes, and streams. EPA works with states and tribes to make continued progress toward clean water goals.

FY 2020 Activities and Performance Plan:

Work in this program directly supports Goal 1/Objective 1.2, Provide for Clean and Safe Water in the *FY 2018 - 2022 EPA Strategic Plan*. In FY 2020, EPA will work with states and tribes to target funds to core requirements while providing states and tribes with flexibility to best address their priorities for Surface Water Protection.

Program Implementation

Water Quality Criteria. In FY 2020, EPA will continue to develop and publish new or revised water quality criteria reflecting the latest scientific knowledge as required by CWA section 304. EPA also will continue to review and take action on both state and tribal water quality standards and state lists of impaired waters as required by section 303. Water quality criteria and standards provide the scientific and regulatory foundation for water quality protection programs under the CWA. EPA will continue to support state and tribal programs by providing scientific water quality criteria information as required by CWA section 304. EPA also will continue to support states and authorized tribes in adopting and implementing water quality standards in accordance with the water quality standards regulation set forth at 40 CFR part 131.

Effluent Limitations Guidelines (ELGs). As required under the CWA, EPA will continue to annually review industrial sources of pollution and publish a preliminary ELG plan for public review, followed by a final biennial ELG plan informed by public comment. These plans will identify any industrial categories where ELGs need to be revised or where new ELGs need to be developed.

Biosolids. EPA will continue to implement the biosolids (sewage sludge) program as required under CWA Section 405, including reviewing the biosolids regulations not less often than every two years for the purpose of identifying additional toxic pollutants and promulgating regulations for such pollutants consistent with the CWA. EPA also will continue to develop tools to conduct risk assessments for chemicals and pathogens found in biosolids.

Impaired Waters Listings and Total Maximum Daily Loads. EPA will work with states and other partners on identifying impaired waters and Total Maximum Daily Loads (TMDLs), as required by CWA section 303(d), and on other waterbody restoration plans for listed impaired waterbodies. TMDLs focus on clearly defined environmental goals and establish a pollutant budget, which is then implemented through local, state, and federal watershed plans and programs to restore waters. EPA also will work with states and tribes on their section 303(d) program and plans to ensure they are effective. Support will be provided to control nonpoint sources of pollution and ensure the protection of high-quality waters.

Monitoring and National Aquatic Resource Surveys. EPA will continue working with states and tribes to support the National Aquatic Resource Survey's statistically representative monitoring of the condition of the Nation's waters which support CWA section 305(b). EPA also will continue working with states and tribes to support base water quality monitoring and priority enhancements that serve state and tribal CWA programs in a cost-efficient and effective manner. EPA will continue supporting state and tribal water quality data exchange and tools to maximize use of data from multiple organizations to support water quality management decisions.

Waters of the United States. EPA and the Department of the Army will continue to work together to implement the CWA and definition of "waters of the United States." The agencies intend to continue to implement the President's Executive Order 13728 by finalizing a rule to revise the definition of "waters of the United States" following a consideration of the public comments received on the proposed rule. The agencies will jointly develop tools and training to assist states, tribes, and the regulated public to implement the revised definition in a clear and consistent manner.

Water Quality Certification. EPA will assist states, tribes, other federal agencies, and stakeholders in understanding how to implement and navigate the CWA Section 401 water quality certification process. The Agency also will be reviewing options, including rulemaking, on whether and how to provide nationwide consistency and regulatory certainty for states, permit applicants, and other stakeholders under the Clean Water Act program to protect wetlands and other aquatic resources.

Core Water Quality Programs. In FY 2020, EPA will continue to implement and support the core water quality programs that control point source discharges through permitting and pretreatment programs. The National Pollutant Discharge Elimination System (NPDES) program under the CWA works with states to structure the permit program, support its implementation and to better pursue comprehensive protection of water quality on a watershed basis.

Infrastructure

EPA will continue its support of the Nation's infrastructure, focusing on efforts to leverage and encourage public and private collaborative efforts and investments in improving the Nation's water infrastructure. This program supports the policy and fiduciary oversight of the Clean Water State Revolving Fund Loan (CWSRF) Program, which provides low-interest loans to help finance wastewater treatment facilities and other water quality projects. The Program supports policies and outreach that help ensure the good financial condition of the State Revolving Funds. Since 1987, CWSRF programs have made 39,948 assistance agreements, funding $133 billion in wastewater infrastructure and other water quality projects. The Program also funds implementation of sections of the America's Water Infrastructure Act of 2018 (AWIA).

This program also supports the Clean Watershed Needs Survey (CWNS). The CWNS is an assessment of the capital investment needed nationwide for public-owned wastewater collection and treatment facilities to meet the water quality goals set in the CWA.

The FY 2020 President's Budget supports funding for the environmental finance centers program which will help communities across the country improve their wastewater and stormwater systems, particularly through innovative financing.

Program Oversight/Accountability

States and tribes play a critical role in implementing the CWA. For programs where states and tribes have primacy, the Agency will focus on providing oversight and assistance. The Agency will continue to support states in electronically reporting section 303(d) and section 305(b) assessment conclusions through the Assessment and TMDL Tracking Implementation System (*ATTAINS*) to track improvements in impaired waters. This tool reduces burden on states to track and report progress in meeting water quality standards in waters targeted for local action and greatly improve evidence-based tracking of local actions to improve water quality. In addition, as required under the CWA and Executive Orders 12866, 135638, and 13771, EPA will continue to support cost-benefit analysis for CWA regulatory and deregulatory actions. EPA will work with states, tribes, territories, and local communities to better safeguard human health; maintain, restore, and improve water quality; and make America's water systems sustainable and secure, supporting new technology and innovation wherever possible.

The Agency initiated a Lean process improvement effort in FY 2018 focused on NPDES permit streamlining. This effort has identified potential hold-ups in the permitting process, estimated timing of individual permit issuance steps, and the ideal timing for each step to meet the goal of issuing permits within six months. After process improvements, the backlog of EPA-issued new NPDES permits decreased from 106 to 62 in FY 2018. Another effort focused on streamlining the flow of data from the lab to state partners and data analysts. Improvements are being tracked through an internal process. The Agency will continue to implement these process improvements and monitor the backlog of water quality standards (WQS) actions. The Agency will continue to work to decrease the number of state and tribal WQS revision actions that have been submitted to EPA since May 2000 that EPA neither approved nor disapproved within the first 60 days after

submittal to EPA, and that have yet to be acted upon. The CWA requires EPA to review state and tribal WQS revisions and either approve within 60 days or disapprove within 90 days.

EPA will continue to track state progress in completing TMDLs, alternative restoration approaches or projection plans with the goal of 100 percent of plans in place at state identified priority waters by 2020. At the end of FY 2018, 33,135 square miles or 33 percent of state priority waters were addressed by a TMDL, other restoration plan or protection approach. EPA has continued to support Lean efforts in the states to improve their water quality monitoring, assessment, and reporting processes. In 2018, EPA supported Lean efforts in New Jersey and Idaho and has received additional requests from states for support in 2019. These streamlining efforts will allow states to reduce the time they spend on administrative reporting and contribute to improved reporting of the Agency's long-term performance goal SWP-01: Reduction in the number of square miles of watershed with surface water not meeting standards.

The FY 2020 President's Budget requests additional resources for the Agency's streamlining efforts. EPA's focus includes establishing clear timelines for permitting processes, ongoing deregulatory efforts, and increasing state delegations. These efforts will continue to advance support for communities and promote economic growth.

Performance Measure Targets:

(PM SWP-01) Reduction in the number of square miles of watershed with surface water not meeting standards (cumulative).

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target						No Target Established	9,000	18,000	Square Miles
Actual						N/A			

(PM TMDL-02) Progress in putting priority TMDLs, Alternative Restoration plans, and protection approaches in place.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target							50	67	Percent
Actual									
Numerator									Square Miles
Denominator									

(PM NPDES-03) EPA Permit Backlog – Existing NPDES.

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Units
Target							360	240	Permits
Actual									

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (+$6,784.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to adjustments in salary, essential workforce support, and benefit costs.

- (+$1,500.0) This change supports EPA's development of the Clean Watersheds Needs Survey.

- (+$671.0 / +2.5 FTE) This change provides additional resources to support the implementation and administration of the requirements of AWIA (such as the Stormwater Infrastructure Funding Task Force and the Water Infrastructure Workforce Development provisions), and additional funds for deregulation, permitting and state delegations.

- (-$20,074.0 / -13.5 FTE) This program change reduces Surface Water Protection program resources, including the elimination of the WaterSense program. EPA will focus remaining resources on statutory requirements and highest priority work.

Statutory Authority:

Clean Water Act; Marine Protection, Research, and Sanctuaries Act (MPRSA); Marine Debris Research, Prevention and Reduction Act of 2006; Marine Plastic Pollution Research and Control Act of 1987.

Congressional Priorities

Water Quality Research and Support Grants

Program Area: Congressional Priorities
Goal: Core Mission
Objective(s): Provide for Clean and Safe Water

(Dollars in Thousands)

	FY 2018 Actuals	FY 2019 Annualized CR	FY 2020 Pres Budget	FY 2020 Pres Budget v. FY 2019 Annualized CR
Environmental Programs & Management	***$25,400.0***	***$12,700.0***	***$0.0***	***-$12,700.0***
Science & Technology	$4,094.0	$4,100.0	$0.0	-$4,100.0
Total Budget Authority	$29,494.0	$16,800.0	$0.0	-$16,800.0

Program Project Description:

The purpose of this program is to provide training and technical assistance for small public water systems to help such systems achieve and maintain compliance with the Safe Drinking Water Act (SDWA) and to provide training and technical assistance for small publicly-owned wastewater systems, communities served by onsite/decentralized wastewater systems, and private well owners to improve water quality under the Clean Water Act (CWA).

FY 2020 Activities and Performance Plan:

Resources and FTE are proposed for elimination for this program in FY 2020. States have the ability to develop technical assistance plans for their water systems using Public Water System Supervision funds and set-asides from the Drinking Water State Revolving Fund (DWSRF).

Performance Measure Targets:

EPA's FY 2020 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2020 Change from FY 2019 Annualized Continuing Resolution (Dollars in Thousands):

- (-$12,700.0) This funding change eliminates the Water Quality Competitive Grant Program since resources are available through other existing programs and states are best positioned to develop technical assistance plans for their water systems.

Statutory Authority:

Safe Drinking Water Act (SDWA) § 1442(e); Federal Food, Drug and Cosmetic Act (FFDCA); Food Quality Protection Act (EQPA); Endangered Species Act (ESA); Clean Water Act § 104(b)(3).